

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, MARCH 15, 2010**

**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 Sophia Garces, a 10-year-old, 4<sup>th</sup> grade student at Grover Beach Elementary School.

**ROLL CALL**

City Council: Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Community Development Director Buckingham, Police Chief Copsey, Fire Chief Hubert, Parks and Recreation Director Petker, and Battalion Chief Heath were also present.

Also present were City Engineer Garing; Andy Zilke, District Superintendent, Oceano Dunes District, California State Parks; Mike Sherrod, RRM Design Group; Rob Mullane, Rincon Consultants, Inc.; Michael Boyer, Past President, Grover Beach Chamber of Commerce; Linda Garcia, Executive Director, Grover Beach Chamber of Commerce; and Jeff Lee, Vice Chair, Grover Beach Parks, Recreation and Beautification Commission.

**CLOSED SESSION ANNOUNCEMENTS**

None at this time.

**AGENDA REVIEW**

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

**CEREMONIAL CALENDAR**

**1. Proclamation Declaring April 2010 as “Autism Awareness Month”.**

Mayor Shoals read and presented the proclamation to Gary Nemeth, former Paso Robles City Council Member.

**PRESENTATIONS**

**2. Grover Beach Chamber of Commerce Fourth Quarter Report.**

Michael Boyer, Past President, Grover Beach Chamber of Commerce, provided a summary of the Chamber’s activities for the period October - December 2009. Linda Garcia, Executive Director, reviewed visitor information and relocation packets distributed by the Chamber.

The Council thanked and praised the Chamber for its efforts to promote the community and for completing an updated City map. The Council requested that future reports also include financial information indicating how the City’s annual contributions to the Chamber were being allocated.

**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. Jeff Lee, Vice Chair, Parks, Recreation and Beautification Commission, provided an update of recent Commission activities, reviewed topics discussed at the annual California Park and Recreation Society (CPRS) conference that was attended by Parks and

Recreation Director Petker. He described the Society's new branding statement "Parks Make Life Better" and then announced upcoming recreation events for all ages.

- B. David Stearns, owner, Central Coast Casino, requested the Council consider amending the City's card room regulations to allow him the opportunity to add more tables at his establishment.

#### **PUBLIC HEARINGS**

None at this time.

#### **CONSENT AGENDA**

Upon unanimous consensus of the City Council, Consent Agenda Item Nos. 3, 4, and 5 were approved as presented.

3. **Treasurer's Report for the Period February 23 - March 10, 2010.**

**Action:** Approved as submitted.

4. **Minutes of the City Council Meeting of October 19, 2009.**

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

5. **Approve the Agreement Securing the Performance Under the Deferral of the Utility Undergrounding Requirement for Development Permit Application No. 06-005.**

**Project Site:** 1547 Brighton Avenue, APN 060-175-047. **Applicant:** Paul Bischoff. Agreement between the City of Grover Beach and Paul Bischoff, securing performance of a deferred condition of approval on a project with regard to the requirement to underground utility lines running along the property line.

**Action:** Authorized the City Manager to sign the agreement, securing the deferral of the utility undergrounding requirement.

#### **REGULAR BUSINESS**

6. **Appointment to the Planning Commission.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Community Development Director Buckingham reviewed the recommendations of the Advisory Body Screening Committee regarding the applicants interviewed on February 24, 2009 to fill one vacancy on the Planning Commission.

**Action:** It was m/s by Council Members Mires/Bright to: 1) Accept the Screening Committee's recommendations; and 2) adopt Resolution No. 10-15 appointing Brad Evans to fill an *unexpired* term on the Planning Commission, scheduled to expire on May 31, 2013. The motion carried on the following roll call vote:

AYES: Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls,  
and Mayor Shoals.

NOES: Council Members - None.

ABSENT: Council Members - None.

ABSTAIN: Council Members - None.

**Resolution No.10-15: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Appointment of Brad Evans to Serve on the Grover Beach Planning Commission.**

At this time, Planning Commissioner Evans was introduced to the City Council and members of the audience.

N 7. **Approval of the Preferred Alignment Contained in the Beach Cities Multi-Purpose Trail Feasibility Study.**

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Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Parks and Recreation Director Petker briefly reviewed the development of the multi-purpose trail feasibility study completed by RRM Design Group and Rincon Consultants, Inc., with input from community stakeholders and other agencies having jurisdiction in the project area. The goal of the study was to identify the most reasonable route for a multi-purpose pedestrian and bicycle trail, linking Grover Beach to the communities of Pismo Beach, Arroyo Grande, and Oceano, and providing new recreational opportunities. She then introduced Mike Sherrod, Principal, RRM Design Group, and Rob Mullane, Project Manager, Rincon Consultants, Inc.

Mr. Sherrod stated that the Beach Cities Trail concept was envisioned as part of a trail corridor within a regional trail system connecting cities and communities in San Luis Obispo County. He outlined the process conducted to identify all feasible trail routes and described the criteria used to evaluate each route to recommend the most feasible alignment for three segments of the proposed six-mile trail. The trail would consist of a combination of Class I and Class II facilities; however, the feasibility study focused primarily on Class I facilities, which he described as trails with a separated right-of-way for the exclusive use of bicycles and pedestrians. Upon question, he noted that trails for equestrian use were a separate system. He described the three segments of the proposed trail alignment and outlined recommended next steps to support development of the Beach Cities Trail concept. He then responded to questions from the Council regarding the proposed trail segments, and described potential concerns and environmental issues with developing trails along the railroad right-of-way and coastal areas.

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

Curtis Black, Deputy Director, San Luis Obispo County Parks, commended the Council for supporting efforts to improve regional transportation corridors and increase recreational opportunities, stating the study would assist grant applications to fund development of a trail system. He also thanked Parks and Recreation Director Petker for presenting the draft report to the San Luis Obispo County Trails Advisory Committee and ensuring the proposed alignment would be consistent with the County's Park and Recreation Element regarding trails.

Bruce Hilton, District 3, San Luis Obispo County Parks Commissioner, and past member of the Trails Advisory Committee, spoke in support of the trail alignments proposed for Segments 1 and 3, but expressed concern that the northern portion of Segment 2 would not lead to a specific point of interest or provide a continuous trail system.

Nancy Graves, Grover Beach, representative of Coast Walk, California Coastal Trail, and District 3 representative for the Transportation Advisory Committee and the County Trails Advisory Committee, spoke in support of the Beach Cities Trail concept, but requested that the proposed pedestrian overcrossing not be an overbuilt or massive structure. She also inquired about locating a pedestrian crossing at either Park View or Ocean View Avenues. Mr. Sherrod described the physical constraints posed by those alternate locations.

There were no further public comments received.

The Council thanked the consultants for the extensive analysis conducted and, in response to the comment regarding Segment 2 of the proposed trail alignment, noted that the City of Pismo Beach had discouraged development of that trail segment and chose not to contribute a proportionate share of funding to complete this study. Brief discussion was held that, before approving the preferred alignment, more time was needed to review the study's findings and recommendations distributed with the agenda packet, as well as deferring this matter until completion of a Bicycle Master Plan.

City Manager Perrault confirmed that the study could be brought back for discussion when the Council considered the Bicycle Master Plan.

**Action:** Upon unanimous consensus, the Council requested that the Bicycle Master Plan be completed prior to making a formal decision regarding a preferred alignment for the Beach Cities Multi-Purpose Trail.

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

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

#### **9. Discussion Regarding the Air Pollution Control District's South County Phase 2 Particulate Study.**

For the information of those present, City Manager Perrault stated that the South County Phase 2 Particulate Study had been released by the Air Pollution Control District (APCD) and discussed at a public workshop on March 3, 2010 at the South County Regional Center. He reviewed the findings contained in the study regarding the relationship between off-highway vehicles (OHV) in the Oceano Dunes area and airborne particulate matter (PM) experienced at certain locations on the Nipomo Mesa area. He noted that the report did not contain any recommendations and was scheduled to be presented at the APCD's next meeting on March 24, 2010.

Brief discussion was held regarding information presented at the public workshop, further health studies or data that might be needed to adequately address public health concerns, and waiting to comment on the study until the State had completed its environmental impact report (EIR). Additional discussion was held regarding submitting a letter to the APCD requesting that no action by the Board or public position be taken until the results of the State's EIR were received.

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

Andy Zilke, District Superintendent, Oceano Dunes District, State Parks, stated that the EIR was required as part of the State's land acquisition efforts, and that completion of the environmental report would be delayed due to pending litigation.

**Action:** Upon unanimous consensus, the Council authorized staff to prepare a letter for the Mayor's signature that requested the Air Pollution Control District Board not to take action or a public position until the State EIR had been completed and the analysis put into the proper context. The letter would then be delivered by the City's representative, Council Member Bright, to the Air Pollution Control District Board.

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

#### **8. Review of Proposed Zoning Code Amendments on Streamlining.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham presented an overview of proposed improvements to expedite or "streamline" the development review process: 1) eliminating the General Development Plan process, and 2) either reducing the review process for several commercial uses from a Use Permit to an Administrative Use Permit or Permitted Use or comprehensively restructuring the Commercial Use Table to resolve inconsistencies and/or inequities between several of the defined uses. He noted the only current project that would be relieved of the requirement for a General Development Plan would be the Grover Beach Lodge and Conference Center Project. He stated the Planning Commission had reviewed the proposed amendments at its December 2009 meeting and recommended approval. Staff responded to questions from the Council and confirmed that project, environmental, and architectural reviews would continue to be conducted as a normal part of the standard development review process.

Discussion was held regarding eliminating redundancies and delays in the planning review process for the six zoning districts that currently required a two-step process for a General Development Plan, and updating the Commercial Use Table to assist local businesses.

**Action:** Upon unanimous consensus, the Council directed staff to prepare a Zoning Code Amendment to eliminate the requirement for a General Development Plan and revise the Commercial Use Table.

**Recess:** Upon consensus of the City Council, the meeting recessed at 8:22 p.m.

**Reconvene:** At 8:33 p.m., the meeting reconvened with all Council Members present.

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

None at this time.

**Recess:** Upon consensus of the City Council, the meeting recessed at 8:34 p.m. to the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening.

**Reconvene:** At 9:42 p.m., the meeting reconvened with all Council Members present.

#### **COUNCIL COMMITTEE REPORTS**

Council Member Peterson stated she had nothing to report.

Council Member Bright stated she had nothing to report.

Council Member Mires reported on meetings of the Integrated Waste Management Authority (IWMA) and San Luis Obispo County Water Resources Advisory Board (WRAC). He then distributed a document he indicated was also available from the Central Coast Regional Water Board's website entitled "Preliminary Draft Staff Recommendations for an Agricultural Order Conditionally Waiving Individual Waste Discharge Requirements for Discharges from Irrigated Lands", dated February 1, 2010.

Mayor Pro Tem Nicolls reported on the meeting of the San Luis Obispo Countywide 10-Year Plan to End Chronic Homelessness.

Mayor Shoals reported on meetings of the San Luis Obispo Council of Governments and San Luis Obispo Regional Transit Authority, and funding amounts approved for the West Grand Avenue Street Enhancement Project and the Train Station Expansion Project; however, some of the funding originally designated for the West Grand Avenue Enhancement Project had been diverted instead to the Santa Maria River Bridge Widening Project. He also reported on the meeting of the Fire and Emergency Services Oversight Committee.

#### **CITY COUNCIL MEMBER ITEMS**

None at this time.

#### **COUNCIL COMMUNICATIONS**

- A. Mayor Shoals requested updates regarding: 1) the federal grant application for a municipal network, and 2) commencement of energy-saving retrofits at City facilities through the assistance of PacificWest Energy Solutions.

City Manager Perrault stated that the Council had previously authorized Digital West to submit a grant application on behalf of the City for Round 1 of the Federal Broadband Program; however, the City was not successful in Round 1. Due to the pending short time frame to submit an application for Round 2 funding, he had authorized Digital West to prepare an application for submittal. He stated the requirements under Round 2 had been modified to projects that were more regional in scope, capable of serving an extended community, capable of providing service to large anchor users and institutions, and projects that demonstrated public/private partnerships. Digital West submitted a three-party application that included the Grover Beach Municipal Network, Digital West San Luis Obispo, and Surfnet, a wireless service provider, which was estimated to be a regional project of approximately \$4 million. If awarded, one data center would be constructed in San Luis Obispo and a second data center would be built in Grover Beach. The City's contribution would be \$900,000 over a two-year period. Details of the project were still being finalized and would be presented to the Council at a later date.

In reference to energy-saving improvements at City facilities, he stated the loan amount had been scaled back and work would commence once the signed agreement had been returned by the State.

Mayor Shoals praised the analysis recently presented by the firm Whizbang as a good start to the City's marketing efforts, but suggested further effort was needed on marketing and signage. He suggested forming a Council subcommittee to focus specifically on those areas, volunteered to serve on the subcommittee, and suggested Council Member Peterson as the other subcommittee member.

**Action:** Upon unanimous consensus, a Council subcommittee regarding marketing and signage was formed, and Mayor Shoals and Council Member Peterson were appointed to serve on this subcommittee.

City Manager Perrault stated that the work completed by the marketing firm would serve as a good foundation to begin discussions regarding community goals and the City's work program for the upcoming budget cycle.

Mayor Shoals announced that the next Channel Counties Division meeting would be held in Pismo Beach on Friday, March 19, 2010, and that he had extended an invitation to all Commissioners to attend the dinner meeting.

Mayor Shoals commended the work effort by City staff and suggested hosting a City Council-sponsored employee appreciation lunch to be held after adoption of the budget for the next fiscal year.

**CITY ATTORNEY'S REPORTS AND COMMENTS**

None at this time.

**CLOSED SESSION**

None at this time.

**ADJOURNMENT**

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

/s/JOHN P. SHOALS, MAYOR

Attest:  
/s/DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 10/04/2010)