

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, JANUARY 23, 2017**

**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 Anthony Ingram, an 11-year-old, 5<sup>th</sup> grade student at Grover Heights Elementary School.

**ROLL CALL**

City Council: Council Members Jeff Lee, Barbara Nicolls, Debbie Peterson, Mayor Pro Tem Mariam Shah, 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, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, and Parks & Recreation Program Director Kathy Petker were also present.

Also present were Fire Chief Steve Lieberman, Five Cities Fire Authority; Keone Kauo, Cannon; and Nate Stong, Omni Means.

**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. John Wysong, Grover Beach resident, requested an additional crosswalk installed on North Oak Park Boulevard. He also expressed concerns regarding drought conditions and taking action to ensure the City had a sufficient supply of water.

There were no further public comments received at this time.

**PUBLIC HEARING**

1. **Proposed Amendments to Article III, Chapter 9 of the Grover Beach Municipal Code regarding Massage Regulations.**

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Police Chief Peters described proposed amendments to the City's regulations on massage establishments and technicians in accordance with recent changes in state law. He then responded to questions from the Council.

Brief discussion was held regarding fees, enforcement procedures, and the proposed permitting process.

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.

Members of the Council noted that discussions had been held at statewide policy committee meetings regarding changes needed to local massage regulations and commended Chief Peters for bringing the proposed amendments to the Council.

**Action:** It was moved by Council Member Peterson and seconded by Mayor Pro Tem Shah to conduct the first reading, by title only, of Ordinance No. 17-02, and schedule second reading and adoption for the next regularly scheduled City Council meeting on Monday, February 6, 2017. The motion carried on the following roll call vote:

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

**Ordinance No. 17-02: An Ordinance of the City Council of the City of Grover Beach Repealing in its Entirety Chapter 9 of Article III of the Grover Beach Municipal Code and Replacing it with a New Chapter 9, Article III Entitled "Massage Therapy Regulations". (First Reading *only*)**

### **CONSENT AGENDA - CITY COUNCIL ITEMS**

Prior to consideration of the Consent Agenda, Council Member Peterson announced that she would abstain from Consent Agenda Item No. 5 - Minutes of the City Council Meeting on December 5, 2016 and December 12, 2016, as she was not yet seated as a member of the City Council as of December 5. Additionally, upon request from the Council, further information was provided regarding Consent Agenda Item No. 7 - Construction Management Agreement for the 2016-1 Street Rehabilitation and Repair Project regarding the proposed public notification process and the time frame for bringing construction management firms under contract.

It was moved by Council Member Lee and seconded by Council Member Nicolls to approve City Council Consent Agenda Item Nos. 2, 3, 4, 5, 6, and 7, and Successor Agency Consent Agenda Item No. 8, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Lee, Nicolls, Peterson (except for Consent Agenda Item No. 5), Mayor Pro Tem Shah, and Mayor Shoals.  
NOES: Council Members - None.  
ABSENT: Council Members - None.  
ABSTAIN: Council Member Peterson (for item No. 5 *only*).

2. **Treasurer's Report for the Period January 3, 2017 - January 17, 2017.**  
**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 January 3, 2017 - January 17, 2017.**  
**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 January 3, 2017 - January 17, 2017.**  
**Action:** Approved the Treasurer's Report as submitted.
5. **Minutes of the Regular City Council Meeting on December 5, 2016 and the Special City Council Meeting on December 12, 2016.**  
**Action:** Approved the minutes as submitted.
6. **Second Reading and Adoption of Ordinance No. 17-01 Amending the Zoning Map from Retail Commercial (RC) to Central Business Open (CBO) - Taking formal action to amend the Zoning Map.**  
**Action:** Conducted second reading, by title only, and adopted Ordinance No. 17-01 amending Section 1.10.020 of Grover Beach Municipal Code Article IX to change the zoning from Retail Commercial (RC) to the Central Business Open (CBO) zone.

**Ordinance No. 17-01: An Ordinance of the City Council of the City of Grover Beach Amending Section 1.10.020 Zoning Map of Article IX of the Grover Beach Municipal Code to Change the Zoning Map from Retail Commercial (RC) to Central Business Open (CBO) Associated with Development Application 15-18 (1400 Ramona Avenue).**

7. **Construction Management Agreement Associated with the 2016-1 Street Rehabilitation and Repair Project** - Awarding a contract for street construction management services.

**Action:** Adopted Resolution No. 17-07 authorizing the City to enter into a Professional Services Agreement with Filippin Engineering, Inc., for construction management, inspection, and materials testing associated with the 2016-1 Measure K-14 Street Rehabilitation and Repair Project; and authorizing the Mayor to execute the agreement on behalf of the City.

**Resolution No. 17-07: Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter into a Professional Services Agreement with Filippin Engineering, Inc., to Provide Construction Management Services Associated with the Construction of 2016-1 Street Rehabilitation and Repair Project, CIP 2295-4.**

**THE GROVER BEACH CITY COUNCIL IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE DISSOLVED GROVER BEACH IMPROVEMENT AGENCY.**

**CONSENT - SUCCESSOR AGENCY ITEM**

8. **Annual 2017-18 Recognized Obligation Payment Schedule** - Review and approval of a schedule of payment obligations for the City's former redevelopment agency to be forwarded on to the Oversight Board.

**Action:** Adopted Resolution No. SA-17-01 approving the 2017-18 Recognized Obligation Payment Schedule (ROPS) sitting as the Successor Agency to the Grover Beach Improvement Agency and authorizing the City Manager to present the ROPS to the Oversight Board for its consideration and approval.

**Resolution No. SA-17-01: A Resolution of the Successor Agency to the Dissolved Grover Beach Improvement Agency Approving and Adopting a Draft of the Recognized Obligation Payment Schedule (ROPS) Pursuant to Health and Safety Code Section 34177(I).**

**REGULAR BUSINESS**

9. **Appointment to the Parks, Recreation & Beautification Commission.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Parks & Recreation Program Director Petker presented the staff report recommending that the City Council consider appointing Cynthia Price to the Parks, Recreation & Beautification Commission. She noted that Ms. Price was interviewed by the Advisory Body Screening Committee and that on September 6, 2016 the City Council had identified Ms. Price as the next appointee in the event of an unscheduled vacancy on the Parks, Recreation & Beautification Commission.

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

**Action:** It was moved by Council Member Lee and seconded by Mayor Pro Tem Shah to adopt Resolution No. 17-08 appointing Cynthia Price to the unexpired term on the Parks, Recreation & Beautification Commission, with the Commission term scheduled to expire on May 31, 2019. The motion carried on the following roll call vote:

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

**Resolution No. 17-08: A Resolution of the City Council of the City of Grover Beach, California, Appointing Cynthia Price to Serve on the Parks, Recreation & Beautification Commission.**

At this time Commissioner Price was introduced to the City Council and members of the audience.

**10. Consideration of Purchase of a Second Replacement Fire Engine.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson provided an overview of the request from the Five Cities Fire Authority to purchase a second replacement fire engine, citing critical fleet replacement needs, the aging condition of current apparatus, and the opportunity to receive discounted pricing.

Fire Chief Lieberman spoke in support of the purchase request and responded to questions from the Council.

Brief discussion was held regarding equipment needs, fire operations, lease payments, financing costs, and fiscal impacts to the General Fund from this unbudgeted expense.

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.

Upon question from the Mayor, City Attorney Hale confirmed that Mayor Shoals could participate in taking action on this matter.

**Action:** It was moved by Council Member Lee and seconded by Council Member Peterson to: 1) provide direction to the City's representative on the Five Cities Fire Authority (FCFA) Board to authorize the FCFA to purchase a second replacement fire engine through a 10-year lease purchase agreement; and 2) provide direction to the City Manager to incorporate the City's annual purchase cost in the FY 2017-18 budget development process. The motion carried on the following roll call vote:

AYES: Council Members Lee, Nicolls, Peterson, Mayor Pro Tem Shah, and Mayor Shoals.

NOES: Council Members - None.

ABSENT: Council Members - None.

ABSTAIN: Council Members - None.

**11. Street Project Update.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Public Works Director/City Engineer Ray provided an update on the status of the first three Measure K-funded street projects completed to date, which comprised 84 city blocks or approximately seven miles of roadway, representing approximately 20% of all local city streets. He then reported on the progress of design work for the next set of street improvements for construction to begin later in the year. Additionally, he noted the completion of the Oak Park Boulevard Rehabilitation Project, which was funded with grant funds and sources other than Measure K bond funds. He then described the development of a list of on-call engineering design firms to reduce the time and costs associated with the procurement of design services for street projects. Public Works Director/City Engineer Ray responded to questions from the Council regarding cost estimates, other available funding sources, and the more significant pothole repairs being completed by two local paving companies in addition to pothole repairs being completed by City crews.

At this time Public Works Director/City Engineer Ray introduced Keone Kauo from Cannon to present options for improving Long Branch Avenue and Newport Avenue.

Referencing a PowerPoint presentation, Mr. Kauo presented design options for reducing the width of maintained pavement on Long Branch Avenue. Mr. Kauo and staff responded to questions from the Council.

Discussion ensued regarding the design options, proposed materials and costs, parking, sidewalks, accessibility, bike paths, design features for stormwater recharge and the potential to apply for grant funding, and whether abandoning a portion of the street might be a viable option.

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

Further discussion was held regarding the proposed materials for street narrowing and whether the improvements could be designed and constructed in phases.

**Action:** Upon consensus of the City Council, the following direction was provided for the preferred design options for *Long Branch Avenue only*:

Pavement/Construction:

- Complete improvements on Long Branch Avenue from 4<sup>th</sup> Street to 10<sup>th</sup> Street, but don't limit the improvements to only consist of re-paving the street to its current width;
- Use a phased approach for completing the street improvements; and
- Prepare the necessary materials to pursue grant funds that, if successful, could provide an opportunity to install more expensive, low-impact development options such as bioswales.

Parking:

- Explore "parkway" design concepts instead of medians to accommodate parking; and
- Pursue opportunities to allow for additional parking options on Long Branch Avenue from 3<sup>rd</sup> Street to 4<sup>th</sup> Street.

Materials:

- Use decomposed granite as in-fill material instead of Gorilla Hair shredded mulch.

**Recess:** Upon unanimous consensus of the City Council, the meeting recessed at 8:42 p.m.

**Reconvene:** At 8:47 p.m., the meeting reconvened with all Council Members present.

Public Works Director/City Engineer Ray reintroduced Keone Kauo from Cannon. Resuming the PowerPoint presentation, Mr. Kauo outlined options for public outreach and community engagement for soliciting input prior to developing design concepts for narrowing and options for traffic calming on Newport Avenue. Mr. Kauo and staff then responded to questions from the Council.

Discussion ensued on the estimated costs for public outreach, potential benefits from the different approaches, the range of information that could be gathered for a specific block or an entire area, and the diverse comments and opinions received from a previous public workshop regarding street improvements on Newport Avenue.

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

Discussion continued on the different public engagement methods, with the "clicker" method identified as the less expensive option.

**Note:** Due to severe weather conditions, at 9:23 p.m. there was a power failure in the Council Chambers and Council proceedings were paused until the audio feature on cable access Channel 20 was restored. The meeting resumed at 9:30 p.m.

**Action:** Upon consensus of the City Council, the following direction was provided for *Newport Avenue only*:

- Proceed with designing street improvements on Newport Avenue for those street segments located west of 4<sup>th</sup> Street and east of Oak Park Boulevard;
- Utilize the "clicker" method to gather public input from property owners and residents located on Newport Avenue between 4<sup>th</sup> Street and Oak Park Boulevard to assist in the development of design concepts for narrowing those sections of Newport Avenue; and

- Require the public outreach consultant to review audio/video recordings of the previous meeting/workshop held with residents regarding roadway narrowing concepts for Newport Avenue to gain additional background information on previous public input.

**Action:** Upon consensus of the City Council, staff was authorized to further research the "Build a Better Block" public engagement process to determine whether it could be utilized for other issues or areas of the community, such as sections of West Grand Avenue.

## 12. Traffic Safety Update.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson provided introductory comments, noting the report was prepared in response to recent comments on traffic safety given the two pedestrian fatalities that had occurred in 2016. He also stated that the presentation would include a review of traffic data, possible traffic calming measures, and use of the Advisory Traffic Committee.

Mayor Shoals stated that he'd received a speaker request form earlier in the evening from a member of the public who had indicated interest in speaking on this item. It was noted that the gentleman was no longer present in the Council Chambers.

Public Works Director/City Engineer Ray briefly outlined the traffic safety information to be presented and introduced Nate Stong from Omni Means.

Referencing a PowerPoint presentation, Mr. Stong described traffic calming measures for different street types and their effective placement at certain locations, as well as the range of positive outcomes that traffic calming measures could produce. He then responded to questions from the Council.

Discussion was held regarding traffic calming guidelines utilized by another agency and how a similar document could be developed for Grover Beach. Additional discussion was held on whether to re-evaluate the concepts presented in the West Grand Avenue Master Plan. Council discussion then ensued regarding specific street segments and intersections located citywide that may benefit from the installation of traffic calming measures.

City Attorney Hale cautioned that an approved design and a warrant analysis should be required before authorizing the installation of traffic calming measures.

Public Works Director/City Engineer Ray continued the staff presentation and described the requirements for installing stop signs and speed limit signs. He also noted that street lights retrofitted with LED bulbs resulted in a more focused beam of light being projected and a greater difference in the lighting level for areas located between street lights.

Police Chief Peters provided an overview of the Police Department's traffic safety efforts through enforcement, public education, and collaboration with organizations and programs that encouraged commuters to drive safely. Additionally, he described the organizational structure and purpose of the Advisory Traffic Committee, but noted the Committee met infrequently and that most of the traffic issues were resolved at the staff level. He then responded to questions from the Council and confirmed that he would provide the Council with further statistical data regarding the number of citations issued.

Council discussion continued on conducting a corridor study of West Grand Avenue before further traffic calming measures would be considered for that street. The Council also discussed street lighting and lighting conditions in the industrial areas and the Train Station parking lot, and whether police volunteer assistance could be further utilized for monitoring areas with traffic and/or public safety concerns. Additional discussion was held on revising the organizational structure of the Advisory Traffic Committee and specific street segments/intersections considered earlier by the Advisory Traffic Committee.

City Attorney Hale described the legal parameters for a municipality to claim design immunity regarding street improvements and traffic calming measures.

**Action:** Upon unanimous consensus, the Council provided direction to staff on the following items:

- *Advisory Traffic Safety Committee* - restructure to be a more citizen-based committee;
- *Street lighting* - reduce the allowable distance between street lights to improve lighting conditions;
- *West Grand Avenue* - pursue a corridor study and examine options for reducing traffic speeds; and
- *Traffic studies and traffic designs* - ensure that these items are brought to the Council for review and approval.

#### **PULLED CONSENT AGENDA ITEMS**

None at this time.

#### **COUNCIL COMMITTEE REPORTS**

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

Mayor Pro Tem Shah reported on meetings of the Homeless Services Oversight Council and Visit San Luis Obispo County.

Council Member Lee reported on the meeting of the Zone Three Advisory Committee.

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

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

#### **COUNCIL COMMUNICATIONS**

- A. Council Member Nicolls described comments she had received from a member of the community praising the accomplishments and ongoing progress being achieved by the City.
- B. Council Member Lee announced the scheduled days of operation for the 5Cities Homeless Coalition's Warming Center.
- C. Council Member Peterson praised all those who had responded to calls for service throughout the evening hours during the recent heavy winter storms, and particularly thanked Public Works crews, public safety personnel, and PG&E crews.

#### **CITY MANAGER'S REPORTS AND COMMENTS**

City Manager Bronson announced that notices were recently mailed to all water and wastewater customers with information on the Public Hearing scheduled to be held on March 6, 2017 for the City Council to consider proposed changes to water and wastewater rates. He noted that the information was also available on the City website.

#### **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 10:55 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 04/03/2017)