

**MINUTES
CITY COUNCIL MEETING
MONDAY, JULY 18, 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

FLAG SALUTE The flag salute was led by Council Member Peterson.

ROLL CALL

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

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Acting Administrative Services Director Byrd, Community Development Director Buckingham, Public Works Director/City Engineer Ray, Police Chief Copsey, Parks & Recreation Director Petker, and Human Resources Coordinator Barrett were also present.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Tuesday, July 5, 2011 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator(s): City Manager, City Attorney, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Lieutenant, and Police Chief.
Employee Group(s): All employee groups (represented and unrepresented)
2. Public Employee Performance Evaluation
Pursuant to Government Code Section 54957
Employee: City Manager

the City Council reconvened into open session and announced there were no reportable actions taken.

AGENDA REVIEW

Action: Upon consensus (Council Member Molnar absent), the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

1. **Proclamation Designating July 2011 as “National Park and Recreation Month”.**

Mayor Shoals read and presented the proclamation to Parks & Recreation Director Petker, who described the Tiny Tots Preschool Program and introduced teachers Sandy Mershon and Carmen Soto. The teachers led a group of current students in a brief musical performance.

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. Brad Snook, Volunteer Coordinator, Surfrider Foundation, expressed concerns regarding operations at the South San Luis Obispo County Sanitation District.

PUBLIC HEARINGS

Prior to discussion of Item No. 9, Mayor Pro Tem Nicolls declared a conflict of interest due to his residence being located within 500 feet of the subject area. He then stepped down from the dais and left the Council Chambers.

2. **Appeal of Planning Commission's Denial to Construct a Second Story Addition.**
Project Location: 828 North 5th Street (APN 060-491-045); Application No. 08-018.
Applicants/Appellants: Michael and Jennifer Poelking.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report.

City Attorney Koczanowicz stated that the Applicants/Appellants had requested this item be continued due to the absence of Council Member Molnar at this meeting. He recommended the Council receive neither public testimony nor the staff report at this time, but instead continue the Public Hearing to the next regularly scheduled meeting when four members of the City Council would be present to receive testimony and the staff presentation.

Action: Upon consensus (Council Member Molnar absent, Mayor Pro Tem Nicolls recused), without receiving the staff presentation or public testimony at this time, the Public Hearing was continued to Monday, August 1, 2011.

At this time Mayor Pro Tem Nicolls returned to the dais.

CONSENT AGENDA

It was m/s by Mayor Pro Tem Nicolls/Council Member Bright to approve Consent Agenda Item Nos. 3, 4, 5, 6, and 7 as recommended. The motion carried on the following roll call vote:

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

3. **Treasurer's Report for the Period June 29, 2011 - July 13, 2011.**
Action: Approved as submitted.
4. **Minutes of the Following Meetings:**
- June 20, 2011 City Council; and
- June 20, 2011 Joint City Council / Improvement Agency / Financing Authority.
Action: Approved the minutes as submitted.
5. **Proposed Memorandum of Understanding (MOU) with the Grover Beach Police Officers' Association.**
Action: Adopted Resolution No. 11-44 and authorized the City's negotiating team to execute the MOU with the Grover Beach Police Officers' Association.

Resolution No. 11-44: A Resolution of the City Council of the City of Grover Beach, California, Approving a Memorandum of Understanding with the Grover Beach Police Officers' Association from July 1, 2011 to June 30, 2012.
6. **Proposed One-Year Memorandum of Understanding (MOU) with Service Employees International Union (SEIU), Local 620.**
Action: Adopted Resolution No. 11-45 and authorized the City's negotiating team to execute the MOU with SEIU, Local 620.

Resolution No. 11-45: A Resolution of the City Council of the City of Grover Beach, California, Approving a Memorandum of Understanding with Service Employees International Union, Local 620 (SEIU), from July 1, 2011 to June 30, 2012.

7. **Adoption of Federal Equitable Sharing Agreement** - Agreement to allow the City to receive federally forfeited assets from adjudicated narcotics cases, pursuant to the Federal Equitable Sharing Program.
Action: Adopted Resolution No. 11-46.

Resolution No. 11-46: A Resolution of the City Council of the City of Grover Beach Authorizing the Mayor and the Chief of Police to Sign a Federal Equitable Sharing Agreement.

REGULAR BUSINESS

8. **Update and Recommendations Regarding the Continuation of the Redevelopment Agency.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault described two recently passed trailer bills to the State's budget. AB 1X 26, referred to as the "Dissolution Bill", would dissolve redevelopment agencies as of October 1, 2011 and transfer all assets to a successor agency to manage those assets and ensure all obligations were satisfied. AB 1X 27, referred to as the "Continuation Bill", would enable cities to continue redevelopment agency operations by adopting an ordinance by November 1, 2011, committing cities to making an initial one-time payment during the current fiscal year to a special fund authorized by the State and committing to make additional and ongoing annual payments thereafter.

He stated that, once the Agency ceased to exist, the City would lose the authority to control any portion of the approximately \$1.1 million dollars in tax increment revenue received annually by the Agency, and all internal loans between the City and Agency would no longer be recognized. If the Council chose to continue the Agency, the City would be required to pay an estimated one-time payment of \$380,000, plus \$88,000 annually thereafter. There would also be an opportunity to provide a method of repaying internal loans.

He noted that lawsuits had been filed by both the California Redevelopment Association (CRA) and the League of California Cities (LCC) to stay implementation of the trailer bills; however, what extent the stay would have on redevelopment agencies was unknown. Staff then responded to questions from the Council.

Mayor Shoals invited public comments on this matter. There was no response received and he closed the public comment period for this item.

Action: Upon consensus (Council Member Molnar absent), staff was directed to draft an ordinance that would comply with requirements of AB IX 27 to continue the Grover Beach Improvement Agency.

PULLED CONSENT AGENDA ITEMS

None at this time.

Recess: Upon consensus of the City Council (Council Member Molnar absent), the meeting recessed at 7:13 p.m. to the Joint City Council / Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 7:30 p.m., the meeting reconvened with all Council Members present, except for Council Member Molnar who was absent from this meeting.

COUNCIL COMMITTEE REPORTS

Council Member Bright stated she had nothing to report.

Mayor Pro Tem Nicolls reported on the meeting of the Integrated Waste Management Authority (IWMA) and the proposed ban on single-use bags.

Council Member Peterson reported on a special meeting of the San Luis Obispo County Visitors & Conference Bureau and noted that she would be assisting with the City booth at this year's *Sunset* magazine Savor the Central Coast event.

Mayor Shoals stated he had nothing to report.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Nicolls stated that the City had recently received two letters commending Sergeant Jerry Cornell and Detective Stephen Ball of the Grover Beach Police Department for their assistance and professionalism. Mayor Pro Tem Nicolls expressed his thanks to both City employees and also praised the Police Chief and the entire Police Department.

CITY MANAGER'S REPORTS AND COMMENTS

9. Discussion Regarding the Schedule for Upcoming Regular City Council Meetings - Monday, August 15, 2011 and Tuesday, September 6, 2011.

City Manager Perrault described the Council's past practice regarding cancelling one or two regularly scheduled meetings during the year.

Brief discussion was held regarding pending issues scheduled for Council deliberation.

Action: Upon consensus, the regularly scheduled City Council meeting for Tuesday, September 6, 2011 was cancelled.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 7:41 p.m., the Council met in Closed Session regarding the following item:

1. **Conference with Legal Counsel - Existing Litigation**
Pursuant to Government Code Section 54956.9(a)
Sipple v. City of Alameda, et al CV BC462270

Closed Session Announcements: At 7:49 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, except for Council Member Molnar who was absent from this meeting, 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 7:49 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 09/19/2011)