

**MINUTES
CITY COUNCIL MEETING
MONDAY, FEBRUARY 7, 2011**

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 remembrance of both Preston Wood, a former member of the South County Police Volunteers, and City of Buellton Council Member Russ Hicks.

FLAG SALUTE The flag salute was led by Leo Santiago, an 11-year-old, 5th grade student at Fairgrove Elementary School.

ROLL CALL

City Council: Council Members Molnar, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals were present. Council Member Bright was absent.

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 Planner II Reese were also present.

Also present were Fire Chief Hubert of the Five Cities Fire Authority; Dr. Gilbert Stork, Superintendent/President of Cuesta College; Bill Worrell of Integrated Waste Management Authority (IWMA); and Tom Martin of South County Sanitary Service, Inc.

AGENDA REVIEW

Action: Upon consensus (Council Member Bright absent), 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 briefly described the "Shop & Dine Grover Beach" Program and encouraged residents to support local businesses by shopping and dining in Grover Beach. The Council Members who were present assisted with the random drawing and the names of the following Shop & Dine Grover Beach winners were announced: Alfonso Gonzalez, Guy King, Phyllis Molnar, Carmen Morningstar, Carol Padlina, Richard Peterson (two separate cards were drawn with the same name), and Duke Sterling (three separate cards were drawn with the same name).

2. Proclamation Designating Tuesday, February 22, 2011 as "Spay Day USA".

As there was no representative present at this time, no presentation was given and the Mayor noted that the organization would be contacted.

PRESENTATIONS

3. Presentation from Cuesta College Regarding Proposed Plans to Locate a South County Education Center in Grover Beach.

Dr. Gilbert Stork, Superintendent/President, Cuesta College, provided an overview of a proposed South County Education Center to be located in a renovated commercial building at 998 Huston Street in Grover Beach. He stated that the facility would include space for classrooms and offices, a computer lab, learning resource center, and student support services, as well as room for parking and future expansion. He noted negotiations were underway to develop the facility and described a capital campaign to raise funds by March 1, with a target date for classes to begin by August 2012. Dr. Stork thanked the City for its support of the proposal and then introduced Stephan Gonzales, Director of Marketing and Communications, and Sandy McLaughlin, Executive Dean, North and South County Campus Operations.

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. Stew Jenkins, President of the Point San Luis Lighthouse Keepers, described volunteer efforts to restore the lighthouse near Avila Beach and distributed information for a special Valentine's Day event and docent-led tour.
- B. Jeff Lee, Vice Chair, Parks, Recreation and Beautification Commission, invited the City Council and local residents to attend the Volunteer Recognition Night to be held on Saturday, March 12, 2011. He then described upcoming Parks and Recreation events.

PUBLIC HEARINGS

4. Consideration of Zoning Code Amendment to Bring Areas Into Conformance with the Land Use Element (Amendment No. 10-004, Applicant – City of Grover Beach).

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, Community Development Director Buckingham provided an overview of proposed Zoning Ordinance amendments to: 1) amend the Zoning Map and bring it into conformance with the adopted Land Use Map; 2) create two new zoning districts designated as Urban Reserve (U-R) and Parks & Recreation (P-R); and 3) eliminate the Planned Manufacturing (P-M) and Agriculture Combining (AG) zoning districts. He then displayed maps of specific areas as he reviewed recommendations from the Planning Commission.

Community Development Director Buckingham pointed out that the majority of proposed amendments were the result of changes to the Land Use Designations for existing City facilities, parks, retention basins, and open spaces. Additionally, the purpose of creating the new Urban Reserve zoning district was to allow continued use of the Okui property or "strawberry fields" on Highland Way for agricultural purposes, and the purpose of creating a new Parks & Recreation zoning district was to allow public parks, public facilities, and other recreational uses. Further, creating the Urban Reserve district on the strawberry fields resulted in eliminating two previous zoning designations that existed only on that site. He also noted that the City had received written correspondence that was distributed to Council Members just prior to the meeting, and that "Attachment 2" regarding the List of Proposed Zoning Map Changes for Area 1 had the following typographical errors: "~~4120, 4132~~ Longbranch Avenue" should have appeared as "1220, 1232 Longbranch Avenue". He then responded to questions from the Council, provided further explanations regarding zoning designations, described impacts of the proposed amendments to existing businesses, and identified zoning designations for specific properties.

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

The following persons spoke regarding specific areas in Attachment 2 to the staff report:

- Ken Moss, property owner on North 4th Street, objected to rezoning North 4th Street (Area 8) for commercial development, stating that it would be detrimental to the resale value of his property;
- Rick Veen, Grover Beach, objected to rezoning properties at Atlantic City Avenue and Oak Park Boulevard (Areas 19 and 20) and the open space between North 12th Street and San Diego Loop (Area 21), requesting further studies regarding environmental and traffic impacts for those areas; and
- Loretta Doukas, Grover Beach, objected to rezoning areas on North 4th Street (Areas 8 and 25) for commercial uses until vacant commercial properties on West Grand Avenue were fully developed and occupied. She also objected to commercial buildings on North 4th Street being located adjacent to residential units on Ramona Avenue.

There were no further public comments received.

Council discussion was held regarding the proposed zone changes; previous community workshop discussions regarding the Visioning Project and future developments on North

4th Street; potential conflicts with commercial developments being located in close proximity to residential areas (Areas 8 and 25); retaining the current zoning designations for some areas (Areas 1, 2, and 26); and changing the zoning designation for the Cleaver Park site to Parks & Recreation rather than Public Facilities. Additional discussion was held regarding the proposed amendments bringing certain planning documents into consistency with the recently updated Land Use Element.

Recess: Upon consensus of the City Council (Council Member Bright absent), the meeting recessed at 7:49 p.m.

Reconvene: At 7:56 p.m., the meeting reconvened with all Council Members present, except for Council Member Bright who was absent from this meeting.

Community Development Director Buckingham further clarified the following proposed zone changes in response to previous Council and public comments:

- Areas 19 and 20 (Tanner Road) - Traffic studies would be conducted if development of those areas was proposed;
- Area 17 (1601 Farroll Road) - The entire northeast site would be designated R-1; and
- Area 18 (the former site of Ron's Nursery, 1207 South 13th Street) - The entire site would be designated as R-2.

Brief Council discussion was held regarding maintaining North 4th Street for residential use, and conducting further studies regarding the zoning designation of Longbranch Avenue between 12th and 14th Streets. It was also noted that the proposed zone change for Areas 19 and 20 (Tanner Road) was in response to the property owner's request.

Action: Upon consensus (Council Member Bright absent), the Council accepted the recommended zone changes for Areas 1 through 28, with the following exceptions:

- 1) Zoning designations would remain unchanged for the following areas:
 - Areas 8 and 25 regarding Ramona Avenue, Brighton Avenue, and North 4th Street;
 - Areas 1, 2, and 26 regarding Longbranch and Manhattan Avenues, and South 13th and South 14th Streets; and
- 2) Zoning designation of Area 13 regarding Cleaver Park would be Parks & Recreation "P-R" instead of Public Facilities "P-F".

Action: It was m/s by Council Members Peterson/Molnar to introduce Ordinance No. 11-01, as amended, by title only, and schedule the second reading and adoption at the next regular City Council meeting. The motion carried on the following roll call vote:

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

Ordinance No. 11-01: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article IX, Planning and Zoning Regulations, Chapter 1 Zoning Regulations of the Grover Beach Municipal Code Amending the Zoning Map to Bring it into Conformance with the Land Use Element, Deleting the Planned Manufacturing and Agriculture Combining Zoning Districts and Creating the Urban Reserve and Parks and Recreation Zoning Districts. (First Reading only.)

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item Nos. 9 and 10 were pulled pursuant to the respective requests of Mayor Pro Tem Nicolls and Mayor Shoals. It was m/s by Council Member Peterson/Mayor Pro Tem Nicolls to approve Consent Agenda Item Nos. 5, 6, 7, 8, and 11, as recommended. The motion carried on the following roll call vote:

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

5. **Treasurer's Report for the Period January 13, 2011 - February 3, 2011.**
Action: Approved as submitted.
6. **Minutes of the Following City Council Meetings:**
 - Regular City Council Meeting of November 1, 2010;
 - Regular City Council Meeting of November 15, 2010;
 - Joint City Council / Improvement Agency Meeting of November 15, 2010; and
 - Regular City Council Meeting of December 6, 2010.**Action:** Approved the minutes as submitted.
7. **Authorize the Five Cities Fire Authority to Administer and Coordinate the Annual Weed Abatement Program for the City of Grover Beach** - Annual program to ensure that properties located within the City be maintained free from weeds, rubbish, and other flammable materials.
Action: Adopted Resolution No. 11-10.

Resolution No. 11-10: A Resolution of the City Council of the City of Grover Beach Authorizing the Fire Chief of the Five Cities Fire Authority to Prepare a Request for Proposals (RFP) for the Annual Weed Abatement Program for the City of Grover Beach.
8. **Final Acceptance of the South 4th Street (Farroll Road to Highland Way) Street Improvements and Sewer System Installation** - Formal acceptance of the improvements constructed by Brough Construction on South 4th Street from Farroll Road to Highland Way and authorization to issue a Notice of Completion.
Action: Adopted Resolution No. 11-11.

Resolution No. 11-11: A Resolution of the City Council of the City of Grover Beach, California, Formally Accepting Construction of the South 4th Street Farroll Road to Highland Way Street Improvements and Sewer System Installation Project.
11. **Annual Review for Residency Requirements for Penal Code 290 Registrants Pursuant to Grover Beach Ordinance No. 07-01** - Annual review of protected locations within the City frequented by children, pursuant to Grover Beach Municipal Code Section 3999(B)(2).
Action: Adopted Resolution No. 11-12.

Resolution No. 11-12: A Resolution of the City Council of the City of Grover Beach, California, Identifying Protected Facilities for Residency Requirements for Penal Code 290 Registrants Pursuant to City of Grover Beach Ordinance No. 07-01.

REGULAR BUSINESS

12. **Resolution Opposing the Governor's Proposal to Eliminate Redevelopment Agencies.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault reviewed the Governor's budget proposal to eliminate redevelopment agencies, potential local impacts from the proposal, and the Council's previous action that authorized the Mayor to send letters opposing the proposal to state representatives. He stated the League of California Cities was now encouraging City Councils to adopt resolutions formally opposing the Governor's proposal. He then responded to questions from the Council.

Brief discussion was held regarding specific restrictions placed on the use of redevelopment funds, and local economic development programs and infrastructure projects that had been successfully completed through redevelopment.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Peterson to adopt Resolution No. 11-13 and authorize staff to send copies of the Resolution to state representatives and the League of California Cities. The motion carried on the following roll call vote:

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

Resolution No. 11-13: A Resolution of the City Council of the City of Grover Beach, California, Opposing the Governor's Proposal to Abolish Redevelopment Agencies in California.

13. Consideration of Request From South County Sanitary to Transport and Process Green Waste Material to a Site in Santa Maria.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault provided an overview of services provided by South County Sanitary Service. He stated that composting operations at the landfill had been forced to close, and described the company's plans to construct a biomass facility to process green waste material. However, until that facility was constructed, the company proposed transporting green waste material to a site in Santa Maria for processing. He noted that the Integrated Waste Management Authority Board supported the actions taken thus far by South County Sanitary Service regarding green waste, endorsed the interim proposal to transport material to Santa Maria, and supported the ultimate development of a facility at Cold Canyon Landfill. City Manager Perrault described estimated costs for the handling of green waste and noted that the City anticipated receiving a request from South County Sanitary for a rate adjustment in the coming months. He then introduced Tom Martin of South County Sanitary Service and Bill Worrell of the Integrated Waste Management Authority.

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

Tom Martin, South County Sanitary Service, spoke in support of the proposal, stated the cost difference to transport the material to Santa Maria was minimal, and described plans for expansion of the landfill. He also described the procedure for processing green waste material and how the new facility would address concerns raised by property owners near the landfill. He estimated the time frame to construct the anaerobic digestion facility to be three to five years.

Bill Worrell, on behalf of the Integrated Waste Management Authority Board, spoke in support of the proposal by South County Sanitary Service. He then described other local programs to divert waste from going to the landfill, specifically regarding fluorescent lights, batteries, needles, sharps, and latex paint, as well as a program to dispose safely of pharmaceutical drugs. Mr. Worrell then presented the City Council with a plaque in recognition of the accomplishment by Grover Beach residents and businesses of achieving a 70 percent waste diversion rate in 2009, noting that rate significantly exceeded the State's minimum required rate of 50 percent.

Action: Upon consensus (Council Member Bright absent), the City Council endorsed the recommendation of the Integrated Waste Management Authority Board to support efforts of South County Sanitary Service, Inc., to make arrangements to haul green waste for processing to the Santa Maria facility.

14. Request to Initiate a Code Amendment to Comply With a State-mandated Requirement to Allow Emergency Shelters. (Continued Regular Business from November 1, 2010).

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham provided an overview of the State mandate, pursuant to SB 2, that required Housing Elements be adopted with specific language to allow emergency shelters by right. He stated that the Housing Element adopted in November 2009 considered emergency shelters in the Multiple Residential (R-3), Light Manufacturing (L-M), and Coastal Industrial (C-I) Districts. However, in November 2010, the Council determined that the R-3 District should not be included for emergency

shelters by right and directed staff bring the item back for further consideration regarding the C-I District south of Farroll Road and/or the L-M District with the possibility of an overlay district.

Community Development Director Buckingham displayed maps of three alternatives for designating the entire C-I District south of Farroll Road and portions of the L-M District. He also described areas that were not being recommended for inclusion located on Huston Street and the southeast corner of South 4th Street and Farroll Road, as well as a buffer area recommended along the residential areas north of Farroll Road and/or adjacent to Calvin Court. Staff then responded to questions from the Council.

Brief Council discussion was held regarding options for complying with the State mandate and restrictions on discretionary approval when an emergency shelter was allowed "by right". Further discussion was held whether to establish an overlay district that excluded specific parcels or designate specific parcels; efforts by the Klaproad Initiative to develop a facility in the South County area to provide services to the homeless population; and anticipated development of "clean technology" industries in the south industrial area.

Action: Upon consensus (Council Member Bright absent), the Council authorized staff to prepare a Code amendment designating the "western half of the new Urban Reserve Zoning District, *excluding* the lots located on South 4th Street", as the zoning district to allow emergency shelters by right.

PULLED CONSENT AGENDA ITEMS

At this time Mayor Shoals called for discussion of Consent Agenda Item No. 9.

9. Final Acceptance of the West Grand Avenue Enhancement Project.

Mayor Pro Tem Nicolls expressed concerns with formally accepting a project when there was a pending issue regarding one of the project's subcontractors.

Public Works Director/City Engineer Ray briefly described the process for formally accepting a project and issuing a Notice of Completion, outlined the options available to the contractor once the City had received a Stop Work Notice, and described the steps agreed upon by the contractor and creditor to resolve that particular situation.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Peterson to adopt Resolution No. 11-14 accepting the improvements constructed by Souza Construction, Inc., and authorizing staff to send the Notice of Completion. The motion carried on the following roll call vote:

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

NOES: Council Members - None.

ABSENT: Council Member Bright.

ABSTAIN: Council Members - None.

Resolution No. 11-14: A Resolution of the City Council of the City of Grover Beach, California, Formally Accepting the West Grand Avenue Enhancement Project Improvements.

10. Adoption of the Local Street Rehabilitation Program Short-term Strategy and Prioritized List of Major Connecting Streets.

Mayor Shoals requested clarification regarding how the street selection criteria approved at the October 4, 2010 City Council meeting was being incorporated in the short-term street rehabilitation strategy.

Public Works Director/City Engineer Ray provided an overview of the process for selecting streets for rehabilitation in accordance with the Council-approved selection criteria in the most cost-effective manner, ensuring the longest pavement life, and spreading the annual funding allocation as far as possible to repair the list of pre-designated streets. He pointed

out that the recent bid opening to complete repairs on West Grand Avenue between 8th Street and Oak Park Boulevard would only address short-term maintenance efforts of damaged areas.

Brief discussion was held regarding options for completing the Longbranch Avenue Demonstration Project, completing improvements on Brighton and Nice Avenues that were previously identified for rehabilitation in FY 10; and amending the Resolution to include a map that indicated the prioritized street segments designated for rehabilitation.

Action: It was m/s by Council Member Peterson/Mayor Shoals to: 1) amend the Resolution to include a map designating the prioritized list of major connecting streets, and adopt Resolution No. 11-15, as amended; and 2) authorize staff to begin rehabilitation of the FY 11 prioritized street segments *after* completing improvements on Brighton Avenue and Nice Avenue, two street segments previously identified in the FY 10 Local Street Rehabilitation Program. The motion carried on the following roll call vote:

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

Resolution No.11-15: Resolution of the City Council of the City of Grover Beach, California, Adopting the Short-term Local Street Rehabilitation Program and Prioritized List of Streets and Repealing the Resolution No. 07-75 The Local Street Rehabilitation Program Street Selection Criteria.

COUNCIL COMMITTEE REPORTS

Council Member Bright was absent from the meeting.

Council Member Molnar stated that she had nothing to report

Council Member Peterson stated that she had nothing to report.

Mayor Pro Tem Nicolls commented on the recent spill from the waste water treatment plan as a result of unusually severe storms, and noted that the Sanitation District had taken steps to ensure continuous plant operations in the event of future heavy rainfall events. He then reported on meetings of the San Luis Obispo Countywide 10-Year Plan to End Chronic Homelessness and the Klaproad Initiative Task Team, and announced that the Zone 3 budget would soon be available for public review and that it would be placed on a future agenda for City Council discussion.

Mayor Shoals reported on meetings of the South County Area Transit (SCAT) and San Luis Obispo Council of Governments (SLOCOG), announcing that additional funds would soon be available for local transportation projects.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Molnar announced that a presentation by PG&E representatives regarding SmartMeters was scheduled to be held at the South County Regional Center on Tuesday, February 8, 2011 from 3:00 to 5:00 p.m., followed by a presentation that same day to the Arroyo Grande City Council at 7:00 p.m.
- B. Council Member Peterson announced that the "Opportunity Conference - SLO Communities Bridging Poverty" and the "Parks, Recreation & Beautification Commissioner's Workshop" were both being held on Saturday, February 26, 2011, and inquired whether another Council Member might be interested in attending one of the

events so that she could attend the other. Council Member Molnar stated that she planned to attend the Parks, Recreation & Beautification Commissioner's workshop at Hearst Castle.

CITY MANAGER'S REPORTS AND COMMENTS

15. Scheduling a Discussion Regarding the Water Master Plan and Future Water Resources.

City Manager Perrault briefly described options for scheduling a more focused discussion regarding water issues, as well as the proposed Zone 3 Budget, at a Council meeting in March 2011.

Upon question, he also noted that the Council would be receiving a status report and recommendations regarding implementation of the Grover Beach Municipal Network at the next Council meeting.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 9:48 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 04/04/2011)