

**MINUTES
CITY COUNCIL MEETING
MONDAY, NOVEMBER 17, 2014**

CALL TO ORDER Mayor Peterson 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 Isaiah Nystrom, a 10-year-old, 4th grade student at Grover Beach Elementary School.

ROLL CALL

City Council: Council Members Karen Bright, Glenn Marshall, Bill Nicolls, Mayor Pro Tem Jeff Lee, and Mayor Debbie Peterson were present.

City Staff: City Manager Robert Perrault, Assistant City Attorney David Hale, City Clerk Donna McMahon, Police Chief/Assistant City Manager James Copsey, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Gregory Ray, and Parks & Recreation Program Director Kathy Petker were also present.

Also present were Michael Manchak, San Luis Obispo County Economic Vitality Corporation; Tim Williams, Digital West Networks; and Jessica Berry, San Luis Obispo Council of Governments.

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. **Proclamation Recognizing Cameron Storton for Attaining the Rank of Eagle Scout and Completing a Kiosk Board at the South County Skate Park.**

Mayor Peterson read and presented the proclamation to Eagle Scout Cameron Storton.

2. **Proclamation Declaring November 2014 as “National Hospice Month”.**

Mayor Pro Tem Lee read and presented the proclamation to Gracie Rey, Hospice San Luis Obispo County.

3. **Certificates of Appreciation Honoring Individuals or Organizations for Contributing to the Beautification of the City of Grover Beach - the 5 Cities Men’s Club, Achievement House, and Eco Rotary.**

Mayor Peterson read and presented Certificates of Appreciation to the following organization representatives: David Ekbohm, 5 Cities Men’s Club; Renee Poirier, Achievement House; and Julie Tizzano-Schumann, Rotary Club of the Five Cities-Eco.

PRESENTATION

4. **Presentation from the San Luis Obispo County Economic Vitality Corporation.**

Michael Manchak, President/CEO, San Luis Obispo County Economic Vitality Corporation (EVC), described the work effort of the EVC and presented an overview regarding the countywide economic strategy project that surveyed and assessed various business sectors to identify the most promising opportunities to businesses, as well as the leading challenges. Mr. Manchak then responded to questions from the Council, and the Council thanked him for the informative presentation.

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. Durbin Lloren, Grover Beach resident, distributed photos of a deck and storage unit constructed on his residential property, expressed concerns regarding the City's building regulations, and requested the Council's assistance with resolving the matter.
- B. Dr. Daniel Bronstein, Grover Beach business owner, expressed concerns regarding vagrancy issues in the downtown area.

There were no further public comments received.

PUBLIC HEARING

None at this time.

CONSENT AGENDA

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

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

5. **Treasurer's Report for the Period October 14, 2014 - November 12, 2014.**
Action: Approved the Treasurer's Report as submitted.
6. **Amendments to the Agreements with Executive Management, Management & Confidential, and Grover Beach Police Management and Confidential Employees Group** - Approving amendments to the agreements with certain employee groups to administratively document compensation previously approved by the City Council.
Action: Adopted Resolution No. 14-78.

Resolution No. 14-78: A Resolution of the City Council of the City of Grover Beach, California, Approving an Addendum to the Memorandums of Understanding with the Executive Management Employee Group, Grover Beach Police Management and Confidential Employee Group, and Management and Confidential Employee Group for the Period Ending June 30, 2015.

7. **Amendment to the Classification and Compensation Plan for Employees Represented by the Grover Beach Police Management and Confidential Employees Group** - Amending the Classification and Compensation Plan to implement a minimum compensation difference of five (5) percent between the job class of Police Commander and the top salary range for the job class of Police Sergeant.
Action: Adopted Resolution No. 14-79 amending the Classification and Compensation Plan for certain job classes represented by the Grover Beach Police Management and Confidential Employees Group.

Resolution No. 14-79: A Resolution of the City Council of the City of Grover Beach, California, Amending Resolution No. 02-73 to Adjust Salary Ranges for Certain Job Classes Represented by the Grover Beach Police Management and Confidential Employees Group (GBPMCEG).

REGULAR BUSINESS

8. **Request for Waiver of Underground Utility Requirements Due to Hardship for 258 North 12th Street.** **Applicant:** Bruce Severance, EnVision Builders, on behalf of Marta Stern, property owner.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, Public Works Director/City Engineer Ray described the request to waive the requirement that all utilities on a multi-family development be placed underground and waive the requirement to pay an in-lieu fee based on substantial hardship.

He then responded to questions from the Council regarding the requirements to underground utilities and information received during the plan check and review process.

Mayor Peterson invited comments from the applicant and those in the audience who wished to be heard on this matter. No public comments were received at this time.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to adopt Resolution No. 14-80 denying the request for a waiver of the underground utility requirements. The motion carried on the following roll call vote:

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

Resolution No. 14-80: A Resolution of the City Council of the City of Grover Beach, California, Denying a Request for Waiver of the Underground Utilities Requirement for 258 North 12th Street.

Prior to discussion of Agenda Item No. 9, Mayor Pro Tem Lee declared a conflict of interest due to his employment with the County of San Luis Obispo Public Works Department and his involvement regarding public works projects for Zone 3. He then stepped down from the dais and left the Council Chambers.

9. Low Reservoir Response Plan for Lopez Reservoir.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. Referencing a PowerPoint presentation, Public Works Director/City Engineer Ray provided an overview regarding the draft Low Reservoir Response Plan that provided a framework for modifying operation of the Lopez Reservoir during periods of extended drought with the goal of extending the period during which water would be available for delivery. He then responded to questions from the Council.

Mayor Peterson invited public comments regarding this matter.

Mary Lucey, Vice President, Oceano Community Services District, spoke in support of the Low Reservoir Response Plan.

There were no further public comments received at this time.

Action: It was moved by Council Member Bright and seconded by Council Member Marshall to adopt Resolution No. 14-81 endorsing the Low Reservoir Response Plan for the San Luis Obispo County Flood Control and Water Conservation District Zone 3. The motion carried on the following roll call vote:

AYES: Council Members Bright, Marshall, Nicolls, and Mayor Peterson.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.
RECUSED: Mayor Pro Tem Lee (*due to a conflict of interest*).

Resolution No. 14-81: A Resolution of the City Council of the City of Grover Beach Endorsing the Low Reservoir Response Plan for the San Luis Obispo County Flood Control and Water Conservation District Zone 3.

At this time Mayor Pro Tem Lee returned to the dais.

Recess: Upon consensus of the City Council, the meeting recessed at 7:59 p.m.
Reconvene: At 8:05 p.m., the meeting reconvened with all Council Members present.

10. First Quarter Report and Recommended Revisions to the FY 15 Budget.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided an update regarding the status of the City's budget and presented an analysis regarding revenues and expenditures for the first quarter of the budget cycle. He then recommended authorizing certain revisions to the budget.

Administrative Services Director Chapman briefly described the proposed upgrade to the City's financial system and noted that information regarding the estimated three-year project schedule and the proposed expenditures were not included with the staff report, but were subsequently distributed to the City Council as a supplemental item. Staff then responded to questions from the Council regarding various computer software modules and equipment needs to complete the financial system upgrade, as well as questions regarding the proposal to fill a vacant part-time position in the Parks and Recreation Department.

Mayor Peterson invited comments from those in the audience who wished to be heard regarding this matter. No public comments were received at this time. However, Mayor Peterson read a statement that she had received from Parks, Recreation & Beautification Commissioner Heidi Boatman and her husband Carl Boatman expressing support for the proposal to fill a vacant part-time position in the Parks and Recreation Department.

Further Council discussion was held regarding water conservation efforts, and the escalating costs, reporting requirements, and additional tasks related to stormwater.

Action: It was moved by Council Member Nicolls and seconded by Council Member Marshall to adopt Resolution No. 14-82. The motion carried on the following roll call vote:

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

Resolution No. 14-82: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 2nd Amendment to the Annual Appropriation Resolution No. 14-32 to Provide Funding for Various First Quarter FY 15 Budget Amendments.

Action: It was moved by Council Member Nicolls and seconded by Council Member Marshall to adopt Resolution No. 14-83. The motion carried on the following roll call vote:

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

Resolution No. 14-83: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 3rd Amendment to the Annual Appropriation Resolution No. 14-32 to Provide Funding for an Upgrade to the Financial System.

Action: Upon unanimous consensus, the City Council provided direction to staff to: 1) initiate the filling of a vacant part-time position for the Parks and Recreation Department; and 2) proceed with upgrading the City's financial system.

11. Further Consideration of a Construction Management Agreement and a Conduit Lease Agreement with Digital West.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. City Manager Perrault briefly described the agreements necessary to implement the Municipal Broadband Network and noted that the Council had recently authorized entering into an Engineering and Design Agreement with Digital West. In response to questions during that previous Council discussion, he presented additional information regarding charges to be included in the proposed Conduit Lease Agreement. He then introduced Tim Williams, CEO and Founder, Digital West Networks. City Manager Perrault, Mr. Williams, and Assistant

City Attorney Hale then responded to questions from the Council.

Discussion ensued regarding the approximate time frame for implementing the Municipal Broadband Network and soliciting bids, project financing, various terms to be included in the agreements that had not yet been finalized, and further clarification regarding the application of an Annual Recurring Charge (ARC) to revenues generated by the Municipal Broadband Network.

Mayor Peterson invited public comments regarding this matter.

Tim Williams, Digital West Networks, spoke in support of the City's partnership with Digital West Networks and finalizing the agreements to proceed further with implementation of the Municipal Broadband Network.

There were no further public comments received at this time.

Action: Upon unanimous consensus, the Council authorized staff to proceed with finalizing the agreements with Digital West Networks.

ORDER OF THE DAY: Upon consensus of the City Council, at 9:50 p.m. the Order of the Day was amended to consider Agenda Item No. 13 next.

CITY MANAGER'S REPORTS AND COMMENTS

13. Discussion Regarding Sending a Letter to CalTrans Regarding Pedestrian Access Along Highway One and South Fourth Street from Grover Beach to Oceano.

City Manager Perrault noted that the San Luis Obispo Council of Governments (SLOCOG) was scheduled to discuss the matter of pedestrian access between Grover Beach and Oceano at its upcoming meeting to be held in the Grover Beach City Council Chambers on December 3, 2014. In preparation for that meeting, SLOCOG staff had prepared a draft report regarding pedestrian access and its relationship to the 2008 Beach Cities Multipurpose Trail Study that was completed by the City of Grover Beach in 2008. He noted that copies of the SLOCOG staff report were distributed to the Council as a supplemental item to the agenda packet.

Mayor Peterson invited public comments regarding this matter.

Jessica Berry, SLOCOG representative, provided an overview regarding the funding process for transportation projects.

John Shoals, former Mayor and Grover Beach resident, spoke in support of extending the existing boardwalk that connected Grover Beach and Pismo Beach.

Vern Dahl, Chair, Oceano Advisory Council, spoke in support of improving pedestrian access between Grover Beach and Oceano.

There were no further public comments received at this time.

Brief discussion was held regarding improving pedestrian access to neighboring coastal communities and future planned developments in Grover Beach near Highway One and West Grand Avenue that would benefit from those improvements. It was noted, however, that the beach boardwalk was a separate issue. Further discussion was held regarding sending a letter to SLOCOG that indicated the Council's support of improving pedestrian access between the coastal communities.

Action: Upon unanimous consensus of the Council, staff was authorized to send a letter to the San Luis Obispo Council of Governments, with a copy to the California Department of Transportation, expressing the City Council's support for a future project that would reconnect pedestrian access between the beach communities in the South County and that such project be included in the next funding cycle.

ORDER OF THE DAY: At 10:05 p.m., the Order of the Day resumed to the agenda as posted.

12. Status Report Regarding the City's Efforts in Dealing with Vagrancy Issues.

City Manager Perrault briefly reviewed the Council's direction from the City Council meeting held on September 15, 2014 regarding impacts to the community from the homeless and vagrancy issues.

He then outlined subsequent actions taken by the City to:

- 1) adopt an ordinance regarding aggressive animals;
- 2) prepare a draft ordinance for Council consideration in December regarding aggressive panhandling;
- 3) prepare revised permitting procedures for use of City parks by large groups for Council consideration in early 2015;
- 4) install security cameras at Ramona Garden Park, which was scheduled for final review and approval by the public transportation agency boards in early 2015; and
- 5) conduct further research regarding the City of San Luis Obispo's Feed the Meter Program that collected donations to fund programs servicing the homeless. He noted that program was maintained, operated, and promoted by United Way of San Luis Obispo.

Mayor Peterson commented that subsequent to her contact with Lieutenant Keith Storton of the San Luis Obispo Police Department regarding this issue, four meters had been donated to the City of Grover Beach.

Brief Council discussion was held regarding use of City parks by large groups.

Mayor Peterson invited public comments regarding this matter.

Mariam Shah, Grover Beach, spoke in support of sponsoring a Feed the Meter Program and exploring further options to address the issue of homelessness.

There were no further public comments received at this time.

Brief Council discussion was held regarding the City's limited resources which currently precluded the City from pursuing a similar meter program.

COUNCIL COMMITTEE REPORTS

Mayor Peterson reported on the meeting of the San Luis Obispo Regional Transit Authority.

Council Member Bright reported on the meeting of the Air Pollution Control District.

Mayor Pro Tem Lee reported on the meeting of the Integrated Waste Management Authority. He stated that Mayor Peterson, as the Council's alternate representative, would be attending the next meeting of Visit SLO that would include a discussion regarding whether to continue sponsoring Savor the Central Coast events.

Council Member Marshall reported on the meeting of the South San Luis Obispo County Sanitation District, and noted that neither he nor Mayor Pro Tem Lee, as the Council's alternate representative, were available to attend the next meeting of the Homeless Services Oversight Committee.

Council Member Nicolls stated that he had no committee reports at this time, but noted that the appointment of the new Fire Chief was scheduled for consideration at the next meeting of the Five Cities Fire Authority.

COUNCIL COMMUNICATIONS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

Assistant City Attorney Hale announced that City Attorney Koczanowicz was absent from the City Council meeting due to a death in the family.

The Council extended their condolences to City Attorney Koczanowicz and his family.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Peterson adjourned the meeting at 10:36 p.m.

/S/ DEBBIE PETERSON, MAYOR

Attest:

/S/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 12/15/2014)