

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, JULY 19, 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 City Manager Perrault.

**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, and Battalion Chief Heath were also present.

Also present were City Engineer (Water/Sewer) Jim Garing and Parks, Recreation & Beautification Commission Chair Leah Greeley.

**CLOSED SESSION ANNOUNCEMENTS**

City Attorney Koczanowicz read the following announcement: On Tuesday, July 6, 2010 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator(s): City Manager, Administrative Services Director, Assistant Administrative Services Director, and 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, 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 and Administrative Services Director  
Unrepresented Employee Groups: Management & Confidential Employees
4. Conference with Labor Negotiators  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator: City Manager  
Unrepresented Employee Groups: Executive Management

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. Award of Merit from the California Association of Environmental Professionals (AEP) to the City of Grover Beach for the General Plan Environmental Impact Report Prepared by the Morro Group.**

Mary Reents, on behalf of the California Association of Environmental Professionals, presented the City with the 2010 Merit Award for the City of Grover Beach Land Use Element Master EIR. She stated the award was originally announced at the AEP annual conference, at which former Interim Community Development Director Pat Beck was able to attend on the City's behalf. Ms. Reents then presented the award to Mayor Shoals and Community Development Director Buckingham.

**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. Leah Greeley, Chair of the Parks, Recreation & Beautification Commission, announced the schedule of upcoming Parks and Recreations events for the summer months.

## **PUBLIC HEARINGS**

None at this time.

## **CONSENT AGENDA**

Prior to consideration of the Consent Agenda, Item Nos. 4, 5, and 6 were pulled pursuant to the respective requests of Council Members Mires, Bright, and Mayor Shoals.

It was m/s by Council Members Peterson/Bright to approve Consent Agenda Item Nos. 2, 3, and 7 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.

- 2. Treasurer's Report for the Period June 30, 2010 - July 14, 2010.**

**Action:** Approved as submitted.

- 3. Minutes of the City Council Meeting of Tuesday, January 19, 2010.**

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

- 7. Contract with the County for Animal Care and Control Services for FY 11 - FY 13 -**  
Continuing the services for animal care and control with the County of San Luis Obispo for a three-year contract period.

**Action:** Adopted Resolution No.10-49.

**Resolution No. 10-49: A Resolution of the City Council of the City of Grover Beach, California Approving the Contract for Animal Care and Control Services with the County of San Luis Obispo.**

**ORDER OF THE DAY:** Upon unanimous consensus of the City Council, Consent Agenda Item Nos. 4, 5, and 6 were considered next:

- 4. Consideration of a Letter Responding to the Grand Jury Report on Leaf Blower Hazards in San Luis Obispo County -** The City received a report from the Grand Jury entitled "Leaf Blower Hazards in San Luis Obispo County", and staff drafted a letter responding to the report.

Council Member Mires commended staff for the draft letter in reply to the Grand Jury report. He stated that, as a former member of the Grand Jury, he did not agree that this particular issue was a matter for Grand Jury consideration.

Brief discussion was held regarding the types of leaf blowers used by Public Works Department personnel.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter. There was no response and he closed the public comment period for this item.

**Action:** Upon consensus of the City Council (Council Member Peterson opposed), the Council authorized staff to send the prepared letter of response to the Grand Jury.

**5. Consideration of an Agreement with the Five Cities Fire Authority to Provide Services** - Authorizing the City to enter into an agreement to provide legal, vehicle maintenance, and personnel services to the Five Cities Fire Authority.

Upon request, City Attorney Koczanowicz described the circumstances under which the services of "outside counsel" would be retained by the City and/or the Five Cities Fire Authority in the event of a potential conflict of interest by either party.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter. There was no response and he closed the public comment period for this item.

**Action:** It was m/s by Council Members Bright/Peterson to: 1) adopt Resolution No. 10-50 authorizing the City to enter into an agreement to provide services to the Five Cities Fire Authority; and 2) authorize the City Manager to execute the agreement on behalf of the City. 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. 10-50: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter Into an Agreement with the Five Cities Fire Authority to Provide Services.**

**6. Award of Bid for Safe Routes to School Infrastructure Project - Grover Heights Elementary School and Adjacent Areas** - Consideration of bids received on June 30, 2010 to construct improvements in and around Grover Heights Elementary School, including sidewalk improvements on Ritchie Road, bike lanes on Atlantic City Avenue, and a lighted pedestrian crossing on North 4<sup>th</sup> Street at Atlantic City Avenue.

Public Works Director/City Engineer Ray provided a brief overview of the proposed project area.

Brief discussion was held regarding staff maintaining close supervision of the project to ensure that the work was performed in an efficient and expeditious manner and that it stayed within the original work scope. Additional discussion was held regarding project delays experienced with the same proposed contractor for the West Grand Avenue Enhancement Project, as well as the proposal to reprogram funds from the South 4<sup>th</sup> Street Reconstruction and Sewer System Installation Project to fund the Safe Routes to School project.

**Action:** It was m/s by Council Members Peterson/Bright to: 1) adopt Resolution No. 10-51 awarding the construction of the Safe Routes to School Infrastructure Project, Grover Heights Elementary School and Adjacent Areas, to the lowest responsive bidder, Souza Construction, Inc.; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$21,594, to be deducted from project contingency funds; and 3) authorize the Mayor to execute the contract on behalf of the City. 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.10-51: Resolution of the City Council of the City of Grover Beach, California Awarding Safe Routes to Schools Infrastructure Project, Grover Heights Elementary School & Adjacent Areas.**

## **REGULAR BUSINESS**

### **8. Appointments to the Planning Commission.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham provided an overview of recommendations from the Advisory Body Screening Committee regarding the applicants interviewed on June 29, 2010 to fill three vacancies on the Planning Commission.

Brief discussion was held regarding the applicants, and publically recognizing Planning Commissioner Marshall at a future Council meeting to thank him for his contributions as a member of the Planning Commission.

**Action:** It was m/s by Council Members Peterson/Mires to: 1) accept the recommendations of the Screening Committee; and 2) adopt Resolution No. 10-52 re-appointing Karl Blum and Dr. Jan Roberson to four-year terms on the Planning Commission, and appoint John Laferriere to a four-year term on the Planning Commission. 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. 10-52: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Re-Appointment of Karl Blum and Dr. Janet Roberson to the Grover Beach Planning Commission, and the Appointment of John Laferriere to the Grover Beach Planning Commission.**

Mayor Shoals then introduced Commissioner Laferriere to the City Council and members of the audience. It was noted that Commissioners Blum and Roberson were unable to attend the City Council meeting.

### **9. Water Shortage Contingency Plan Stage of Action.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Engineer(Water and Sewer) Garing provided an overview of the Water Shortage Contingency Plan as contained in the City's 2005 Urban Water Management Plan (UWMP), which defined the various stages of a declared water shortage and the specific actions to be taken with each stage.

He then reviewed the average "blended rainfall" totals for the period July 1, 2009 through June 30, 2010, which indicated an above average rainfall amount had been received. However, blended rainfall totals for the previous three-year period were significantly lower than average. He stated it would therefore be difficult to conclude that rainfall and groundwater recovery had actually occurred. Additionally, a "La Nina" was predicted for the coming year, which would mean lower than anticipated rainfall amounts. He then described the process for monitoring groundwater health utilizing sentry wells, stating the Oceano sentry well was recently tested and revealed seawater intrusion was no longer present, but noted that condition could return if rainfall totals declined again. City Engineer(Water and Sewer) Garing then responded to questions from the Council.

Brief discussion was held regarding the voluntary or mandatory actions to be taken under the various stages of a declared water shortage.

**Action:** Upon unanimous consensus, the City Council approved remaining at a Stage II - Moderate Voluntary declaration and for staff to continue enacting the Water Shortage Stages of Action and Consumption Reduction Methods.

### **PULLED CONSENT AGENDA ITEMS**

None at this time, as all pulled Consent Agenda Items were previously discussed just prior to Regular Business Agenda Item No. 8.

### **COUNCIL COMMITTEE REPORTS**

Council Member Bright stated she had nothing to report.

Council Member Mires stated he had nothing to report.

Council Member Peterson stated that she would not be attending the next meeting of the San Luis Obispo County Visitors and Conference Bureau as she would be participating in a conference call with the marketing consultants for the Savor the Central Coast Event.

Mayor Pro Tem Nicolls stated he had nothing to report.

Mayor Shoals reported on the meeting of the Five Cities Fire Authority.

### **CITY COUNCIL MEMBER ITEMS**

#### **10. Request to Agendize a Discussion Regarding Increasing the Number of Card Tables Allowed at a Permitted Location.**

Mayor Shoals stated that the owner of Central Coast Casino had approached him with the request to increase the allowed number of card tables per establishment.

Brief discussion was held whether to schedule this matter for a future meeting.

**Action:** Upon unanimous consensus, the Council requested that this item be scheduled on a future City Council agenda and for staff to prepare a report with background information.

### **COUNCIL COMMUNICATIONS**

None at this time.

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

#### **11. Request to Alter the City Council Meeting Schedule for the Months of August and September 2010.**

City Manager Perrault requested the Council consider cancelling the regular meetings of August 16 and September 7, 2010. He noted that cancelling the meetings would allow an opportunity for key staff members to catch up and manage current workloads and allow time for coordination of vacations/absences for both the Council and staff. He reviewed estimated costs savings of approximately \$6,000 with cancelling the two meetings for video production services, staff time preparing reports, preparing and posting agendas, publishing legal notices, and copying and distributing agenda packets. He stated there would still be one meeting per month, which would allow the Council to address any time-sensitive or critical issues.

Brief discussion was held regarding the proposed meeting schedule.

**Action:** Upon unanimous consensus, the City Council authorized the following changes to the upcoming meeting schedule:

- Cancelling the regularly scheduled City Council meetings of:  
Monday, August 2, 2010; Monday, August 16, 2010; and Tuesday, September 7, 2010;
- Scheduling a special meeting on Monday, August 9, 2010; and

- The regularly scheduled meeting of Monday, September 20, 2010 would remain unchanged.

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

None at this time.

#### **CLOSED SESSION**

At 7:37 p.m., the Council met in Closed Session regarding the following item:

1. **Conference with Labor Negotiators**

Pursuant to Government Code Section 54957.6.

Agency Negotiator: City Manager, Administrative Services Director,  
Assistant Administrative Services Director, and  
Human Resources Coordinator.

Represented Employee Group: General Employees - (SEIU) Service Employees  
International Union, Local 620

Closed Session Announcements: At 7:55 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, and 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 7:55 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

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