

**MINUTES  
CITY COUNCIL MEETING  
TUESDAY, JULY 6, 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** A moment of silence was held in memory of former Parks, Recreation & Beautification Commissioner Mina Vaughn.

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

**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, Public Works Director/City Engineer Ray, Police Chief Copsey, Battalion Chief Heath, Assistant Administrative Services Director Byrd, Administrative Secretary/Public Safety Pearson, and Recreation Coordinator O'Donnell were also present.

Also present were City Engineer (Water/Sewer) Jim Garing; Clayton Tuckfield of Tuckfield & Associates; Parks, Recreation & Beautification Commission Chair Leah Greeley; Parks, Recreation & Beautification Commission Vice Chair Jeff Lee; and Parks, Recreation & Beautification Commissioner Dee Santos.

**AGENDA REVIEW**

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

**CEREMONIAL CALENDAR**

**1. Drawing to Select Monthly Winners of the Local Economic Stimulus Program Shop Local, Shop Loyal Campaign - "Shop & Dine Grover Beach".**

Administrative Services Director Chapman described the "Shop & Dine Grover Beach" Program to support local businesses by shopping and dining in Grover Beach. Each member of the City Council then assisted with the random drawing. The names of the following Shop & Dine Grover Beach winners were announced: Nadia Anderson, Sandra Benner, Cheryl Gilbride, Steve Hamilton, Barry Hauge, Barry Hauge, Elizabeth Spears, Jason Spears, Kiho Tamaki, and Yesenia Villarreal.

**2. Certificates of Appreciation to 2010 Spring Garden Tour Participants.**

Mayor Shoals, Parks, Recreation & Beautification Commission Chair Greeley, Vice Chair Lee, Commissioner Santos, and Recreation Coordinator O'Donnell presented Certificates to the following participants:

- **895 Naples Street – Alan & Janet Barrios;**
- **967 Seabright Avenue – Stephen Brown & Lori Mooradian;**
- **996 Longbranch Avenue – Albert & Georgette Gonzales;**
- **1065 Atlantic City Avenue – Jeff & Carol Brown;**
- **1245 Atlantic City Avenue – John & Linda Robles; and**
- **850 Atlantic City Avenue – Plant Exchange – Dee Santos.**

**3. Proclamation Declaring July 2010 as "National Park and Recreation Month".**

Mayor Shoals read and presented the Proclamation to Parks, Recreation & Beautification Commission Chair Greeley. Recreation Coordinator O'Donnell described recreation programs and classes offered throughout the year.

## **PRESENTATIONS**

### **4. Presentation of \$2,000 Sponsorship Check to the California Space Authority.**

Mayor Pro Tem Nicolls presented the City's sponsorship check to the Honorable Andrea Seastrand, Executive Director of the California Space Authority, who described fundraising efforts for the proposed 71-acre California Space Center to be located just south of Vandenberg Air Force Base.

**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. Leticia Soria, Monarca Ice Cream, Grover Beach, thanked the Police Department for placing additional temporary barricades near her place of business due to street construction on West Grand Avenue. She then requested that the City consider allowing utility accounts be placed in the name of the commercial tenant.

## **PUBLIC HEARINGS**

### **5. 2010 Weed Abatement Program Cost Protest Hearing.**

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. For the information of those present, Battalion Chief Heath provided an overview of the report, noting a correction in the staff report regarding the number of lots receiving abatement totaled 14 rather than 15. Staff then responded to questions from the Council regarding administrative fee calculations, and noted that, based on the number of lots abated, the fee varied from year to year.

The Mayor invited comments from those in the audience who wished to be heard on this matter. No public comments were received and he closed the Public Hearing.

**Action:** It was m/s by Council Members Bright/Peterson to adopt Resolution No. 10-43 authorizing the City Clerk to attach weed abatement costs to properties for assessment on the County Tax Rolls. 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. 10-43: A Resolution of the City Council of the City of Grover Beach, California Confirming the Report of City Staff Regarding the Weed and Rubbish Abatement Procedure and Making Assessments.**

## **CONSENT AGENDA**

It was m/s by Council Members Peterson/Bright to approve Consent Agenda Item Nos. 6, 7, and 8, as recommended. 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.

### **6. Treasurer's Report for the Period June 16 - June 30, 2010.**

**Action:** Approved as submitted

### **7. Minutes of the City Council Meeting of January 4, 2010.**

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

8. **Appointment of Council Members to Various Boards, Commissions, and Committees**  
- Amending the Resolution regarding committee assignments to memorialize action taken at the City Council meeting of June 7, 2010 to appoint representatives to the newly formed Five Cities Fire Joint Powers Authority Board.

**Action:** Adopted Resolution No. 10-44 adding the appointments of Mayor Shoals and Mayor Pro Tem Nicolls to the Five Cities Fire Joint Powers Authority Board to the Council Committee assignments for 2010.

**Resolution No. 10-44: A Resolution of the City Council of the City of Grover Beach, California, Confirming City Council Committee Assignments for the Remainder of the 2010 Calendar Year.**

## **REGULAR BUSINESS**

9. **Proposed Adjustments in Water Service Rates.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Administrative Services Director Chapman briefly summarized the Council's request from the June 21, 2010 Public Hearing for staff to return with an analysis of an alternative water rate adjustment to be implemented in phases, as well as and assume no cost of living increase for salaries. She stated that the original recommendation presented at the June 21 meeting was for a 30% increase to be implemented in FY 11 and a 2% increase in FY 12. She then described the net effect on water customers under the alternative phased approach with an adjustment of 15% on August 1, 2010 and 15% on March 1, 2011. It was noted that the phased approach would also require an increase in short-term borrowing from the Water Conservation Fund and Wastewater Fund, with repayment potentially coming from Reserve funds. She then introduced Clayton Tuckfield of Tuckfield Associates.

Mr. Tuckfield provided an overview of the methodology used for setting water rates based on meter size for utilities having fewer than 5,000 customers, as well as the amount of revenue generated from water rates for water conservation. He also described the process under Proposition 218 that provided an opportunity for the public to review the cost allocation study conducted that determined the proposed rates. It was noted that the proposed rates were specifically based on the actual cost of providing water service, which limited the ability of providing a fixed rate for any particular group, such as seniors. Mr. Tuckfield and staff then responded to questions from the Council.

City Engineer Garing responded to questions regarding meter size and water capacity, stating larger and certain types of meters put significantly more stress on the infrastructure system than smaller meters.

Brief discussion was held regarding changing meter sizes, water rates, and potential negative fiscal consequences if the water rates were not adjusted at this time. It was further noted that Water Funds were already in deficit mode and that funds collected for water use were strictly spent on water-related expenses.

Mayor Shoals stated that, although the Public Hearing was closed at the June 21 meeting, he would accept comments from those in the audience who wished to be heard on this matter. No public comments were received.

Further discussion was held regarding the additional costs to be incurred under the alternative approach for a phased water rate adjustment; identifying customers with the larger water meters being primarily the City for irrigation meters and the Lucia Mar Unified School District; costs for maintenance and operation of Lopez Lake being under the control of the County; and further costs that may be incurred for the Water Meter Replacement Program.

Council Member Peterson stated that, although she preferred not to increase water rates, she objected to borrowing from Reserve funds, as well as additional costs incurred over the long-term with delaying the rate adjustments as originally proposed.

Council Member Mires objected to the additional estimated long-term costs with implementing water rate adjustments under the alternative phased approach. He spoke in favor of implementing the originally proposed water rate adjustments.

City Attorney Koczanowicz recommended amending the proposed Resolution to add a third paragraph (added text denoted with double underline): "Whereas, consistent with the requirements of Proposition 218, a protest notice and hearing was conducted and the number of protests submitted to the City did not exceed the fifty percent (50%) threshold." He also noted that in reference to the alternative phased approach for adjusting water rates, although it resulted in a slightly higher amount paid by rate payers, it did not ultimately exceed the amount posted and noticed.

**Action:** It was m/s by Council Member Bright/Mayor Shoals to adopt Resolution No. 10-45 approving the alternate phased approach for water rate adjustments at 15% on August 1, 2010 and 15% on March 1, 2011. The motion carried on the following roll call vote:

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

**Resolution No. 10-45: A Resolution of the City Council of the City of Grover Beach, Amending the Master Fee Schedule for Water Rates.**

Recess: Upon consensus of the City Council, the meeting recessed at 7:47 p.m.  
Reconvene: At 7:57 p.m., the meeting reconvened with all Council Members present.

**10. Discussion Regarding Methods to Protect and Control the Use of the City Seal, Flag, Logo, and Slogan.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Attorney Koczanowicz provided an overview of the process and estimated cost to trademark protect the new City logo and slogan or tagline. He also presented information regarding policies established by other municipal agencies for controlling the unauthorized use of City symbols, and responded to questions from the Council.

**Action:** Upon unanimous consensus, the Council authorized: 1) proceeding with completion of trademark protection for the City logo and slogan or tagline, and 2) initiating a Code amendment to adopt regulations regarding the use of City-related symbols.

Recess: Upon consensus of the City Council, the meeting recessed at 8:03 p.m. to conduct the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening.  
Reconvene: At 8:31 p.m., the meeting reconvened with all Council Members present.

**COUNCIL COMMITTEE REPORTS**

Upon unanimous consensus, Council Committee reports were deferred to the next meeting.

**CITY COUNCIL MEMBER ITEMS**

None at this time.

**COUNCIL COMMUNICATIONS**

- A. Council Member Bright read a communication she received from Grover Beach resident Sue Hartman, who was unable to attend the Council meeting. After returning from a Friday evening concert at the Ramona Garden Park, Ms. Hartman discovered that she had no water at her home. She called the Police Department and a Public Works employee soon arrived. Ms. Hartman praised the efficient and caring manner in which Maintenance Worker III Cesar Zarate restored water service to her home.

- B. Mayor Shoals commented that the scoping meeting held on Monday, June 28, 2010 regarding the Grover Beach Lodge and Conference Center Project was well-attended by local equestrians.

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

City Manager Perrault reminded all those present that a meeting regarding the consolidation of fire services would be held at the South County Regional Center in Arroyo Grande on Friday, July 9, 2010.

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

None at this time.

#### **CLOSED SESSION**

At 8:24 p.m., the Council met in Closed Session regarding the following items:

1. **Conference with Labor Negotiators**  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator(s): City Manager, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator.  
Represented Employee Group: General Employees - (SEIU) Service Employees International Union, Local 620
2. **Conference with Labor Negotiators**  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator(s): City Manager, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Lieutenant, and Police Chief.  
Represented Employee Group: Grover Beach Police Officers' Association (GBPOA)
3. **Conference with Labor Negotiators**  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator(s): City Manager, James K. Katen, and Administrative Services Director  
Unrepresented Employee Groups: Management & Confidential Employees
4. **Conference with Labor Negotiators**  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator(s): City Manager and James K. Katen  
Unrepresented Employee Groups: Executive Management

Closed Session Announcements: At 9:05 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, and announced that 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 9:05 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:  
/s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 11/15/2010)