

**MINUTES
CITY COUNCIL MEETING
MONDAY, AUGUST 20, 2018**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:00 p.m. in the City Hall Council Chamber, 154 South Eighth Street, Grover Beach, California.

MOMENT OF SILENCE

FLAG SALUTE The flag salute was led by Council Member Nicolls.

ROLL CALL

City Council: Council Members Barbara Nicolls, Debbie Peterson, 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, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, Parks & Recreation Program Director Kathy Petker, and Capital Improvement Project Manager Erin Wiggin were also present.

Also present were Fire Chief Steve Lieberman, Five Cities Fire Authority; Battalion Chief Riki Heath, Five Cities Fire Authority; Parks, Recreation & Beautification Commission Vice Chair Cynthia Price, Parks, Recreation & Beautification Commissioner Paul Press, and Channel Counties Division Representative Dave Mullinax, League of California Cities.

CLOSED SESSION ANNOUNCEMENTS

None at this time.

AGENDA REVIEW Mayor Shoals requested that the Council consider reviewing Agenda Item No. 11 before Agenda Item No. 10 under Regular Business.

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

CEREMONIAL CALENDAR

1. Beautification Award Presentation: JD and Tina O'Meara, 1674 Trouville Avenue.

Mayor Shoals read the title to the agenda item. Parks & Recreation Program Director Petker and Parks, Recreation & Beautification Commissioner Price described the O'Meara's participation in the Spring Garden Tour and "Cash for Grass" Water Conservation Rebate Program. The City Council, members of the Parks, Recreation & Beautification Commission, and Parks & Recreation Program Director Petker presented the Beautification Award to Mr. and Mrs. JD O'Meara.

PRESENTATIONS

2. Update on the South San Luis Obispo County Sanitation District.

Council Member Nicolls introduced Jeremy Ghent, the new administrator for South San Luis Obispo County Sanitation District. Mr. Ghent provided an update on significant initiatives and upcoming capital projects. He then responded to questions from the Council.

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. Dr. Jill Stearns, former Grover Beach resident and recently appointed Superintendent/President, Cuesta College, introduced herself to the Council. She described programs offered to students in the South County area and noted increased participation levels in the Cuesta Promise scholarship program.

- B. Colt Esenwein, Public Works Director, County of San Luis Obispo, introduced himself to the Council and expressed his interest in working collaboratively with the City on projects of mutual interest.
- C. Abe Garces, Grover Beach resident, invited the City Council and members of the community to the Narvacan Association's Sister City Celebration as well as the 2018 Filipino Cultural & Scholarship Awards event. He also commented on a City time capsule that had been buried over 25 years earlier.
- D. Anita Shower, Grover Beach resident, suggested contacting former Mayor Peter Keith regarding the City time capsule.
- E. Billy Mitchell, Grover Beach resident, commented on a neighbor's dispute regarding her fence.
- E. Marsha Bolyanatz, Grover Beach resident, commented on the status of the Grover Beach Lodge project and the street paving program.
- F. Jocelyn Brennan, President/CEO, South County Chambers of Commerce, announced details for the Stone Soup Music Festival, Food & Street Fair and the Candidates Forum for candidates running for a seat on the Grover Beach City Council.
- G. Sioux Strebin, Grover Beach resident, expressed concerns regarding transients and litter in the vicinity of South 9th Street and Rockaway Avenue.
- H. Wayne Embrey, Grover Beach resident, thanked the Council for the recent installation of a stop sign on South 16th Street.

CONSENT AGENDA

It was moved by Council Member Peterson and seconded by Mayor Pro Tem Lee to approve Consent Agenda Item Nos. 3, 4, 5, 6, 7, and 8 as recommended. The motion carried on the following roll call vote:

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

- 3. **Treasurer's Report for the Period July 13, 2018 to August 10, 2018.**
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 July 13, 2018 to August 10, 2018.**
Action: Approved the Treasurer's Report as submitted.
- 5. **Treasurer's Report for the 2017 Streets Bond Account - \$15,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period July 13, 2018 to August 10, 2018.**
Action: Approved the Treasurer's Report as submitted.
- 6. **Positions on Resolutions to be Considered at the League of California Cities Annual Conference.**
Action: Provided direction to the City's voting delegate and alternates to take a neutral position on the two resolutions to be considered by the General Assembly at the League of California Cities Annual Conference on Friday, September 14, 2018.
- 7. **Street Rehabilitation and Repair Project (CIP 2295-8): Award of Professional Design Engineering Services** – Consideration of awarding professional design engineering services for smaller street projects that allow for more continuous street improvements funded with Measure K-14 bond funds.

Action: Adopted Resolution No. 18-85 authorizing the City to enter into a Consulting Services Agreement with Rick Engineering for design phase services, bidding phase services, and post-design services during the construction phase, associated with the CIP 2295-8 Street Rehabilitation and Repair Project; and authorized the Mayor to execute the agreement on behalf of the City.

Resolution No. 18-85: Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter into a Consultant Services Agreement with Rick Engineering to Provide Professional Design Engineering Services on Project CIP 2295-8 Measure K-14 Street Rehabilitation and Repair Program Design, Bidding, and Construction Phase.

8. **Approve Parcel Map G16-0182 and Accept the Offer of Dedication** – Consideration of approving a Parcel Map for a two-lot subdivision and offer of dedication for a six-foot public utility easement for a two-unit Planned Unit Development (PUD). Location: 340 Saratoga Avenue; Applicant: Paul Bischoff.

Action: Approved Parcel Map G16-0182 to divide the single parcel at 340 Saratoga Avenue into two parcels for the purposes of a PUD, accepted the offer of dedication for a public utility easement, and authorized the City Clerk to endorse the Council's approval on the face of the map.

Recess: Upon consensus of the City Council, the meeting recessed at 6:55 p.m.

Reconvene: At 7:00 p.m., the meeting reconvened with all Council Members present.

PUBLIC HEARING

None at this time.

REGULAR BUSINESS

9. **Proposed Revised Life Safety Requirements for Commercial Cannabis Facilities.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson provided introductory comments. Referencing a PowerPoint presentation, Fire Chief Lieberman provided an overview of expanded fire and life safety requirements for the development of commercial cannabis cultivation, manufacturing, and laboratory facilities to include Level II / Type 7 commercial cannabis manufacturing utilizing volatile solvents. Staff then responded to questions from the Council.

Discussion was held regarding commercial cannabis manufacturing processes and safety standards. It was noted that future updates were anticipated regarding the City's fire and life safety requirements given the evolving nature of the commercial cannabis industry.

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

Craig Smith, CRSA Architecture, spoke in support of the revised fire and life safety requirements and commended staff on its user-friendly format. He also suggested further revisions for existing buildings, which he had provided in correspondence submitted earlier and was distributed to the Council as a supplemental agenda item.

No further public comments were received at this time.

Additional discussion was held on adopting the fire and life safety regulations by resolution as being a more efficient and expedient method of responding to changes in state law and the commercial cannabis industry.

Action: Upon motion by Mayor Pro Tem Lee, seconded by Council Member Shah, the Council adopted Resolution No. 18-86 revising the existing Fire and Life Safety Requirements to include Level II / Type 7 Manufacturing for commercial cannabis businesses. The motion carried on the following roll call vote:

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

Resolution No. 18-86: A Resolution of the City Council of the City of Grover Beach, California, Amending Cannabis Fire and Life Safety Requirements for Commercial Cannabis Businesses.

ORDER OF THE DAY: Upon consensus of the Council, the Order of the Day was not revised to consider Agenda Item No. 11 prior to Agenda Item No. 10, as requested earlier in the meeting under Agenda Review.

10. November 2018 State Ballot Initiatives Including Proposition 6.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson provided a brief overview of State ballot initiatives that would impact local government and responded to questions from the Council.

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

Dave Mullinax, League of California Cities, Channel Counties Division Representative, provided further details on impacts to local infrastructure projects in the Counties of San Luis Obispo, Santa Barbara, and Ventura if Proposition 6 were approved by the voters. He spoke in opposition to Proposition 6 and noted other organizations and government agencies that also opposed it.

There were no further public comments received at this time.

Action: Upon motion by Council Member Shah, seconded by Council Member Peterson, the Council adopted Resolution No. 18-87 opposing Proposition 6. The motion carried on the following roll call vote:

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

Resolution No. 18-87: A Resolution of the City Council of the City of Grover Beach, California, Taking a Position to Oppose Proposition 6 on the November 2018 General Election which would Repeal SB 1 Funding for Transportation Projects Throughout California.

Further discussion was held on whether to also take a formal position on Propositions 1, 2, and 3, which were all supported by the League of California Cities, and whether Proposition 10 might assist local affordable housing efforts.

Action: Upon unanimous consensus of the City Council, direction was provided for staff to schedule Council consideration of taking a formal position to support Propositions 1, 2 and 3, and to schedule further discussion regarding Proposition 10.

Prior to discussion of Agenda Item No. 11, Council Member Shah announced her residence was located on Newport Avenue, and that the City Attorney had opined she did not need to recuse herself from the discussion due to the general/citywide nature of the subject matter.

11. Street Repair Update including Newport Avenue, Major Streets, and Use of Development Impact Fee Funding.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Public Works Director/City Engineer Ray provided a status update on street projects funded with proceeds from the sale of Measure K-14 bonds. He displayed renderings of several design options and outlined cost estimates for narrowing and traffic calming on Newport Avenue. In conclusion, he presented options for the rehabilitation of major streets with non-Measure K-14 funds. Staff then responded to questions from the Council.

Brief discussion was held on the design options, cost estimates, funding sources, and additional infrastructure needs.

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.

Further discussion ensued regarding the design options for Newport Avenue improvements, and for staff to return to the Council with further analysis on whether South 9th Street from Long Branch Avenue to West Grand Avenue could be added to the list of prioritized street segments scheduled for repair.

Recess: Upon consensus of the City Council, the meeting recessed at 9:23 p.m.
Reconvene: At 9:28 p.m., the meeting reconvened with all Council Members present.

Council discussion continued on design options for Newport Avenue.

Action - Newport Avenue Improvements

Upon consensus of the City Council, direction was provided to proceed with a modified version of Design Option 2:

- narrowing the travel lanes by striping buffered bike lanes on both sides of the street, bulb-outs at the corners, and decomposed granite infill walkways;
- thicker pavement on the travel lanes and parking lanes, and shallower pavement depth on bike lanes located behind the sidewalk; and
- for staff to investigate whether a modified chicane could be installed that maintained the straight-line view towards the ocean.

Council discussion continued on prioritizing major street repairs, funding sources, the degree of work to be completed, and estimated costs.

Action - Major Street Rehabilitation

Upon consensus of the City Council, direction was provided for staff to return to the Council with further cost estimates for:

- South Oak Park Boulevard: from West Grand Avenue to Mentone Avenue:
 - a) full depth rehabilitation on 2 to 4 blocks; and
 - b) localized repairs and thin grind/overlay on approximately 10 blocks.
- North 4th Street: from West Grand Avenue to Ocean View Avenue:
 - a) full depth rehabilitation; and
 - b) localized repairs and thin grind/overlay.
- South 4th Street: from Highland Way to South 4th Street:
 - a) full depth rehabilitation; and
 - b) localized repairs and thin grind/overlay.
- West Grand Avenue:

For the Council's representative on the San Luis Obispo Council of Governments to continue advocating for funding to rehabilitate segments of West Grand Avenue.

Additional discussion was held on whether to install further traffic calming features or modify existing traffic features at the intersection of South 16th Street and Farroll Road, such as relocating existing stop bars on South 16th Street closer towards Farroll Road.

Action: South 16th Street and Farroll Road

Upon consensus, direction was provided to schedule further Council consideration regarding traffic safety at the intersection of South 16th Street and Farroll Road.

Council discussion continued on the use of Development Impact Fees.

Action: Use of Development Impact Fee Funding

Upon consensus, direction was provided to allocate the remaining balance of \$28,212 in Development Impact Fees on the rehabilitation of South Oak Park Boulevard.

Action: Measure K-14 Local Street Rehabilitation

Upon consensus, direction was provided to add South 9th Street from West Grand to Long Branch Avenue to the list of prioritized streets for future rehabilitation.

COUNCIL COMMITTEE REPORTS

Mayor Pro Tem Lee reported on the meeting of the Integrated Waste Management Authority.

Council Member Nicolls provided an update on recent changes at the South County Chambers of Commerce.

Council Member Shah reported on the meeting of the Homeless Services Oversight Council.

Council Member Peterson, as the Council's representative on the San Luis Obispo County Water Resources Advisory Committee, commented on attending a Stormwater Recapture Plan presentation.

Mayor Shoals reported on the meeting of the San Luis Obispo Council of Governments.

Council Member Shah, as the Channel Counties Division President, announced the next meeting of the League of California Cities Channel Counties Division would be held at the League's Annual Conference. She noted the meeting format would be an early evening reception rather than a formal lunch meeting.

COUNCIL COMMUNICATIONS

- A. Council Member Peterson congratulated the Five Cities Babe Ruth youth baseball team for winning the Babe Ruth World Series championship.
- B. Council Member Shah expressed interest in scheduling a discussion on the hours of operation for the South County Skate Park, noting days during the last week of summer when the Skate Park had been closed.

Action: Upon consensus of the Council, direction was provided to schedule a discussion by the Parks, Recreation and Beautification Commission regarding operations at the South County Skate Park.

- C. Upon request from Mayor Shoals, City Manager Bronson confirmed that he would provide the Council with an update regarding funding approved through the Community Development Block Grant application process for the Senior Center Feasibility Study and funding assistance for the 5Cities Homeless Coalition.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson announced details for a groundbreaking ceremony to be held at the Grover Beach Train Station for the commencement of construction for the Train Station Expansion Project.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 10:13 p.m., the Council met in Closed Session regarding the following item:

1. **Conference with Legal Counsel – Existing Litigation**
Pursuant to Government Code Section 54956.9(d)(1)
Shell Beach Enterprises, Inc. v. City of Grover Beach, et al
San Luis Obispo County Superior Court Case No. 18CV-0224

Closed Session Announcements: At 10:19 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present. It was announced that there were no reportable actions taken during the Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 10:20 p.m.

/s/

JOHN P. SHOALS, MAYOR

Attest:

/s/

DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 11/19/18)