

**MINUTES
CITY COUNCIL MEETING
MONDAY, MAY 4, 2015**

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 Fire Chief Steve Lieberman.

ROLL CALL

City Council: Council Members Barbara Nicolls, Mariam Shah, Mayor Pro Tem Jeff Lee, and Mayor John Shoals were present. Council Member Karen Bright was absent.

City Staff: City Manager Robert Perrault, City Attorney Martin Koczanowicz, City Clerk Donna McMahon, Interim Police Chief Jim Copsey, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, Parks & Recreation Program Director Kathy Petker, Commander Tim Miller, and Commander John Peters were also present.

Also present were Fire Chief Steve Lieberman and Battalion Chief Riki Heath, Five Cities Fire Authority.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, April 20, 2015 after meeting in Closed Session regarding:

1. Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1) Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al, and Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214

the City Council reconvened into open session and announced there were no reportable actions taken.

AGENDA REVIEW

Action: Upon consensus (Council Member Bright absent), the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

1. **Proclamation Declaring May 9, 2015 as “Letter Carriers’ Food Drive Day”.**

Council Member Nicolls read and presented the proclamation to Pam Williams and Colleen Regan, U.S. Postal Service representatives.

2. **Proclamation Declaring May 2-10, 2015 as “National Travel and Tourism Week”.**

Council Member Shah read and presented the proclamation to Chuck Davison, President & CEO, Visit San Luis Obispo County.

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. Kenneth McDaniel, Grover Beach business owner, expressed concerns regarding traffic signalization at the intersection of Highway One and West Grand Avenue, specifically for vehicles traveling westbound on West Grand Avenue that turned left onto southbound Highway One and failed to yield to oncoming eastbound traffic. He then provided a handout with suggested traffic signage.

- B. Debbie Peterson, former Mayor, disputed comments attributed to her from a recent meeting of the Air Pollution Control District (APCD) regarding the City's Climate Action Plan, and provided a memo to the Council further outlining her concerns.
- C. Steven Green, Grover Beach resident, described measures implemented at his residence over the past year to reduce water use, but noted that recent changes in the number of occupants at his home would make further reductions difficult to achieve.
- D. John Wysong, Grover Beach resident, requested installation of a crosswalk on Oak Park Boulevard at Brighton Avenue. He also requested the City implement a building moratorium due to the ongoing drought.
- E. Paulette Messenheimer, Grover Beach resident, requested information regarding the proposed Grover Beach Lodge and Conference Center Project and inquired whether there was sufficient water available to serve the new development. Mayor Shoals requested, and City Manager Perrault confirmed, that staff would contact her directly to provide her with the information.
- F. Linda McClure, Grover Beach resident and business owner, expressed concerns regarding the City's mandatory Water Conservation Program, specifically the process for issuing warning letters and levying fines to property owners of multi-unit complexes.

PUBLIC HEARING

None at this time.

CONSENT AGENDA

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

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

- 3. **Treasurer's Report for the Period April 14, 2015 - April 29, 2015.**
Action: Approved the Treasurer's Report as submitted.
- 4. **Treasurer's Report: Streets Bond Account (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period April 14, 2015 - April 29, 2015.**
Action: Approved the Treasurer's Report as submitted.
- 5. **Minutes of the Regular City Council Meetings of April 6, 2015 and April 20, 2015.**
Action: Approved the minutes as submitted.
- 6. **Guidelines and Procedures for the Appointment of a Citizen Committee** - Report and recommendations regarding the formation of the Oversight Committee pursuant to requirements of the voter-approved street bond measure, Measure K-14.
Action:
 - 1) Adopted the following guidelines and procedures regarding the formation of the Citizen Committee for the street bond measure, Measure K-14:
 - a) The Committee shall consist of three (3) members;
 - b) The City's current application and appointment process to appoint/fill other Commission and Committee vacancies shall be used;
 - c) Committee terms shall consist of four (4) years;
 - d) Committee Members shall be residents and registered voters of the City;
 - e) Committee Members are to meet at least semi-annually and all meetings shall be subject to the Brown Act;

- f) The Committee shall review the expenditure reports relative to the activities funded with the bond proceeds to ensure that expenditures are made as specified in the voter-approved measure for street rehabilitation and repair; and
 - g) The Committee shall make a report to the Council at least annually with the findings related to its review; and
- 2) Authorized staff to initiate the recruitment for Committee Members.

REGULAR BUSINESS

7. Discussion Regarding City Park Use, Special Events, and Outdoor Assemblies.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Commander Miller outlined actions authorized by the City Council over the past year to address community concerns regarding vagrant activities at Ramona Garden Park and the West Grand Avenue business corridor. He presented data that indicated a recent reduction in reported crimes and arrests at Ramona Garden Park, and noted that officers assigned to the Police Department's new Foot Patrol Program had reported an increase in compliance with the City's recently adopted ordinance prohibiting aggressive panhandling.

Commander Miller and Parks and Recreation Program Director Petker then presented proposed regulations to better govern the use of City-owned parks and facilities and improve the permitting process for special events and outdoor assemblies. Staff then responded to questions from the Council.

Discussion ensued regarding the proposed regulations; the varying sizes of user groups at City parks, facilities, and special events; and the range of impacts from those types of activities on City resources and the surrounding neighborhoods.

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

Linda McClure, Grover Beach United representative, spoke in support of streamlining the special event permit process and requested the Council also consider allowing a flexible payment option for the permit fee.

Paulette Messenheimer, Grover Beach resident, expressed concerns whether user groups would have sufficient notice of the proposed regulations in time for organized youth summer programming activities at City parks.

Sharon Brown, Grover Beach resident, objected to the proposed minimum threshold level for regulating private group activities at City facilities, as well as the proposed limit on private group activities per year. She then questioned whether the proposed regulations would also impact outdoor political activities.

There were no further public comments received at this time.

Council discussion continued regarding the proposed regulations being too restrictive for small group activities and spontaneous family gatherings at City parks; and whether the proposed regulations would result in reducing impacts on City resources, parking or the surrounding neighborhood. Further discussion was held regarding special events and having staff prepare a draft special event ordinance for Council consideration.

Action: Upon consensus (Council Member Bright absent), the Council provided staff with direction to prepare a draft ordinance in legislative format that would:

- 1) streamline the review process for special event applications;
- 2) authorize the City Manager or his/her designee the authority to approve special event permits; and
- 3) combine existing sections of the Grover Beach Municipal Code regarding the requirements for parades and special events.

Additionally, direction was provided for staff to further review Section 2510 of the Grover Beach Municipal Code to determine whether it could be amended to directly address vagrancy issues occurring at City parks.

Recess: Upon consensus of the City Council, the meeting recessed at 8:23 p.m.
Reconvene: At 8:34 p.m., the meeting reconvened with all Council Members present (except for Council Member Bright, who was absent from this meeting).

8. Authorization to Solicit Bids for Construction of Street Improvements on Brighton Avenue, Nice Avenue, and South 7th Street.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Public Works Director/City Engineer Ray provided an overview regarding the first series of street projects to be implemented with Measure K-14 bond funds. He then outlined final street design options for: 1) narrowing City streets, and 2) constructing concrete curb and gutter or asphalt curb. Public Works Director/City Engineer Ray then responded to questions from the Council.

Discussion ensued regarding the design alternatives presented, estimated costs, and on-street parking.

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

Sharon Brown, Grover Beach resident, suggested for the benefit of the general public that future street project presentations also include sample photographs or renderings to depict the proposed design options. She also inquired and received information regarding storm drains.

There were no further public comments received.

Further Council discussion was held regarding the suggestion of providing property owners within the project areas the opportunity to install curb, gutter, and sidewalk in conjunction with the street construction.

Action: Upon consensus (Council Member Bright absent), the Council authorized staff to solicit bids for construction of street improvements on Brighton Avenue (between North 13th Street and Oak Park Boulevard), Nice Avenue (between South 12th Street and South 13th Street), and South 7th Street (between West Grand Avenue and Rockaway Avenue). Additionally, direction was provided to staff regarding design alternatives for narrowing streets, installing curb and gutter, and providing an opportunity for impacted property owners to complete property frontage improvements in coordination with the street improvement project.

9. Continued Preliminary Budget Discussion and Request for Direction.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault continued his presentation from the April 20th City Council meeting regarding the preliminary FY 16 Budget, specifically noting the recommendation to complete a utility study to ensure the utility was performing efficiently and that revenues were sufficient to sustain operations. He noted the study was also necessary to meet the requirements of Proposition 218 and that the last study was completed in 2010. He then responded to questions from the Council.

Brief Council discussion on the budget was held. Council also took up a discussion regarding conducting a management review.

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 Council discussion was held regarding the estimated cost to prepare an engineering study for the Ramona Business Square parking lot, whether to include that estimated cost in the FY 16 Budget, and inviting the impacted property owners to participate in sharing the cost of that study.

Action: Upon consensus (Council Member Bright absent), Council direction was provided for staff to:
1) initiate the Utility Rate Study;
2) schedule a separate Council discussion regarding conducting a management review;

- 3) include estimated costs in the draft FY 16 Budget for an engineering study of the Ramona Business Square; and
- 4) complete the development of the draft FY 16 Budget for Council consideration in June.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright was absent from this meeting.

Mayor Pro Tem Lee reported on the meeting of the Economic Vitality Corporation.

Council Member Nicolls reported on the meeting of Community Action Partnership of San Luis Obispo County and South County Transit meeting.

Council Member Shah reported on the meeting of Visit San Luis Obispo County.

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

ORDER OF THE DAY: At 10:09 p.m., the Order of the Day was amended to consider Agenda Item No.10 prior to Council Communications.

CITY MANAGER'S REPORTS AND COMMENTS

10. Scheduling a Special Meeting to Receive a Status Report Regarding Water Sources and Uses.

City Manager Perrault requested that the Council consider scheduling a special meeting to receive a report regarding the status of City water sources and uses.

Brief discussion was held regarding a potential meeting date.

Action: Upon consensus (Council Member Bright absent), the Council: 1) authorized scheduling a special City Council meeting on Monday, June 8, 2015 at 6:00 p.m.; and 2) provided direction for staff to contact Council Member Bright to confirm her availability for the selected meeting date and time.

CITY ATTORNEY'S REPORTS AND COMMENTS

City Attorney Koczanowicz announced that he would be attending the next League of California Cities City Attorney's conference.

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

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Lee announced the details of an upcoming dinner to be held at Fin's Seafood Restaurant in Grover Beach to benefit the 5 Cities Homeless Coalition. He congratulated the Galaxy Cheer and Tumble organization for winning recent national championship competitions. He thanked the Arroyo Grande and Grover Beach Chamber of commerce for donating the trees recently planted at City Hall, and he thanked the "Just Serve Day" volunteers for the beautification project underway at Grover Heights Park.
- B. Council Member Shah described the results of a community workshop recently hosted by the Parks and Recreation Department regarding the installation of playground equipment at Ramona Garden Park. She noted the workshop was well attended, included input from the local elementary schools, and the City received an additional monetary donation towards the cost of the new playground equipment.
- C. Mayor Shoals commented on the following items:
 - *West Grand Avenue Phase 3* – citizen comments had been received regarding difficult pedestrian access to the beach along the project area.

- *Streets* – suggested scheduling a discussion on the next phase of street improvement projects, narrowing streets, street design, and the Circulation Element.
- *People’s Kitchen* – suggested scheduling a workshop to assess the City’s progress in addressing community concerns regarding vagrancy issues at Ramona Garden Park and the West Grand Avenue business corridor.
- *Water Conservation Program* – a special City Council workshop was now scheduled for June 8, 2015 at 6:00 p.m. and would include a discussion regarding penalties and fines.
- *Joint City Council/Commission Workshop* – suggested scheduling a joint meeting with the Parks, Recreation & Beautification Commission regarding roles and responsibilities.

Action: Upon consensus of the City Council (Council Member Bright absent), staff would begin coordinating a date for a joint City Council/Parks, Recreation & Beautification Commission workshop to be held sometime after the month of June.

- *Bike Month* – announced that the public was invited to participate in a “Celebrity Bike Ride” event traveling from Grover Beach City Hall to Grover Beach Elementary School on Wednesday, May 6th at 8:00 a.m.
- *Legislative Updates* – announced that he would be contacting Dave Mullinax, Channel Counties Division representative, to schedule a presentation to the City Council during the month of July regarding recent legislative actions and impacts on local government.
- *Amgen Bike Tour, Stage 4* – announced this event was scheduled to begin at the Pismo Beach pier on Wednesday, May 13th and would be entering Grover Beach at approximately 11:30 a.m. at Highway One and the Grover Beach Train Station. He stated that he would be working with a local sign company for banner displays at that portion of the race route and invited the public to meet at the Train Station to welcome and cheer the riders as they entered Grover Beach.
- *“Walk and Roll Grover Beach”* – announced that the next event was scheduled to be held on Saturday, May 9th from 9:00 a.m. - 12 Noon. He invited participants to initially meet at Ramona Garden Park before proceeding on to visit local businesses along West Grand Avenue.

CLOSED SESSION

At 10:24 p.m., the Council met in Closed Session regarding the following items:

1. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Manager
2. **Conference with Legal Counsel – Existing Litigation**
Pursuant to Government Code Section 54956.9(d)(1)
Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al, and Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214
3. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6
Agency Negotiator(s): City Manager Robert Perrault, Interim Police Chief James Copsey; Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, Human Resources Coordinator/Deputy City Clerk Channelle Hubbard, and/or Commander John Peters or Commander Tim Miller (may include some or all of the above)
Employee Group: All employee groups (represented and unrepresented)
4. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-381-010, 011
Agency negotiator: City Manager and City Attorney
Negotiating party: Pacifica Companies
Under negotiation: Terms and conditions of potential lease

Closed Session Announcements: At 12:07 a.m., Mayor Shoals reconvened the meeting in open session with all Council Members present. City Attorney Koczanowicz announced there were no reportable actions taken during Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 12:08 a.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 05/18/2015)