

**MINUTES
CITY COUNCIL MEETING
MONDAY, NOVEMBER 21, 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 Council Member Shah.

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 David Hale, City Clerk Donna McMahon, Police Chief John Peters, Administrative Services Director Gayla Chapman, Public Works Director/City Engineer Greg Ray, and Parks & Recreation Program Director Kathy Petker were also present.

CLOSED SESSION ANNOUNCEMENTS

None at this time.

AGENDA REVIEW

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

CEREMONIAL CALENDAR

None at this time.

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. James Cooper, Vice Chair, Parks, Recreation & Beautification Commission, provided a brief summary of topics discussed at the recent Commission meeting. He then announced details of upcoming City-sponsored events for the holidays.

No further public comments were received at this time.

PUBLIC HEARING

1. **Second Reading and Adoption of Ordinance to Adopt the 2016 California Building Codes, 2015 International Property Maintenance Code, and Other State Mandated Codes.**

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. City Manager Bronson announced that he would be presenting the staff report on behalf of Community Development Director Buckingham, who was attending to a family matter. He then described proposed amendments to the Grover Beach Municipal Code that were initially presented to the City Council on October 17, 2016 for certain building and construction codes and expedited permit processing for residential rooftop solar and electrical vehicle charging stations.

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 and the Mayor closed the Public Hearing.

Brief discussion was held regarding affordable housing options being considered at the County level.

Action: It was moved by Council Member Bright and seconded by Mayor Pro Tem Lee to conduct second reading of the Ordinance, by title only, and adopt Ordinance No. 16-04. 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.

Ordinance No. 16-04: An Ordinance of the City Council of the City of Grover Beach Amending Article VIII of the Grover Beach Municipal Code Adopting by Reference the 2016 California Building Standards Administrative Code, 2016 California Building Code, 2016 California Residential Code, 2016 California Electrical Code, 2016 California Mechanical Code, 2016 California Plumbing Code, 2016 California Energy Code, 2016 California Historical Building Code, 2016 California Fire Code, 2016 California Existing Building Code, 2016 California Green Building Standards Code, 2016 California Reference Standards Code; the 2015 International Property Maintenance Code; and Other State Mandates.

CONSENT AGENDA

Upon unanimous consensus, the City Council approved Consent Agenda Item Nos. 2, 3, 4, 5, and 6, as recommended.

2. **Treasurer's Report for the Period October 11, 2016 to November 14, 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 October 11, 2016 to November 14, 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 October 11, 2016 to November 14, 2016.**
Action: Approved the Treasurer's Report as submitted.
5. **Minutes of the City Council Meetings on September 6, 2016, September 19, 2016, and October 3, 2016.**
Action: Approved the minutes as submitted.
6. **Consideration of Adopting a City Council Meeting Schedule for Calendar Year 2017.**
Action: Adopted the proposed City Council meeting schedule for calendar year 2017.

REGULAR BUSINESS

7. **Grover Beach Municipal Broadband Network: Award of Construction Contract.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson provided opening comments regarding the Municipal Broadband Network project and noted additional project costs had been identified subsequent to distribution of the agenda packet. Public Works Director/City Engineer Ray continued the staff presentation with an overview of the project's service area and outlined key elements of the Municipal Broadband Network, a public-private partnership with Digital West and the County of San Luis Obispo. He then reviewed the project's design and construction phases, additional agreements that would be necessary to continue project implementation, and the revised cost estimates pursuant to subsequent communication with the County regarding the County's share of costs. Staff then responded to questions from the Council.

Discussion ensued regarding costs and expanding the proposed service area to include the City's community centers, a nearby business center on Ramona Avenue and the Exploration Station, and Grover Beach Elementary School. Additional discussion was held on clerical corrections to the draft Construction Management and Conduit Lease Agreements, which were initially negotiated in 2014 under a previous administration.

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

Nathan Terrell, Development Manager, Digital West, spoke in support of the project, responded to questions from the Council, and confirmed that Digital West would be responsible for maintenance costs of the conduit.

There were no further public comments received at this time.

Further Council discussion was held on additional amendments to the draft agreements, marketing the network to current and prospective businesses as well as to the school district, and anticipated revenue to the City from the broadband network.

Actions: It was moved by Mayor Pro Tem Lee and seconded by Council Member Bright to:

- 1) Award the *Construction Contract* for the Grover Beach Municipal Broadband Network to Leo Tidwell Excavating in the amount of \$742,770;
- 2) Authorize the City Attorney to amend the draft agreements to:
 - a) update the names referenced in the documents for the Mayor and the City Manager;
 - b) revise the section regarding nondiscrimination of "veterans" to include veterans beyond the "Vietnam era";
 - c) specify that Digital West would be responsible for maintenance of the conduit;
 - d) approve the Class 32 Categorical Exemption pursuant to Section 15332 of the State CEQA Guidelines;
- 3) Authorize the City Manager and City Attorney to negotiate and execute a comprehensive *Cost Sharing Agreement* with the County of San Luis Obispo;
- 4) Authorize the City Manager and City Attorney to finalize the *Conduit Lease Agreement* with Digital West;
- 5) Authorize the City to enter into a *Construction Management Agreement* with Digital West;
- 6) Authorize expanding the service area via aerial extensions to include:
 - a) Ramona Avenue from North 8th Street to North 10th Street; and
 - b) South 13th Street extending south to Trouville Avenue; and
- 7) Authorize staff to prepare a mid-year budget amendment to provide a maximum of \$150,000 in additional project funding for the Municipal Broadband Network project.

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.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright reported on meetings of the Air Pollution Control District and the Basin-wide Control District. As the Council's alternate representative, she reported on the meeting of the Zone Three Advisory Committee.

Council Member Nicolls reported on the meeting of the Community Action Partnership of San Luis Obispo County. As the Council's alternate representative, she reported on meetings of the South San Luis Obispo County Sanitation District and the Five Cities Fire Authority.

Council Member Shah reported on meetings of the Housing Trust Fund and Homeless Services Oversight Council. Brief discussion was held regarding local efforts to address homelessness and also to provide temporary warming shelters.

Mayor Pro Tem Lee reported on meetings of the Integrated Waste Management Authority and the Economic Vitality Corporation.

Mayor Shoals reported on meetings of the San Luis Obispo Council of Governments and the San Luis Obispo Regional Transit Authority. He thanked Council Member Nicolls for attending meetings of the Five Cities Fire Authority and the South San Luis Obispo County Sanitation District as the City's alternate representative so that he could attend to a family matter. He then reported on a recent meeting that he, Mayor Pro Tem Lee, and City Manager Bronson had attended in San Diego with Pacifica Companies to discuss further progress on the Grover Beach Lodge Project. He noted additional details would be presented to the City Council in December.

COUNCIL COMMUNICATIONS

- A. Council Member Nicolls announced the temporary closure of the Grover Beach Community Library through early January 2017 to complete interior refurbishment of the library.
- B. Mayor Pro Tem Lee announced details of a benefit dinner event for the 5Cities Homeless Coalition.
- C. In follow-up to a matter she had raised previously to the Council, Council Member Shah confirmed that the Board of Directors for the Grover Beach Community Library was in support of having the City send a letter to the San Luis Obispo County Library requesting that the County advertise the Community Library's programs. She would then follow-up with staff regarding the appropriate contact person at the County to receive the letter.

Upon question, City Attorney Hale responded affirmatively that the Council could provide the requested direction to staff at this meeting.

Action: Upon unanimous consensus, direction was provided for the City Manager to prepare and execute a letter on behalf of the City Council requesting that the County Library advertise programs being offered by the Grover Beach Community Library.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson announced the following:

- *City Hall Office Hours During Thanksgiving Week* - City Hall Offices would be closed in observance of the Thanksgiving holiday from Thursday-Friday, November 24-25. Additionally, City Hall offices would be closed to the public beginning at 12 Noon on Wednesday November 23.
- *Measure L-16* - As a result of voter approval of Measure L-16, three separate ordinances were being prepared for City Council consideration regarding a cannabis tax, land use, and regulatory matters. The land use and regulatory ordinances would first be scheduled for consideration by the Planning Commission and then brought to the City Council.
- *Golden West Park* - The Public Works and Parks and Recreation Departments recently hosted an onsite community workshop at Golden West Park to discuss park improvements with nearby residents. The workshop was well attended and the information gathered would be first presented to the Parks, Recreation & Beautification Commission and then brought to the City Council.
- *Holiday Flags on West Grand Avenue* - The Parks, Recreation & Beautification Commission suggested displaying holiday flags along West Grand Avenue. Working with a local flag vendor and the Commission, several design concepts and potential display locations had been identified. With Council concurrence, holiday flags and U.S. flags would be installed prior to the Annual Holiday Parade. Brief discussion was held on marketing efforts and offering local businesses the opportunity to sponsor a holiday flag.
- *City Flag* - City Manager Bronson also noted that work was underway to display a flag of the City seal at Ramona Garden Park.

- *Scheduling: Future Agenda Items* - Two items previously postponed were now ready for Council consideration: the Grover Beach Train Station Expansion Project/Property Acquisition and the Grover Beach Lodge Project/Public Improvements and Financing Strategy. Due to the ceremonial nature of the special meeting on December 12, the Council was requested to consider scheduling these two items on the regular meeting date that had already been authorized for cancellation - Monday, December 5.

Action: Upon unanimous consensus of the City Council: 1) the regularly scheduled meeting on Monday, December 5 would be held to consider the Train Station Project and the Lodge Project; and 2) the special meeting on Monday, December 12 would begin at 6:00 p.m., rather than 6:30 p.m. Additionally, the special meeting would be primarily for ceremonial/election-related matters.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 8:17 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 01/09/2017)