

**MINUTES
CITY COUNCIL MEETING
MONDAY, SEPTEMBER 19, 2016**

CALL TO ORDER Mayor Pro Tem Lee 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 Isabella Mossman, a 10-year-old 5th grade student at Fairgrove Elementary School, was accompanied by Mayor Shoals in leading all those present in the flag salute.

ROLL CALL

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

City Staff: City Manager Matthew Bronson, 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 Assistant City Attorney David Hale were also present.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Tuesday, September 6, 2016 after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Potential Litigation
Based on existing facts and circumstances, the legislative body of the local agency is deciding whether to join and participate in the Administrative CPUC hearing Pursuant to Government Code Section 54956.9(d): One (1) potential case

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

AGENDA REVIEW

Action: Upon unanimous consensus, the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

None at this time.

PRESENTATIONS

1. **Pledge to Make a Smart Commute Choice During Rideshare Week, October 3-7, 2016.**
Peter Williamson, Employer Outreach Coordinator, San Luis Obispo Council of Governments, described events scheduled during Rideshare Week and National Walk to School Day. He then distributed informational materials and smart commute pledge forms.

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. Judith Bean, President, Rotary Club of Grover Beach/Five Cities, described recent community clean-up efforts held during the month of September. She then announced details of the next community clean-up effort to be held in October and the Rotary Club's Halloween Trunk-or-Treat event to be held in partnership with the Grover Beach Parks and Recreation Department's Carved Pumpkin and Halloween event.

As Chief Executive Officer, Arroyo Grande & Grover Beach Chamber of Commerce, she thanked the City for its support and partnership with the Chamber in co-sponsoring the recent Stone Soup Music Festival and Street Faire. She also noted that the Chamber-sponsored Candidate Forum with candidates running for elective office in Grover Beach was available for viewing over the Internet by visiting the Chamber website.

There were no further public comments received at this time.

PUBLIC HEARING

None at this time.

CONSENT AGENDA

It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 2, 3, 4, 5, and 6, as recommended. The motion carried on the following roll call vote:

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

2. **Treasurer's Report for the Period August 30, 2016 to September 15, 2016.**
Action: Approved the Treasurer's Report as submitted.
3. **Treasurer's Report for the 2015 Streets Bond Account - \$5,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period August 30, 2016 to September 15, 2016.**
Action: Approved the Treasurer's Report as submitted.
4. **Treasurer's Report for the 2016 Streets Bond Account - \$8,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period August 30, 2016 to September 15, 2016.**
Action: Approved the Treasurer's Report as submitted.
5. **Minutes of the City Council Meeting on July 5, 2016.**
Action: Approved the minutes as submitted.
6. **Consideration of Funds for the Five Cities Diversity Coalition** - Request from the Five Cities Diversity Coalition for funds to complete the installation of sculptured art to be located in front of Arroyo Grande High School, near the Clark Center for the Performing Arts.
Action: Adopted Resolution No. 16-74 amending the FY 17 Budget to allocate funding for the Five Cities Diversity Coalition in the amount of \$500 to assist with the completion of the public art project "Arboring Our Roots of Diversity".

Resolution No. 16-74: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 4th Amendment to the Annual Appropriation Resolution No. 16-48 to Provide \$500 to the Five Cities Diversity Coalition.

REGULAR BUSINESS

7. Ramona Garden Park Playground Equipment Update.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Parks & Recreation Program Director Petker described the amenities currently available at Ramona Garden Park. In 2015, the City received a grant and several private donations towards the construction of a children's play structure at the park. Recommendations from the Parks, Recreation & Beautification Commission regarding the playground equipment and a preferred site was then presented to the City Council in December 2015. Public Works Director/City Engineer Ray continued the staff presentation by outlining cost estimates for the project, which had subsequently increased due to requirements related to accessible parking and a dedicated path leading to the proposed play structure. Staff then responded to questions from the Council.

Discussion was held regarding access requirements, parking, additional funding needed to complete the project, potential alternate sites for the equipment, and current facility conditions at Ramona Garden Park with regards to public restrooms, the community center, and the demonstration garden. It was noted that Council and staff had previously discussed and identified the need to conduct a citywide assessment of all City-owned facilities.

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

Gerri Roseboro, Parks, Recreation & Beautification Commissioner, spoke in support of the Commission's recommendations regarding the play structure, as well as the Commission's recommended site for placement of the equipment.

There were no further public comments received at this time.

Council discussion continued regarding increased project costs; whether to proceed with first addressing existing facility needs at Ramona Garden Park before installing additional amenities; and needed facility improvements at other City-owned parks. Additional comments included whether the park was being fully utilized, whether placing playground equipment near the Grover Beach Community Library might create conflicts between the different user groups and nearby residences, and encouraging daily park usage at Ramona Garden Park by installing unique playground equipment that was not already available at the schools and other area parks.

Action: It was moved by Mayor Pro Tem Lee and seconded by Mayor Shoals for staff to:

- 1) proceed with design plans and cost estimates for playground equipment located in the northeast corner of Ramona Garden Park with a range of playground equipment as identified in the community outreach process and Parks, Recreation & Beautification Commission meeting, but defer going out to bid on the project until receiving further Council direction;
- 2) obtain cost estimates for facility upgrades at Ramona Garden Park for the public restrooms, community center, and demonstration garden; and
- 3) return to the Council to present the information outlined above and include sample photographs of the proposed play structure/equipment in the staff presentation.

The motion carried on the following roll call vote:

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

Recess: Upon consensus of the City Council, the meeting recessed at 7:37 p.m.

Reconvene: At 7:49 p.m., the meeting reconvened with all Council Members present.

8. Review of Resolution to be Considered at the League of California Cities Annual Conference.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson provided an overview of the one resolution scheduled for consideration by the General Assembly at the League of California Cities Annual Conference. Staff then responded to questions from the Council.

Brief discussion was held regarding existing traffic safety features. Upon question, staff confirmed that meetings of the advisory body Traffic Committee were open to the public.

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

Nicole Ortega, (did not state City of residence), requested and received further information regarding the purpose of the General Assembly meeting at the Annual League Conference.

There were no further public comments received at this time.

Further Council discussion was held regarding the draft resolution and strategies being implemented in other cities to eliminate traffic fatalities and severe injuries.

Action: It was moved by Council Member Bright and seconded by Council Member Nicolls for the Council's voting delegate to vote in favor of the League of California Cities resolution. The motion carried on the following roll call vote:

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

Action: Upon unanimous consensus, direction was provided for staff to schedule future Council discussion on traffic calming measures on major streets as well as citywide, and a discussion on street lighting.

9. 2016 Street Rehabilitation and Repair Project (CIP 2295-4): Award of Design Contract.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Public Works Director/City Engineer Ray provided an overview of the next phase of street improvement projects associated with Measure K-14 bond funds and the proposals received to provide professional design engineering services. He then responded to questions from the Council.

Council discussion ensued regarding the scope of the services to be provided; street segments scheduled for repairs; other infrastructure issues needing to be addressed; and alternative approaches for the design and construction of future street projects.

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

Ron Reilly, Garing Taylor & Associates, objected to the proposed costs for design engineering services.

There were no further public comments received at this time.

Further discussion was held regarding the criteria used in determining the recommended engineering firm, the process for negotiating a contract after the design contract has been awarded, and the status of recruitment efforts for a Capital Improvement Project Manager.

City Attorney Koczanowicz and Public Works Director Ray briefly outlined the process for selecting the most qualified firm to provide professional services, as opposed to bids received for a public works project.

Upon request, Cannon representatives Larry Kraemer, Director of Public Infrastructure, and Keone Kauo, Project Manager, responded to questions regarding the firm's proposal for design engineering services and noted there would be opportunities to reduce a project's overall costs during the design phase.

City Attorney Koczanowicz suggested amending the draft Resolution as follows (added text indicated with double underline, deleted text indicated with ~~strikeout~~ font):

1. Authorize the City to enter into a Consultant Services Agreement, in the amount of \$598,257 with an approved ~~contingency~~ add alternate amount of up to \$143,144, with Cannon to provide engineering services...
2. Authorize the Mayor to execute the Agreement on behalf of the City based on final review of the contract by the City Attorney.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Bright to: 1) adopt Resolution No. 16-75, as amended, authorizing the City to enter into a Consulting Services Agreement with Cannon for design phase services, bidding phase services, and post-design services during the construction phase, associated with the CIP 2295-4 Street Rehabilitation and Repair Program; and 2) authorize the Mayor to execute the agreement on behalf of the City based on final review of the Consulting Services Agreement by the City Attorney. The motion carried on the following roll call vote:

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

Resolution No. 16-75: Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter into a Consultant Services Agreement with Cannon to Provide Professional Design Engineering Services on Project 2016-1, Measure K-14 Street Rehabilitation and Repair Program (CIP 2295-4) Design, Bidding, and Construction Phase.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Shah reported on the meeting of the Housing Trust Fund.

Council Member Bright stated that she had no committee reports at this time.

Council Member Nicolls stated that she had no committee reports at this time.

Mayor Pro Tem Lee reported on the meetings of the Integrated Waste Management Authority and the Zone Three Advisory Committee.

Mayor Shoals stated that he had no committee reports at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Shah thanked City staff and the Chamber of Commerce for their assistance in partnering with a Grover Beach business owner that culminated in a street tree being planted in front of the store, Mr. Glenn House of Ladies Fashions, on West Grand Avenue.

She then thanked and praised City Manager Bronson and City staff for recently hosting three classrooms of third grade students from Grover Heights Elementary School for a mock City Council meeting.

- B. Mayor Pro Tem Lee announced details of the upcoming Empty Bowls fundraiser to benefit the 5Cities Homeless Coalition.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson described recently hosting a group of third grade students from Grover Heights Elementary School. He noted the tour included a mock City Council meeting in the Council Chambers with a brief staff presentation by Public Works Director/City Engineer Greg Ray regarding street improvement projects, followed by a tour of the police and fire stations.

CITY ATTORNEY'S REPORTS AND COMMENTS

City Attorney Koczanowicz announced that this was his last City Council meeting as the City Attorney for Grover Beach, as he had recently accepted the position of in-house legal counsel for the City of Moreno Valley.

The Council thanked and praised Mr. Koczanowicz for his fourteen years of service, dedication, and professional legal counsel to the City of Grover Beach. They congratulated him on his new position and extended well wishes to Mr. Koczanowicz and his family in the future.

CLOSED SESSION

At 9:08 p.m., the Council met in Closed Session regarding the following items:

1. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-206-024 & 060-263-034
Agency negotiator: City Manager Bronson
Negotiating party: County of San Luis Obispo
Under negotiation: Terms and conditions of potential lease or acquisition.

2. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-206-029 and 060-263-036
Agency negotiator: City Manager Bronson
Negotiating party: Union Pacific Railroad
Under negotiation: Terms and conditions of potential lease or acquisition

3. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Attorney

Closed Session Announcements: At 9:41 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present. The following reportable action was announced: Direction was provided for staff to schedule Council consideration of entering into a Professional Services Agreement for City Attorney services with the law firm of David P. Hale, a Professional Corporation (5-0).

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 9:42 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:
/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 11/21/2016)