

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, MAY 18, 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** A moment of silence was held in memory of Charles “Chuck” Langley, a former 44-year member of the Grover Beach Fire Department.

**FLAG SALUTE** The flag salute was led by Mayor Pro Tem Lee.

**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, Interim Police Chief Jim Copsey, Administrative Services Director Gayla Chapman, Public Works Director/City Engineer Greg Ray, Parks & Recreation Program Director Kathy Petker, and Maintenance Worker I Raymond Hernandez were also present.

Also present was Judith Bean, President/CEO, Arroyo Grande & Grover Beach Chamber of Commerce

**CLOSED SESSION ANNOUNCEMENTS** City Attorney Koczanowicz read the following announcement and noted that Closed Session Item No. 1 had been pulled from the discussion:

On Monday, May 4, 2015 after meeting in Closed Session regarding:

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.

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. **Proclamation Declaring May 17- 23, 2015 as “National Public Works Week”.**

Mayor Pro Tem Lee read and presented the proclamation to Maintenance Worker I Raymond Hernandez, the “2014 Public Works Department Employee of the Year”.

**2. Proclamation of Appreciation to Former Parks, Recreation & Beautification Commissioner Dee Santos.**

Mayor Shoals read and presented the proclamation to former Parks, Recreation & Beautification Commissioner Dee Santos.

**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. Ken Lehman, Grover Beach resident, spoke in support of utilizing Measure K-14 street bond funds for primarily repairing residential streets. He then expressed concerns regarding the lack of water hose shut-off nozzles at the Pismo State Beach dump station, provided a photograph of one of the hoses, and requested that the City notify State Parks officials.
- B. John Wysong, Grover Beach resident, objected to having received a courtesy notice from the City regarding water usage at his residence. He then requested that the City implement a building moratorium due to the ongoing drought.

**PUBLIC HEARING**

None at this time.

**CONSENT AGENDA**

Prior to consideration of the Consent Agenda, Item No. 7 was pulled pursuant to the request of Mayor Shoals. It was also noted that supplemental information had been received regarding Agenda Item No. 4 to correct a typographical error: the Cash Balance as of May 12, 2015 was "\$5,001,224.46", rather than "~~\$50,001,224.46~~" (deleting an extra "0"). It was moved by Council Member Bright 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 Bright, Shah, Nicolls, 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 April 29, 2015 - May 12, 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 April 29, 2015 - May 12, 2015.**

**Action:** Approved the Treasurer's Report, as corrected.

**5. Minutes of the Regular City Council Meeting on May 4, 2015.**

**Action:** Approved the minutes as submitted.

**6. Authorization to Implement a Paid Sick Leave Policy Pursuant to AB 1522 for Part-time Employees and Establishing the Accrual Method - Establishing a paid sick leave policy in compliance with state law and providing 24 hours of paid sick leave for qualified part-time employees, effective July 1, 2015.**

**Action:** Adopted Resolution No.15-20.

**Resolution No. 15-20: A Resolution of the City Council of the City of Grover Beach Authorizing a Paid Sick Leave Policy Pursuant to AB 1522 for Part-time Employees and Establishing the Accrual Method.**

**REGULAR BUSINESS**

**8. Consideration of an Agreement Between the City and the Arroyo Grande & Grover Beach Chamber of Commerce for the Stone Soup Music Festival and Street Faire.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided an overview of the proposed agreement between the City and the Arroyo Grande & Grover Beach Chamber of Commerce that outlined services the City would provide in support of the Stone Soup Music Festival and Street Faire. He then

responded to questions from the Council and introduced Judith Bean, President/CEO, Arroyo Grande & Grover Beach Chamber of Commerce.

Brief Council discussion was held regarding the proposed agreement, meetings of a special event committee comprised of City staff and members of the Chamber to assist with event planning and to review any areas of concern, as well as increasing the event's visibility and engagement with local businesses.

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

Judith Bean, President/CEO, Arroyo Grande & Grover Beach Chamber of Commerce, confirmed that the committee was exploring opportunities to increase the event's visibility along the West Grand Avenue business corridor, including offering additional activities and increasing event signage.

Dee Santos, former Mayor and former Parks, Recreation & Beautification Commissioner, suggested adding children's activities along West Grand Avenue or contests for the adults to increase participation and visibility.

No further public comments were received.

Additional discussion was held regarding vendor permits and the event's overall fiscal impact on City resources.

**Action:** It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to: 1) adopt Resolution No. 15-21 to enter into an agreement with the Arroyo Grande & Grover Beach Chamber of Commerce for the Stone Soup Music Festival and Street Faire; and 2) authorize the Mayor to execute the agreement 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. 15-21: Resolution of the City Council of the City of Grover Beach Authorizing the City to Enter Into an Agreement with the Arroyo Grande & Grover Beach Chamber of Commerce for the Stone Soup Music Festival and Street Faire.**

#### **PULLED CONSENT AGENDA ITEMS**

#### **7. Authorization to Enter Into an Agreement with John Peters for the Position of Police Chief.**

City Manager Perrault described the recruitment process for the position of Police Chief that included two interview panels comprised of law enforcement professionals and community members, and a final interview with the City Manager. At the conclusion of the interviews, John Peters was identified as the top candidate. City Manager Perrault then briefly reviewed the terms of the proposed Employment Agreement. Staff then responded to questions from the Council.

Brief Council discussion was held regarding the proposed agreement, the Council's budgetary authority regarding employee salaries, and terms of the severance package as outlined in the agreement.

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

Interim Police Chief Copsey thanked the Council for the opportunity to serve as the Chief of Police for the Grover Beach Police Department for the past 10 ½ years, thanked the City Manager for the recruitment process that was conducted, and expressed his support for the appointment of John Peters as the City's next Police Chief.

No further public comments were received at this time.

Additional discussion was held regarding annual employee performance reviews.

**Action:** It was moved by Mayor Pro Tem Lee and seconded by Council Member Bright to adopt Resolution No. 15-22. 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. 15-22: A Resolution of the City Council of the City of Grover Beach, California, Authorizing an Agreement Between the City of Grover Beach and John Peters Regarding Terms and Conditions of Employment as Police Chief.**

### **COUNCIL COMMITTEE REPORTS**

Council Member Shah reported on the meeting of the Housing Trust Fund.

Council Member Nicolls reported on meetings of the Community Action Partnership of San Luis Obispo County and the San Luis Obispo County Water Resources Advisory Committee.

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

Mayor Pro Tem Lee reported on the meeting of the Integrated Waste Management Authority and noted that City Manager Perrault was scheduled to be a guest speaker at the next meeting of the Economic Vitality Corporation.

Mayor Shoals reported on meetings of the San Luis Obispo Regional Transit Authority, South San Luis Obispo County Sanitation District, and the Five Cities Fire Authority.

### **COUNCIL COMMUNICATIONS**

- A. Mayor Pro Tem Lee requested that City staff follow up with State Parks regarding the concern raised earlier in the meeting during Public Communications to ensure that water conservation measures were being implemented at the Pismo State Beach Dump Station. He then requested and received updates regarding the following items: the bid schedule for the 2015 Street Rehabilitation Projects, a pending encroachment permit for Phillips 66, design work for the Oak Park Boulevard pavement project, and the Municipal Broadband Project. Mayor Pro Tem Lee then announced that the Annual Tip-A-Cop Dinner fundraiser for Special Olympics was scheduled to be held at the South County Regional Center in Arroyo Grande on May 21, 2015.

Mayor Pro Tem Lee also noted that he'd received citizen comments regarding the City's implementation of mandatory water reductions. City Manager Perrault recommended that Council Members forward citizen comments on to staff to respond to the inquiries or request that the individuals contact City staff directly to discuss their specific concerns. He also stated that members of the public were invited to attend the upcoming Special City Council meeting on Monday, June 8, 2015 at 6:00 p.m., and that the meeting would include a discussion regarding current water conditions, resources, and the City's Water Conservation Program.

- B. Mayor Shoals requested Council consensus to schedule a discussion regarding a request from Central Coast Casino to amend the City's cardroom regulations to allow unlimited wagering on card games.

**Action:** Upon consensus of the City Council, staff was authorized to schedule a discussion regarding the request from Central Coast Casino for Council consideration on an upcoming agenda.

- C. Council Member Shah requested and received confirmation that only a small percentage of water utility customers failed to meet the City's mandatory reductions in water consumption. She then announced details of the "Barn Bash at Avila Barn" fundraiser for Grover Heights Elementary School on June 5, 2015. Additionally, the event was open to the public, included free activities, and dinner tickets were available for advance purchase at Grover Heights Elementary School.

- D. Mayor Shoals noted that he had received comments from a local resident regarding poorly maintained landscape medians on Oak Park Boulevard and suggested the City re-initiate a citizen volunteer program to assist with weed abatement. He then thanked the large group of citizens who greeted cyclists as they came through Grover Beach during the recent Amgen Tour, and noted that several hand-held "Welcome to Grover Beach" banners were displayed at the corner of Highway One and West Grand Avenue.

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

City Manager Perrault commented on the following items:

- *West Grand Avenue Enhancement Project, Phase 3* – funds utilized for this project were provided through a grant from the San Luis Obispo Council of Governments and confirmed that no monies from the Measure K-14 Street Bond measure would be used towards this project.
- *Landscape Medians on Oak Park Boulevard* – water-intensive landscaping had been removed from City medians located on Oak Park Boulevard and would be replanted with drought tolerant plants in the near future.

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

None at this time.

#### **CLOSED SESSION.**

At 7:57 p.m., the Council met in Closed Session regarding the following items:

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
2. **Public Employee Performance Evaluation**  
Pursuant to Government Code Section 54957  
Employee: City Manager

Closed Session Announcements: At 9:59 p.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 10:00 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:  
/s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 06/01/2015)