

**MINUTES
CITY COUNCIL MEETING
MONDAY, FEBRUARY 1, 2016**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:30 p.m. in the City Hall Council Chambers, 154 South Eighth Street, Grover Beach, California.

MOMENT OF SILENCE

FLAG SALUTE The flag salute was led by Lillyanna Ramirez, a 10-year-old, 4th grade student at Grover Beach Elementary School.

ROLL CALL

City Council: Council Members Barbara Nicolls, Mariam Shah, Mayor Pro Tem Jeff Lee, and Mayor John Shoals were present. Council Member Bright was absent.

City Staff: City Manager Robert Perrault, City Attorney Martin Koczanowicz, City Clerk Donna McMahon, Police Chief John Peters, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, Parks & Recreation Program Director Kathy Petker, and Planner II Janet Reese were also present.

Also present was Fire Chief Steve Lieberman, Five Cities Fire Authority.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Tuesday, January 19, 2016 after meeting in Closed Session regarding:

1. Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8
Property: APN 060-206-029
Agency negotiator: City Manager Robert Perrault and
City Attorney Martin Koczanowicz
Negotiating party: Union Pacific
Under negotiation: Lease of land owned by Union Pacific Railroad to the City,
which currently contains the Train Station building & parking lot
2. Conference with Legal Counsel - Anticipated Litigation
Based on existing facts and circumstances, the legislative body of the local agency
has decided to initiate or is deciding whether to initiate litigation
Pursuant to Government Code Section 54956.9(d)(4): One (1) potential case
3. Public Employment
Pursuant to Government Code Section 54957
Title: City Manager

the City Council reconvened into open session and announced there were no reportable actions taken.

AGENDA REVIEW

Action: Upon consensus (Council Member Bright absent), the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

1. **Introduction of New Police Department Employee:**
Police Chief Peters introduced Communications and Records Technician Carly Payne.
2. **Introduction and Swearing-in Ceremony of New Police Officers and Recently Promoted Officers:**
Police Chief Peters introduced and administered Oaths of Allegiance to the following:
New Employees: Sergeant Celis Rabena, Police Officer David Arias, and
Police Officer Matthew Monteiro.
Promoted Officers: Commander Angelo Limon (former Sergeant), and
Sergeant Sonny Gerber (former Detective).

Joining Chief Peters in the badge pinning ceremonies were the following family members: for Sergeant Celis Rabena - his wife, Denise; for Police Officer David Arias - his mother Velia Rodriguez, for Police Officer Matthew Monteiro - his mother Mary Ann Monteiro; for Commander Angelo Limon - his wife Allison; and for Sergeant Sonny Gerber - his wife Candice and son CJ.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public for comment on items of interest which were within the jurisdiction of the City Council, but were not listed on the agenda.

- A. Linda McClure, Grover Beach business owner, announced the relocation of her business, American Property Services, to the corner of North 7th Street and West Grand Avenue.
- B. Danielle Allen, Grover Beach Elementary School representative, described various programs offered at the school and announced an upcoming school fund raiser to fill a Goodwill trailer with donated items.
- C. Danielle Zarate, Grover Beach Elementary School, Parent Teacher Organization representative, invited the City Council and members of the community to participate in the school's fund raiser/competition to collect Box Tops through the month of February to purchase school supplies and fund student field trips.
- D. John Wysong, Grover Beach resident, commented on concerns regarding low water pressure at his home.
- E. Male speaker (did not state his name), thanked and praised City officials for the successful clean up effort of the homeless encampment that was located south of the Train Station. He then praised Police Chief Peters and members of the Grover Beach Police Department for hosting the informative "Coffee with a Cop" event at a local restaurant.
- F. Dr. Daniel Bronstein, Grover Beach business owner, thanked the City Council and staff for their efforts to address impacts to the community from homeless and transient issues. However, he noted ongoing incidents of vandalism in the downtown area and requested the Council schedule another community forum to further discuss these concerns with local business owners.

PUBLIC HEARING

- 3. **Introduction and First Reading of a Proposed Ordinance to Amend the Grover Beach Municipal Code Article III, Chapter 11, Changing Regulations Regarding Special Events and Outdoor Assemblies.** (Continued Public Hearing from the City Council meeting of January 19, 2016.)

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Police Chief Peters provided an overview of proposed amendments to the permitting process for special events and outdoor assemblies. He then recapped additional revisions, pursuant to Council direction provided at the January 19th meeting, that were now incorporated into the draft Ordinance. Chief Peters also noted instructional information to be provided to applicants regarding the revised permit application process. Staff then responded to questions from the Council.

Brief discussion was held regarding the permit fee, the deposit collected, whether to revise the term "non-refundable deposit" to "a review fee", and the appeal process available to applicants.

Upon question, City Attorney Koczanowicz confirmed that correspondence received from the American Civil Liberties Union of Southern California (ACLU) earlier that same day had been distributed to the Council, and that he had no suggested changes to the draft Ordinance. He then recommended the Council proceed with first reading of the Ordinance as presented.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter.

The following persons spoke in support of the proposed Ordinance:

- Linda McClure, Grover Beach United representative, requested shorter deadlines for non-profit organizations and also requested the Council consider revising the permit process for operating a fireworks booth. She also commented on an unrelated matter involving a transient falsely using her identity;
- Tom Rehder, Grover Beach United representative; and
- Sharon Brown, Grover Beach resident.

There were no further public comments received and the Mayor closed the Public Hearing.

It was noted that there was a separate process for applicants to apply for a permit to operate a fireworks stand within city limits, with specific regulations pertaining to fireworks in the Grover Beach Municipal Code.

Further discussion was held regarding the application fee, the deposit amount to be collected based on the estimated time to review and process the application in relation to the scale and complexity of the proposed event, as well as the extent of City services required for the special event.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to:

- 1) Amend Section 3977(1) as follows (added text denoted with double underline font, deleted text denoted with ~~strikeout~~ font):

Section 3977(1) Deposit: Each application shall be accompanied by a review fee non-refundable deposit, as set forth in the Master Fee Schedule and amended from time to time, for the initial application review by City staff and the City Manager or his/her designee.

- 2) Conduct first reading, by title only, of Ordinance No. 16-02, as amended; and
- 3) Schedule second reading and adoption at the next regularly scheduled City Council meeting on Tuesday, February 16, 2016. The motion carried on the following roll call vote:

AYES: Council Members Nicolls, Shah, Mayor Pro Tem Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Member Bright.
ABSTAIN: Council Members - None.

Ordinance No. 16-02: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article III, Chapter 11 of the Grover Beach Municipal Code to Amend the Regulations Regarding Special Events and Outdoor Assemblies. (First Reading only.)

CONSENT AGENDA

It was moved by Council Member Shah and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 4, 5, 6, and 7, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Nicolls, Shah, Mayor Pro Tem Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Member Bright.
ABSTAIN: Council Members - None.

4. **Treasurer's Report for the Period January 14, 2016 through January 26, 2016.**

Action: Approved the Treasurer's Report as submitted.

5. **Treasurer's Report for the Streets Bond Account (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period January 14, 2016 through January 26, 2016.**

Action: Approved the Treasurer's Report as submitted.

6. **Minutes of the Special City Council Meeting on November 30, 2015.**

Action: Approved the minutes as submitted.

7. **Records Destruction Authorization** – Request to destroy certain department records which are no longer required to maintain.

Action: Adopted Resolution No. 16-08 authorizing the destruction of certain Police Department records.

Resolution No. 16-08: Resolution of the City Council of the City of Grover Beach Accepting the Police Department's Staff Report and Recommendations for Records Destruction.

ORDER OF THE DAY: At this time, the Order of the Day was amended to consider Agenda Item No. 9 prior to Agenda Item No. 8.

REGULAR BUSINESS

9. **Discussion Regarding Potential Uses of Affordable Housing Funds.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham provided an overview of Housing Successor Agency funds and Community Development Block Grant (CDBG) funds. He then responded to questions from the Council regarding pertinent deadlines and potential uses for the funds.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter.

- Morgen Benevedo, Director of Multi-family Housing Development, People's Self-Help Housing, suggested partnering with the City to leverage the funds for a larger scale multi-unit affordable housing project, noting the parcel on Farroll Road and South 10th Street would be too small for such a development;
- Jerry Rioux, Executive Director, Housing Trust Fund, suggested directing the funds be used to either assist with mobilehome park improvements or partnering with a non-profit housing agency to develop conceptual designs for an affordable housing project;
- Janna Nichols, Executive Director, 5Cities Homeless Coalition, spoke in support of utilizing the funds primarily towards establishing affordable housing for single occupancy, families, and/or the disabled; and
- Bobbi Boyer, Chief Financial Officer, Family Care Network, described transitional housing units recently established in the North County area and the support services that were being provided. She spoke in support of partnering with the City to purchase a multi-unit complex in Grover Beach to use as a transitional youth housing facility.

There were no further public comments received.

Further discussion was held regarding potential uses for the CDBG funds, issuing a request for proposals to non-profit groups soliciting additional options for Council consideration, and clarifying that the grant funds must be spent on Grover Beach residents.

Action: Upon consensus (Council Member Bright absent), the report was received and the following direction was provided:

- 1) not to combine the Housing Successor Agency Fund (Housing Fund) and the Community Development Block Grant (CDBG) fund at this time;
- 2) the Council expressed a preference to allocate the \$186,000 in CDBG funds for public service programs;
- 3) for staff to return to the Council for comments on a draft request for proposal document and suggested criteria for soliciting proposals from non-profit agencies requesting funds to benefit low-income individuals and/or families; and
- 4) for staff to assist interested groups/agencies in order to receive as many proposals as possible for Council consideration at a future Public Hearing.

Recess: Upon consensus of the City Council, the meeting recessed at 8:26 p.m.

Reconvene: At 8:36 p.m., the meeting reconvened with all Council Members present, except for Council Member Bright who was absent from this meeting.

ORDER OF THE DAY: At this time, the Order of the Day resumed to the agenda as posted.

8. Mid-year Budget Review and Request to Amend the FY 16 Budget.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided an overview of revenues and expenditures for each of the City's major funds, outlined recommended mid-year budget adjustments, reviewed progress achieved to date on the Council's adopted Work Program, and noted additional funding recommendations for certain major Capital Improvement Program projects. He then responded to questions from the Council.

Brief discussion was held regarding conducting an assessment of City-owned facilities, identifying maintenance issues and prioritizing expenditures, employee costs, vehicle replacement and equipment needs, and account balances in various enterprise funds.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter.

Fire Chief Lieberman, Five Cities Fire Authority, spoke in support of funding the request to install a gate and fencing at the Grover Beach Fire Station to secure the parking area located behind the station.

Sharon Brown, Grover Beach resident, requested and received additional information regarding the recommendation to transfer funds to facilitate design and engineering work for public improvements related to the Grover Beach Lodge and Conference Center Project.

There were no further public comments received at this time.

Discussion ensued regarding the various budget requests; placing a priority on those items that involved public safety issues; the loss of funding for Public Education and Government (PEG) Access Channel 20; the labor intensive process of implementing some of the modules to complete the upgrade of the City's financial system; and requests previously received for the Council to consider implementing a ban on Styrofoam products, as well as regulating the cultivation and distribution of medical marijuana. It was noted that typographical errors in the draft Resolutions would be corrected to reference those funds being transferred from "CIP 283" rather than "Reserves", as well as corrections to certain references regarding the "Wastewater Fund" or the "Water Fund".

Action: Upon consensus (Council Member Bright absent), the Council:

- 1) approved the transfer of funds in the amount of \$215,000 from CIP Project #283 - Local Street Maintenance to CIP Project #275 - Grover Beach Lodge and Conference Center;
- 2) authorized deferring consideration of the request to place a ban on Styrofoam products and the request to consider implementing regulations on the cultivation of medical marijuana until the next fiscal year; and
- 3) provided direction to amend the draft Resolutions, as necessary, to correct typographical corrections noted earlier and to fund the addition of a gate and fencing to secure the parking area located behind the Grover Beach Fire Station.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Shah to adopt Resolution No. 16-09, as amended, adopting the 12th amendment to the Annual Appropriation Resolution to fund the agreement with Executive Management. The motion carried on the following roll call vote:

AYES: Council Members Nicolls, Shah, Mayor Pro Tem Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Member Bright.
ABSTAIN: Council Members - None.

Resolution No. 16-09: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 12th Amendment to the Annual Appropriation Resolution No. 15-26 to Provide Funding for the Agreement Between the City of Grover Beach and the Grover Beach Executive Management Employees Group for Fiscal Year 16.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to adopt Resolution No. 16-10, as amended, adopting the 13th amendment to the Annual Appropriation Resolution to fund the City's Vacation Buyback Program for FY 16. The motion carried on the following roll call vote:

AYES: Council Members Nicolls, Shah, Mayor Pro Tem Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Member Bright.
ABSTAIN: Council Members - None.

Resolution No. 16-10: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 13th Amendment to the Annual Appropriation Resolution No. 15-26 to Provide Funding for the City's Vacation Buy-Back Program for Fiscal Year 16.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Shah to adopt Resolution No. 16-11, as amended, adopting the 14th amendment to the Annual Appropriation Resolution to fund the amendments as listed in the FY 16 Mid-year Report. The motion carried on the following roll call vote:

AYES: Council Members Nicolls, Shah, Mayor Pro Tem Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Member Bright.
ABSTAIN: Council Members - None.

Resolution No. 16-11: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 14th Amendment to the Annual Appropriation Resolution No. 15-26 to Provide Funding for Various Budget Adjustments as Listed in the Fiscal Year 16 Mid-year Budget Report.

10. Authorization to Release Request for Proposals for the Economic Development Strategy Update.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham briefly reviewed the request to authorize the release of a Request for Proposal (RFP) to prepare an update of the City's Economic Development Strategy. He then responded to questions from the Council.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter. No public comments were received at this time.

Brief discussion was held regarding the initial Economic Development Strategy and the number of accomplishments achieved. It was noted that a program for directional or way-finding signage at key entryways into the City had yet to be developed, as well as establishing a standard design format for gateway signage. Further discussion was held regarding focusing the City's efforts on implementation steps once the update of the Economic Development Strategy was completed.

Action: Upon consensus (Council Member Bright absent), the Council:

1) Provided the following input on the Request for Proposal document:

- Page 2: "City Opportunities" - Include a reference to the large vacant parcel of land with high visibility from Highway 101 that was located along El Camino Real;
- Page 4: "Scope of Work" - Delete the sentence (deleted text indicated with ~~strikeout font~~) - "The EDS should not set goals or policies that are unrealistic/unobtainable to achieve. The EDS should recognize the City's constraints as well as its opportunities in identifying a practical plan that will assist the City in achieving its vision."
- Page 4: "Implementation Measures" - Add a requirement to provide recommendations for next steps and identify the priority level of each implementation measure;
- Page 5: "Tourism Opportunities" or "Repositioning Retail" - Re-phrase one or both paragraphs to seek input on the types of businesses that the City should be targeting or pursuing based on current resources and commercial and/or industrial opportunities;

- Page 5: "Proposal Format & Content" -
 - a) The updated strategy should provide a road map for next steps/implementation; and
 - b) Under the Scope of Work, add outreach components that the consultant may be required to provide, depending upon available funding and time frame for completion, such as holding a public workshop soliciting community and stakeholder input and a social media component; and
- 2) Authorized staff to release the Request for Proposal, as amended, to prepare an Economic Development Strategy Update.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright was absent from this meeting.

Council Member Shah commented on the Chamber of Commerce installation dinner and extended congratulations to Bruce Van Vort of Fin's Seafood Restaurant for being named the Arroyo Grande & Grover Beach Chamber of Commerce's citizen of the year. She then reported on meetings of the Housing Trust Fund and the Homeless Services Oversight Council.

Mayor Pro Tem Lee reported on meetings of the Economic Vitality Corporation and the Zone 3 Advisory Committee. He commented that no meeting had been scheduled yet for the San Luis Obispo Coastal Regional Sediment Management Plan Steering Committee. He then reported on the meeting of the Air Pollution Control District, which he attended on behalf of Council Member Bright.

Council Member Nicolls reported on meetings of Community Action Partnership of San Luis Obispo County and the South County Transit.

Mayor Shoals reported on meetings of the Five Cities Fire Authority and the South San Luis Obispo County Sanitation District.

COUNCIL COMMUNICATIONS

- A. Council Member Shah requested Council consensus to schedule a discussion regarding declaring a shelter emergency and hosting a "MASH" event to offer social services to veterans in the South County area.

Brief discussion was held regarding both requests.

Action: Upon consensus of those present (Council Member Bright absent), the Council authorized scheduling future Council discussion on declaring a shelter emergency and hosting a "MASH" event to offer social services to veterans.

- B. Mayor Pro Tem Lee announced that the next regularly scheduled City Council meeting on February 16th would be the last official City Council meeting attended by City Manager Perrault before his official retirement from public service. He invited members of the public to attend the meeting to extend thanks and appreciation to Mr. Perrault for a job well done.
- C. Mayor Shoals thanked and praised City staff for coordinating the recent multi-agency clean up effort to address the homeless encampment that was located south of the Train Station. He then announced that the next meeting of the California Coastal Commission would be held later that same month in Morro Bay.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 10:35 p.m., the Council met in Closed Session regarding the following item:

1. **Public Employment**
Pursuant to Government Code Section 54957
Title: Interim City Manager

Closed Session Announcements: At 10:54 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present. The following reportable action was announced: the City Council approved in concept an agreement for Interim City Manager services with James Copsey (approved 4-0-1, Council Member Bright absent).

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 10:55 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:
/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 04/04/2016)