

**MINUTES  
CITY COUNCIL MEETING  
TUESDAY, JANUARY 22, 2019**

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

**Recess:** At 6:00 p.m., Mayor Lee called the meeting to order and then immediately called a recess due to technical difficulties.

**Reconvene:** 6:02 p.m., the meeting reconvened with all Council Members present.

**MOMENT OF SILENCE**

**FLAG SALUTE** The flag salute was led by Stella Burpee, a 7 year old, first grade student from Fairgrove Elementary School.

**ROLL CALL**

City Council: Council Members Desi Lance, Barbara Nicolls, Debbie Peterson, Mayor Pro Tem Mariam Shah, and Mayor Jeff Lee were present.

City Staff: City Manager Matthew Bronson, City Attorney David Hale, Acting City Clerk Wendi Sims, Police Chief John Peters, Administrative Services Director Deanne Purcell, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, CIP Projects Manager Erin Wiggins, and Parks & Recreation Program Director Kathy Petker were also present.

**CLOSED SESSION ANNOUNCEMENTS**

City Attorney Hale read the following announcement:

**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 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**

**1. Recognition of Gayla Chapman, former Administrative Services Director**

Mayor Lee read a proclamation and together with members of the City Council and City Manager Bronson presented it to Gayla Chapman for her 21 years of service to the City of Grover Beach.

**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. Liz Doukas, resident – made comment on an on-going code compliance issue.

**CONSENT AGENDA**

It was moved by Mayor Pro Tem Shah and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 2, 3, 4, 5, 6, and 7 as recommended. The motion carried on the following roll call vote:

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

**2. Treasurer's Report for the Period December 26, 2018 through January 16, 2019.**

**Action:** Approved the Treasurer's Report as submitted.

3. **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 December 26, 2018 to January 16, 2019.**  
**Action:** Approved the Treasurer's Report as submitted.
4. **Minutes of the City Council Meeting on Monday, January 7, 2019.**  
**Action:** Approved the minutes as revised.
5. **Contract Amendment – Engineering Project Management (CIP 2295) –**  
The City Council considered a contract amendment for consulting project management services for Measure K-14 Bond Funded Street Rehabilitation and Repair (CIP 2295).  
**Action:** Amended the contract for Engineering Project Management Services related to CIP 2295 (Measure K-14 Street Rehabilitation and Repair Program) for \$150,000 in additional services and authorized the City Manager to execute the contract amendment on behalf of the City.
6. **Acceptance of the Ramona Square South Lot and Grover Beach Community Center Parking Lot Maintenance Projects** - The City Council considered accepting the improvements of the Parking Lot Maintenance Project (3393 and 3000).  
**Action:** Accepted the improvements constructed by RDZ Contractors, Inc and authorized staff to send the Notice of Completion to the contractor.
7. **Award of Construction Contract Measure K-14 Street Improvements (CIP 2295-8, Atlantic City / Park View / 1<sup>st</sup> Street / 2<sup>nd</sup> Street / Beckett) –**  
The City Council considered awarding the Construction Contract for Measure K-14 Street Improvements CIP 2295-8.  
**Action:** Awarded the contract for construction of CIP 2295-8 as part of the Measure K-14 Street Rehabilitation Program to Souza Construction Inc., in the amount of \$1,399,826.50 for the Base Bid; authorized the City Manager to sign and affirm construction and construction management change orders up to an aggregate of \$276,815.30; and authorized the Mayor to execute the contract on behalf of the City.

#### **PUBLIC HEARING**

8. **Introduction and first reading of proposed Ordinance to amend regulations incorporating the definitions of Tobacco Paraphernalia.**

Mayor Lee read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report.

Chief Peters gave a brief overview of the Ordinance and the need to amend the regulations to incorporate the definition of tobacco paraphernalia.

Mayor Lee invited public comment on this matter. No public comments were received at this time and the mayor closed the Public Hearing.

**Action:** It was moved by Council Member Nicolls and seconded by Mayor Pro Tem Shah to introduce and conduct first reading of the Ordinance No. 19-01, regarding Tobacco Regulations, by title only, and schedule a second reading and adoption for the next regularly scheduled meeting on Monday, February 4, 2019. The motion carried on the following roll call vote:

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

**Ordinance No. 19-01: An Ordinance of the City Council of the City of Grover Beach, California, Amending Section 3221.1 of Article III, Chapter 2.21, and Sections 10420 and 10421 of Article X, Chapter 4.20, of the Grover Beach Municipal Code Amending Regulations Incorporating Definitions of Tobacco Paraphernalia**

## **REGULAR BUSINESS**

### **9. Newport Avenue Street Rehabilitation Project Final Design**

Mayor Lee read the title to the foregoing item and deferred to staff for a report. Public Works Director/Engineer Ray, referenced a PowerPoint presentation and gave an overview regarding Measure K-14 progress and the current phase in design for Newport Avenue.

Discussion was had amongst the council on the designs.

Mayor Lee invited public comment on this matter.

A. Rex and Geri Lanier, Residents, were not in favor of the design.

No further public comments were received at this time.

Further discussion was had between Council Members and staff regarding the medians, bike lanes, the planters, and visibility issues.

**Action:** Upon consensus, direction was provided from the council to proceed with the presented design, with the softening of the planter corners, and to have the design finalized so that it can go to bid for the construction phase.

**Prior to discussion of Agenda Item No. 10, Council Member Peterson recused herself due to her having a Short-Term Rental. She then stepped down from the dais and sat in the audience to exercise her first amendment right to speak on this item.**

### **10. Short-Term Rental Policy Direction**

Mayor Lee read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham, provided a presentation regarding Short-Term Rental Policy program options for review and consideration.

Brief discussion was had by the council on the need to be able to handle complaints on STR's. City Attorney Hale made comment that residential CCR's supersede local zoning ordinances and are not necessary to consider for this matter.

Mayor Lee invited public comment on this matter

- A. Silvia Bohrer – Resident, in favor of a STR's.
- B. Jeff Bohrer, Resident, in favor of a STR's.
- C. Darlene Dechance, Resident, opposed to STR's.
- D. Jennifer Breeden, Resident, opposed to STR's.
- E. Anthony Cerino, Resident, opposed to STR's.
- F. Kathleen (Kitty) Otto, Resident, in favor of STR's.
- G. Alana Reynolds, Resident, in favor of STR's and policy.
- H. Steven Otto, Resident, in favor of STR's.
- I. Barret Brown, Realtor, in favor of STR policy.
- J. Janaé Brolin, Resident, in favor of STR policy.
- K. Ninette Bavaro Latronica, Rental Owner, in favor of STR's.
- L. Debbie Peterson, Resident, in favor of STR's.
- M. Penny Bennett, Resident, in favor of STR's.
- N. Don Dechance, Resident, opposed to STR's.

As no further public comments were received at this time, Mayor Lee brought it back to the Council for further discussion.

Council discussion continued with questions to staff for clarification on the ways to regulate the Short-Term Rentals regarding distance, length of stay, occupancy and violations and fines to hold the owners accountable for their renters' actions.

**Action:** Upon consensus, the Council gave direction to staff to draft an Ordinance to be brought before the council for further direction and clarification. The Ordinance would be brought before the Planning Commission for consideration and comment before being brought back to the City Council for final approval and adoption.

Those present, who would like to receive notifications regarding this proposed Ordinance were asked to contact City Clerk with their contact information to be placed on the notifications list.

**At 9:06 p.m. Council Member Peterson returned to the dias for the remainder of the meeting.**

#### **COUNCIL COMMITTEE REPORTS**

Council Member Peterson reported on the Zone 3 meeting.

Mayor Pro Tem Shah reported on the HSOC meeting, as well as the League of California Cities meeting in Sacramento.

Mayor Lee reported on the IWMA, SLOCOG and the League of California Cities meeting in regards to Transportation, Communications and Public Works Committee.

Council Member Nicolls made comment on the Five Cities Fire Joint Powers Authority.

#### **COUNCIL COMMUNICATIONS**

A. Council Member Nicolls made comment on the upcoming South County Chambers of Commerce Annual Awards Dinner on Wednesday, January 30.

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

City Manager Bronson gave a brief overview of his League of California Cities Committee, Governance, Transparency & Labor Revenue and Taxation, that met last week in Sacramento.

He also made comment on February being Council goal setting month and the various forums and ways the community can participate in providing input towards those goals.

He then commended the Public Works department for the work they have been doing on the Oak Park medians and made note of the all-way stop that was going in at South 16<sup>th</sup> Street and Farroll this week.

#### **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 Lee adjourned the meeting at 9:23 p.m.

/s/

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JEFF LEE, MAYOR

Attest:

/s/

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WENDI SIMS, ACTING CITY CLERK  
(Approved at CC Mtg 02/04/19)