

**MINUTES
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 16, 2016**

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 Jamilett Monarrez, an 8-year-old, 3rd grade student at Grover Beach 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 John Peters, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, and Parks & Recreation Program Director Kathy Petker were also present.

Also present were Fire Chief Steve Lieberman, Five Cities Fire Authority, and Police Chief (retired) James Copsey (who was later seated at the staff table as Interim City Manager).

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, February 1, 2016 after meeting in Closed Session regarding:

1. Public Employment
Pursuant to Government Code Section 54957
Title: Interim City Manager

the City Council reconvened into open session and announced the following reportable action: the Council approved in concept an agreement for Interim City Manager services with James Copsey (approved 4-0-1, Council Member Bright absent).

AGENDA REVIEW Mayor Pro Tem Lee requested that Consent Agenda Item Nos. 6 and 7 be pulled from the Consent Agenda and discussed immediately following Regular Business Agenda Item No. 9.

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

CEREMONIAL CALENDAR

1. **Presentations to City Manager Robert Perrault on His Retirement from Public Service.**

Mayor Shoals thanked and praised City Manager Perrault for his many contributions and dedicated service to the City. On behalf of the City Council, City staff, and the community, Mayor Shoals presented City Manager Perrault with an engraved wall clock. He then presented a floral arrangement to City Manager Perrault's wife, Debbie, thanking her for her support and family sacrifices as the spouse of a very dedicated public servant.

Each Council Member expressed their individual thanks and appreciation to City Manager Perrault for his dedication to the community and service to the City, and extended wishes for good health to enjoy many years in retirement.

Community Development Director Buckingham expressed thanks and appreciation from the City management team (comprised of executive directors, managers, and confidential employees) to City Manager Perrault. He then presented City Manager Perrault's 5-year old grandson Austin, who was known to visit his grandfather at City Hall, with a polo shirt embroidered with the title "City Manager's Assistant", and presented City Manager Perrault

with a flannel-lined, canvas jacket embroidered with the dates of his City service. City Manager Perrault was also presented with a gift certificate for purchasing additional equestrian equipment once he resumed horseback riding.

Recreation Coordinator Nora O'Donnell expressed thanks and appreciation from the general employees to City Manager Perrault and presented him with several gift certificates to enjoy dining at local restaurants and certificates for 9-hole rounds of golf.

Certificates of Appreciation, plaques, and other mementos were presented to City Manager Perrault by representatives from the following agencies or groups:

- Assembly Member Katcho Achadjian, 35th District (by Senior Field Representative Kevin Drabinski);
- San Luis Obispo County Board of Supervisors (by Supervisor Adam Hill, 3rd District);
- Arroyo Grande City Council (by Arroyo Grande Mayor Jim Hill);
- Pismo Beach City Council (by Mayor Shoals on behalf of Pismo Beach Mayor Shelly Higginbotham due to the Pismo Beach City Council meeting also being held this same evening);
- San Luis Obispo County Area Managers Group (by Atascadero City Manager Rachelle Rickard and Arroyo Grande City Manager Dianne Thompson);
- Arroyo Grande and Grover Beach Chamber of Commerce (by President/CEO Judith Bean);
- Arroyo Grande Community Hospital and Dignity Health (by CEO Ken Dalebout); and
- Citizens of Grover Beach (by former Mayor Peter Keith).

Fire Chief Steve Lieberman, with assistance from members of the Five Cities Fire Authority, presented City Manager Perrault with an "Emergency Equestrian Kit" consisting of a firefighter's helmet with a cowboy hat affixed to the top, a hobby horse dubbed a "back-in-the-saddle-simulator", and various pain relief products to consume or apply, as needed. He then thanked City Manager Perrault for his assistance with the consolidation of the fire departments for the Cities of Grover Beach and Arroyo Grande and the Oceano Community Services District into the Five Cities Fire Authority.

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

Larry and Mary Ann Conner, Grover Beach residents, presented City Manager Perrault with a Certificate of Appreciation from the group, Friends of Grover Beach.

Debbie Peterson, former Mayor, expressed thanks and appreciation to City Manager Perrault for his service.

Juan Olivarría, former Principal, Grover Beach Elementary School, thanked City Manager Perrault and Mayor Shoals for their support towards Grover Beach Elementary School becoming a magnet school with the International Baccalaureate program designation.

City Attorney Koczanowicz thanked City Manager Perrault for his friendship.

There were no further comments received at this time.

City Manager Perrault expressed his thanks and appreciation to the citizens of Grover Beach, current and past City Councils, and City staff, stating that it had been a privilege serving the community as City Manager. He then thanked his family for their support during his public service career - his adult children Phil and Gina, son-in-law Adam, mother-in-law Jennie Casale and, most importantly, his wife Debbie. He also acknowledged his friend and colleague Dennis Delzeit, who was seated in the audience, noting the two of them first met some 40 years ago when Mr. Perrault was first employed with the City of Simi Valley.

Mayor Shoals commended City Manager Perrault for his professionalism and ability to work with the competing interests of a wide variety of constituents, elected officials, and agencies. He invited members of the public and invited guests to join the Council for a brief reception in the Council Chambers to honor City Manager Perrault on his retirement. He also noted that Mr. Perrault would be leaving City Hall shortly thereafter to join his family for a private dinner celebration.

Recess: Upon consensus of the City Council, the meeting recessed at 7:27 p.m. for a brief reception in the Council Chambers.

Reconvene: At 7:48 p.m., the meeting reconvened with all Council Members present.

ORDER OF THE DAY: At this time, it was announced that the Order of the Day was being amended to consider Regular Business Agenda Item No. 9 next, followed by Consent Agenda Item Nos. 6 and 7.

REGULAR BUSINESS

9. Consideration of Contract with James Copsey for Interim City Manager Services.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Attorney Koczanowicz briefly reviewed the proposed agreement for interim City Manager services with James Copsey. A typographical error was noted in the second paragraph of the draft resolution, amending it to correct the effective date to be "February 16, 2016" (added and corrected text denoted with double underline font).

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.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to: 1) approve the proposed agreement; 2) authorize the Mayor to execute it on behalf of the City; and 3) adopt Resolution No. 16-12, as amended. 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. 16-12: A Resolution of the City Council of the City of Grover Beach Appointing a CalPERS Retired Annuitant as Interim City Manager.

PULLED CONSENT AGENDA ITEMS

6. Authorizing Certain City Officials to Order Deposits and Withdrawals from the Local Agency Investment Fund (LAIF).

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Attorney Koczanowicz briefly reviewed the updated list of City officials, due to the retirement of City Manager Perrault, authorized to order deposits and withdrawals from the Local Agency Investment Fund.

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.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Bright to adopt Resolution No. 16-13. 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. 16-13: A Resolution of the City Council of the City of Grover Beach, California Authorizing Certain City Officials to Order Deposits and Withdrawals from the Local Agency Investment Fund (LAIF).

7. Revision to Staff Signatory.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Attorney Koczanowicz briefly reviewed the revised list of employees, due to the retirement of City Manager Perrault, authorized to sign payroll and accounts payable registers.

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.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Shah to adopt Resolution No. 16-14. 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. 16-14: A Resolution of the City Council of the City of Grover Beach Revising the List of Authorized Staff Signatories.

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

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. Carmella Vignocchi, Grover Beach resident, displayed an assortment of items collected during her recent walk on the beach and requested the City Council consider establishing a ban on polystyrene products.

There were no further public comments received at this time.

PUBLIC HEARING

None at this time.

CONSENT AGENDA

At this time, Mayor Pro Tem Lee requested that Item No. 5 be pulled from the Consent Calendar. (Note: Consent Agenda Item Nos. 6 and 7 were considered by the City Council earlier in the meeting.) It was moved by Council Member Bright and seconded by Mayor Pro Tem Lee to approve Consent Agenda Item Nos. 2, 3, 4, and 8, as recommended. 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.

2. Treasurer's Report for the Period January 26, 2016 through February 9, 2016.

Action: Approved the Treasurer's Report as submitted.

3. Treasurer's Report for the Streets Bond Account (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period January 26, 2016 through February 9, 2016.

Action: Approved the Treasurer's Report as submitted.

4. Minutes of the Regular City Council Meeting on December 7, 2015; the Joint City Council / Financing Authority Meeting on December 7, 2015; and the Special City Council Meeting on December 10, 2015.

Action: Approved the minutes as submitted.

8. **Resolution Authorizing Submittal of Application to the Department of Resources Recycling and Recovery for Payment Programs and Related Authorizations -** Authorizing the submittal of an application for payment programs and related authorizations in relation to the State's beverage container program.

Action: Adopted Resolution No. 16-15.

Resolution No. 16-15: A Resolution of the City Council of the City of Grover Beach, California, Authorizing Submittal of an Application to the Department of Resources Recycling and Recovery for Payment Programs and Related Authorizations.

ORDER OF THE DAY: At this time, the Order of the Day was amended to consider Agenda Item No. 11 next, and for Item No. 10 to be heard after Consent Agenda Item No. 5.

REGULAR BUSINESS

(Note: Agenda Item No. 9 was considered earlier in the meeting.)

11. **Consideration of Approval of Lease Agreement Renewal with San Luis Obispo County YMCA for Operation of the South County Skate Park.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Attorney Koczanowicz noted additional amendments to the proposed Lease Agreement: 1) on page 1 of the Lease Agreement, Section 2 - Term, revising the term of the agreement to a "three-year term, with one three-year renewal term"; and 2) on page 2 of the Lease Agreement, Section 4 - Repairs, Maintenance, Alterations and Surrender, revising the sentence (added text denoted with double underline and deleted text denoted with ~~strikeout font~~) "As a one-time reimbursement, the Landlord will pay the tenant the sum of \$5,189.00 at the end of the term, ~~or at such time during the term that Tenant produces proof of expenditures in that amount for maintenance-related costs~~ with payment dependent upon proof of expenditures for maintenance-related costs".

Referencing a PowerPoint presentation, Parks and Recreation Program Director Petker provided a brief overview of the proposed agreement with the YMCA to continue operations of the South County Skate Park. She then responded to questions from the Council.

Brief discussion was held regarding operations of the Skate Park, fees, maintenance, and the request for fence repairs to improve security.

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

The following persons spoke in support of renewing the agreement:

- Monica Grant, Chief Executive Officer, YMCA, and responded to questions from the Council;
- Leola Dublin Macmillan, Sports Director, YMCA, and responded to questions from the Council;
- Rhys Gardiner, owner, Ransom Scooters, Arroyo Grande;
- Sharon Brown, Grover Beach resident;
- Ed Waage, Board Member, YMCA, and Pismo Beach City Council Member;
- Sam (did not state his last name or city of residence);
- Cain Chavez (did not state city of residence); and
- Drake (did not state his last name), Arroyo Grande resident.

There were no further public comments received at this time.

Discussion continued regarding fees; average usage counts; demographics of Skate Park users; precluding use by BMX riders as recommended by the City's self-insurance company; whether to designate certain hours with no entry fee charged and/or reduced entry fee rates; installing a security camera at the facility; daily costs for YMCA to staff the Skate Park; and grant funding through the Nichols Foundation currently subsidizing operations of the Skate Park.

Action: Upon consensus of the City Council, staff would explore alternatives for reducing Skate Park entry fee rates, such as subsidies, grants, donations or other funding mechanisms.

Action: It was moved by Mayor Pro Tem Lee and seconded by Mayor Shoals to: 1) approve the Lease Agreement, as amended, for the YMCA to continue operating the South County Skate Park; 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.

PULLED CONSENT AGENDA ITEMS

5. Second Reading and Adoption of Ordinance No. 16-02 to Amend Grover Beach Municipal Code, Article III, Chapter 11, Changing Regulations Regarding Special Events / Outdoor Assemblies.

City Attorney Koczanowicz noted that subsequent to finalization of the staff report, the City had received correspondence from the American Civil Liberties Union (ACLU) of Southern California and copies had been distributed to the City Council. Upon question, he recommended proceeding with second reading and adoption of the Ordinance as presented.

Brief discussion was held regarding concerns raised in the supplemental correspondence regarding the issue of political rallies, and whether to continue second reading of the Ordinance to the next regularly scheduled City Council meeting in order to conduct further research on the matter. It was noted that a delay in adoption of the Ordinance could impact event planning for the car show event sponsored by Grover Beach United.

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

The following persons spoke in support of proceeding with second reading and adoption of the Ordinance:

- Sharon Brown, Grover Beach resident; and
- Tom Rehder, Grover Beach United representative.

There were no further public comments received at this time.

Further Council discussion was held regarding the proposed Ordinance, with staff responding to questions from the Council regarding political rallies and planned outdoor events versus spontaneous gatherings.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to: 1) amend the Ordinance to remove the terms “political” and “religious”; 2) conduct second reading, by title only, and adopt Ordinance No. 16-02, as amended, amending the Grover Beach Municipal Code Article II, Chapter 11, Special Events and Outdoor Assemblies. 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.

Ordinance No. 16-02: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article III, Chapter 11 of the Grover Beach Municipal Code to Amend the Regulations Regarding Special Events and Outdoor Assemblies.

Recess: Upon consensus of the City Council, the meeting recessed at 9:34 p.m.
Reconvene: At 9:41 p.m., the meeting reconvened with all Council Members present.

REGULAR BUSINESS

10. Consideration of a Resolution Authorizing the City to Proceed with the Second General Obligation Bond Issue for the Repair and Rehabilitation of Local Streets.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Interim City Manager Copsey provided a brief overview of the report and recommendation requesting the Council authorize the City to proceed with the second bond issue in the amount of \$8 million to continue funding the repair and resurfacing of deteriorating streets. 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.

Sharon Brown, Grover Beach resident, requested and received information regarding property tax implications with the issuance of a second bond.

There were no further public comments received.

Brief discussion was held regarding previous citizen comments received in favor of having the streets repaired quickly, and the favorable conditions under the current bond climate for proceeding with another bond issue.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to adopt Resolution No. 16-16 authorizing staff to proceed with the issuance and sale of General Obligation bonds in the amount of \$8 million. 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. 16-16: A Resolution of the City Council of the City of Grover Beach, California, Providing Direction for Staff to Proceed with Planning for the Issuance of General Obligation Bonds.

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

COUNCIL COMMITTEE REPORTS

Council Member Shah reported on the meeting of the Homeless Services Oversight Council.

Mayor Pro Tem Lee announced the location and hours of operation for the opening of a temporary Warming Station in the South County area during inclement weather.

Council Member Nicolls stated that Council Member Bright had attended the meeting of the Community Action Partnership of San Luis Obispo County on her behalf.

Council Member Bright deferred her committee report to the next meeting.

Mayor Shoals reported on the meeting of the South San Luis Obispo County Sanitation District.

COUNCIL COMMUNICATIONS

A. Council Member Shah noted that, as the City's representative to the Homeless Services Oversight Council (HSOC), the next HSOC meeting would be discussing local government agencies declaring a shelter emergency. She requested Council input regarding whether the City would consider issuing a declaration of a shelter emergency.

Brief discussion was held regarding the Council workshop on December 10, 2015, that focused on transients and the homeless; facilities already designated as shelters in the event of an emergency situation, such as an earthquake or train derailment; and the lack of available resources for the City to provide temporary sleeping facilities for the homeless.

Action: Upon consensus of the City Council, 1) the matter of “Declaring a Shelter Emergency” would be placed on a future agenda for Council consideration; and 2) a follow-up Council/community workshop regarding transients, the homeless, and vagrancy issues would be scheduled in either late March or April.

- B. Mayor Pro Tem Lee inquired and received confirmation that the Council would consider the request to ban polystyrene products sometime during the next fiscal year.
- C. Council Member Nicolls requested Council consensus to schedule a presentation on the Home Sharing Program and noted that she had informational materials from a recent presentation in Morro Bay.

Action: Upon consensus of the City Council, the Home Sharing Program would be scheduled for presentation on a future agenda and the informational materials on the program would be disseminated through the City Manager’s Office.

CITY MANAGER'S REPORTS AND COMMENTS

Interim City Manager Copsey thanked the City Council for the opportunity to once again serve the City, this time as its Interim City Manager.

He then announced that the City had received a request to schedule another joint City Council and Parks, Recreation & Beautification Commission meeting.

Brief discussion was held confirming the Council’s interest in scheduling a Joint City Council meeting with the Parks, Recreation & Beautification Commission meeting and then a Joint City Council meeting with the Planning Commission.

CITY ATTORNEY’S REPORTS AND COMMENTS

City Attorney Koczanowicz stated that the executive search firm Avery & Associates was prepared to provide the Council with an update on the recruitment effort to fill the position of City Manager.

Brief discussion was held regarding scheduling a date and time for the meeting.

Action: Upon consensus of the City Council, a Special City Council Closed Session would be scheduled for Monday, March 7, 2016 at 5:30 p.m.

Additionally, City Attorney Koczanowicz announced that he would be on vacation from February 24 through March 6, 2016 and, during his absence, Assistant City Attorney David Hale would be available to respond to questions.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 10:26 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 04/04/2016)