

**MINUTES
CITY COUNCIL MEETING
MONDAY, DECEMBER 15, 2014**

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 Chase Borum, an 11-year-old, 5th grade student at Fairgrove Elementary School.

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 Robert Perrault, City Attorney Martin Koczanowicz, City Clerk Donna McMahon, Police Chief/Assistant City Manager James Copsey, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, and Public Works Director/City Engineer Gregory Ray were also present.

Also present were Fire Chief Stephen Lieberman, Five Cities Fire Authority; and Albert Peché, A. M. Peché & Associates, LLC.

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. Tom Johnson, representative for the "50 Now Project", described efforts to house 50 of the most vulnerable and chronically homeless individuals in the County. He also distributed flyers describing collection efforts to assemble "Welcome Home Kits" for the newly housed.
- B. Dr. Daniel Bronstein, Grover Beach business owner, expressed concerns regarding transients loitering outside his downtown office.
- C. Paul Peterson, identified himself as being homeless and requested information regarding the City's proposed panhandling ordinance. It was noted that the proposed ordinance was scheduled for discussion later in the meeting.
- D. Steve Lieberman, Fire Chief, Five Cities Fire Authority, stated that the Authority looked forward to the Council appointing a representative to serve on the Board of Directors for the Five Cities Fire Authority.

PUBLIC HEARING

1. **Introduction and First Reading of Proposed Ordinance Prohibiting Aggressive Panhandling Entitled "Solicitation in Public Places, Controls, and Prohibitions".**

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Police Chief/Assistant City Manager Copsey presented the proposed ordinance to prohibit aggressive solicitation. He noted that state law already addressed aggressive panhandling; however, the City's proposed ordinance would define the prohibited conduct and establish locations and circumstances under which it would apply. Police Chief/Assistant City Manager Copsey and City Attorney Koczanowicz then responded to questions from the Council.

Discussion ensued regarding the proposed regulations; other municipal agencies referenced in preparing the draft ordinance; prohibiting panhandling within a specified distance to the front entryways of local businesses, as well as the driveway entrances and exits of commercial areas. Additional discussion was held regarding whether to establish “no panhandling zones”, regulations established by other agencies regarding individuals holding signs soliciting for alms, and state laws that were applicable to panhandling issues.

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

Dr. Daniel Bronstein, Grover Beach business owner, requested and received clarification from staff that the proposed ordinance did not address the issue of “loitering”.

Paul Peterson, identified himself as “homeless” and described his efforts, as well as the efforts of other local homeless individuals, to regain financial self-sufficiency. He also noted that not all homeless individuals were addicted to drugs or alcohol.

There were no further public comments received at this time.

Further Council discussion was held regarding the proposed ordinance, action steps that the City was in the process of implementing to address impacts of the homeless population on the community, and for staff to collect additional samples of panhandling regulations adopted by other cities.

Action: Upon unanimous consensus, the City Council:

- 1) Continued the Public Hearing to the regular City Council meeting of Tuesday, January 20, 2015 at 6:30 p.m.;
- 2) Provided direction to staff to conduct further research regarding whether the proposed ordinance could include: a) establishing “no panhandling zones”; b) regulations to address individuals holding signs, regardless of whether the individual was soliciting; and c) a prohibited panhandling area of ten (10) feet from business entrances; and
- 3) For staff to review additional samples of panhandling regulations, such as those adopted in Santa Cruz, Santa Barbara, and San Luis Obispo.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item No. 4 was pulled pursuant to the request of Mayor Pro Tem Lee. Upon unanimous consensus, the Council approved Consent Agenda Items Nos. 2 and 3 as recommended.

2. **Treasurer’s Report for the Period November 25, 2014 through December 9, 2014.**
Action: Approved the Treasurer’s Report as submitted.
3. **Minutes of the Special City Meeting on November 17, 2014 and the Regular City Council Meeting on November 17, 2014.**
Action: Approved the minutes as submitted.

REGULAR BUSINESS

5. **Discussion Regarding Implementation of Voter-approved Measure K-14 Authorizing the City to Issue Up to \$48 Million in Bonds for the Rehabilitation and Repair of Local Streets.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided an overview regarding the schedule of tasks and milestones to be completed in order to issue bonds and begin receiving funds for the rehabilitation and repair of local streets. He then introduced Mr. Albert Peché, who described the bond issuance process and responded to questions from the Council. City Manager Perrault then continued the staff presentation outlining the recommended steps to assist the Council with determining the most efficient and cost-effective method for programming street rehabilitations and repairs, which included scheduling several public meetings to solicit public input. He also noted that expenditures from bond proceeds on street rehabilitation projects was not imminent. Therefore, the selection of individuals to serve on the Citizens Oversight Committee could be initiated at a later date. He then responded to questions from the Council.

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.

Brief discussion was held regarding the tasks to be completed, potential dates for public workshops, and the anticipated time frame for receiving bond proceeds.

Action: Upon consensus of the Council, the report was received and filed.

6. Approve Resolution for Exception to the 180-day Wait Period per Government Code 7522.56 & 21221(h) and Approve Agreement with James Copsey for Interim Police Chief Services.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided an overview regarding the proposed six-month agreement for Police Chief services with Police Chief Copsey upon his retirement with the City.

There was no Council discussion held regarding this item.

Action: It was moved by Council Member Bright and seconded by Mayor Pro Tem Lee to adopt Resolution No. 14-85 waiving the exception to the 180-day wait period per Government Code 7522.56 & 21221(h) and entering into an agreement with James Copsey to serve as Interim Police Chief. 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.

Resolution No. 14-85: A Resolution of the City Council of the City of Grover Beach, California, Approving a Resolution for Exception to the 180-Day Wait Period Per Government Code Sections 7522.56 & 21221(h) and Approval to Enter Into an Agreement with James Copsey for Interim Police Chief Services.

Action: It was moved by Council Member Bright and seconded by Mayor Pro Tem Lee to adopt Resolution No. 14-86 amending the FY 15 Budget. 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.

Resolution No. 14-86: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 5th Amendment to the Annual Appropriation Resolution No. 14-32 to Provide Funding for Costs Associated in Hiring an Interim Police Chief.

ORDER OF THE DAY: Upon unanimous consensus of the City Council, Mayor Shoals called for discussion of Pulled Consent Agenda Item No. 4 next.

PULLED CONSENT AGENDA ITEMS

4. West Grand Avenue Enhancement Project, Phase 3: Award of Construction Contract.
Project location: West Grand Avenue from Highway One to the beach.

Upon request, Public Works Director/City Engineer Ray provided an overview regarding the bids received for construction of a multi-use path, installation of landscaping and irrigation, decorative crosswalks and lighting, curb and gutter, sidewalk and street repairs, and the reconfiguration of travel lanes. He then responded to questions from the Council regarding cost estimates, project funding, the estimated construction schedule, and coordination of utilities.

Mayor Shoals invited public comments on this matter.

Sharon Brown, Grover Beach, requested and received further information regarding construction costs.

No further public comments were received at this time.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Bright to: 1) adopt Resolution No. 14-87 awarding the Base Bid to Souza Construction in the amount of \$696,895; 2) adopt Resolution No. 14-88 to allocate \$135,000 of additional funding for the project from the Gas Tax Fund balance; 3) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$70,000 to be deducted from contingency; and 4) authorize the Mayor to execute the contract on behalf of the City. 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.

Resolution No. 14-87: Resolution of the City Council of the City of Grover Beach, California, Awarding the West Grand Avenue Enhancement Project, Phase 3, Federal Project Number RPSTPLE-5359(018).

Resolution No. 14-88: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 4th Amendment to the Annual Appropriation Resolution No. 14-32 by Providing Funding for Grand Avenue Enhancement Project, Phase 3.

ORDER OF THE DAY: At this time, the Order of the Day resumed to the agenda as posted.

REGULAR BUSINESS

7. Appointment of Council Members to Various Boards, Commissions, and Committees.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault described the process for appointing representatives to those regional boards, commissions, and committees with Council representation.

Brief Council discussion was held regarding each elected official's individual availability to attend the various regional agency meetings.

Action: It was moved by Council Member Shah and seconded by Council Member Nicolls to: 1) adopt Resolution No. 14-89 confirming certain Council appointments; and 2) direct the City Clerk to update FPPC Form 806 for posting on the City website. 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.

Resolution No. 14-89: A Resolution of the City Council of the City of Grover Beach, California, Confirming City Council Committee Assignments for Calendar Year 2015.

COUNCIL COMMITTEE REPORTS

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

Mayor Pro Tem Lee stated that he had no reports at this time.

Mayor Shoals reported on the meetings of the San Luis Obispo County of Governments and the South San Luis Obispo County Sanitation District.

COUNCIL COMMUNICATIONS

- A. Council Member Bright briefly described the information presented at the recent Off-Highway Vehicle Recreation Commission Tour and Meeting that was hosted by the California Department of Parks and Recreation.
- B. Council Member Shah described a recent media alert from the San Luis Obispo Council of Governments (SLOCOG) inviting public input regarding transportation priorities. She suggested adding a link on the City's website to encourage residents to access SLOCOG's online comment tools.
- C. Mayor Shoals commented on the success of the City's recent Annual Holiday Parade, thanked the community for supporting the event, praised and thanked staff for organizing the event, and thanked the Parks, Recreation & Beautification Commission and Grover Beach Rotary for volunteering their assistance.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Perrault provided brief updates regarding the following items:

- *Grover Beach Lodge & Conference Center Project* - Staff recently met with Chris Conlin, the California Department of Parks and Recreation's Deputy Director of the Off-Highway Motor Vehicle Recreation Division, as well as the local State Parks representatives to discuss progress on this project. City Manager Perrault also noted that construction drawings were underway, staff was continuing to pursue alternate project funding, and the City had retained the services of Chuck Wolfe of the firm Claggett Wolfe Associates to assist the City with the grant application process.
- *Tourism Business Improvement District Proposal* - The proposal by Visit SLO County to form a Tourism Business Improvement District was scheduled for Council consideration at the next regular City Council meeting on Monday, January 20, 2015.
- *City Hall Holiday Schedule / Office Closures* - City Hall was scheduled to be closed from December 22 - 26, 2014, which included three days when employees would be working at City Hall, but the offices would be closed to the public (Monday, December 22 - Tuesday, December 23, 2014, and Friday, December 26, 2014), and two holidays (Wednesday, December 24 - Thursday, December 25, 2014).

CITY ATTORNEY'S REPORTS AND COMMENTS

City Attorney Koczanowicz extended wishes to the Council for a happy holiday.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 9:01 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 02/02/2015)