

**MINUTES
CITY COUNCIL MEETING
MONDAY, OCTOBER 3, 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 Lucas Castellino, an 11-year-old, 6th grade student at Grover Heights 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, Public Works Director/City Engineer Ray, Police Chief Copsey, Parks & Recreation Director Petker, and Planner II Reese were also present.

Also present were Parks, Recreation & Beautification Commission Vice Chair Dee Santos and Integrated Waste Management Authority Manager Bill Worrell.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, September 19, 2011 after meeting in Closed Session regarding the following items:

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: All employee groups (represented and unrepresented)
2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(a)
Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al, and Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214.
3. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case

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

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. **Proclamation Declaring October 5, 2011 as “Ride 2 Recovery Day”.**

Mayor Pro Tem Nicolls read and presented the proclamation to Police Chief Copsey. Chief Copsey described the program, invited the public to attend the South County segment of the event, and noted that his son would be among the participating veterans.

2. Proclamation Declaring the Month of October 2011 as “Rideshare Month”.

Council Member Peterson read and presented the proclamation to Angela Nelson, Program Coordinator for San Luis Obispo Regional Rideshare. Ms. Nelson described events scheduled throughout the month.

PRESENTATIONS

3. Presentation by the Integrated Waste Management Authority (IWMA) Regarding Single-use Carryout Bags.

Mayor Shoals introduced IWMA Manager Bill Worrell. Mr. Worrell presented information regarding efforts to reduce single-use carryout bags throughout the County and responded to questions from the Council.

Action: Upon consensus (Council Member Bright absent), the Council recommended the Council-appointed representative support the proposed IWMA Ordinance regarding single-use bags.

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 Pienack, Chair, Surfrider Foundation, spoke in support of reducing the use of single-use carryout bags. He then described efforts to raise water awareness.
- B. Katie Ott, San Luis Obispo County Tobacco Control Program, spoke in support of establishing restrictions for smoke-free, multi-dwelling units.
- C. Melissa Peters, San Luis Obispo County Tobacco Control Program, praised the City of Grover Beach for enforcement efforts to reduce youth access to tobacco products at local retail stores.
- D. John Songson, Mesa Community Alliance, objected to a proposed supplemental water project for the Nipomo Mesa.

It was noted that this issue was on the agenda and scheduled for Council consideration later this same evening.

- E. Brad Snook, Volunteer Coordinator, Surfrider Foundation, expressed concerns regarding the South San Luis Obispo County Sanitation District.
- F. Elizabeth Doukas, Grover Beach, expressed concerns regarding an unresolved dispute with a neighbor and distributed documentation regarding the matter.

PUBLIC HEARINGS

4. Recommendation to the San Luis Obispo County Board of Supervisors to Approve the Allocation of Program Income and Reallocation of Community Development Block Grant (CDBG) Funds from the 2009 and 2010 Funding Cycles.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Public Works Director/City Engineer Ray provided an overview of the Community Development Block Grant program, the anticipated allocation of CDBG funds from the County, and noted that there were CDBG funds left over from program income and the reallocation of 2009 and 2010 funds. He described eligible activities for use of the remaining funds and noted that this was the last year of City participation in the Urban County program; therefore, the County recommended expending the funds by early spring. He then described a recommended project for use of the remaining funds to remove pedestrian access impediments, such as installation of sidewalks and curb ramps along main arterial or collector streets. Staff then responded to questions regarding restrictions for eligible activities and previous allocations that focused on economic development and business assistance. It was noted that re-paving local streets would not be an eligible use of these funds.

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 Hearing.

Discussion was held regarding options for completing sidewalk segments along South 13th Street and Longbranch Avenue, and whether to pursue narrowing street segments on Longbranch Avenue to reduce street maintenance costs. Additional discussion was held regarding future funding that might be available through the San Luis Obispo Council of Governments or the Safe Routes to School Program.

Action: Upon consensus (Council Member Bright absent), the Council directed that program income be allocated and the 2009 and 2010 CDBG funds be reallocated towards the following citywide public improvement project: Constructing sidewalk improvements on 1) the west side of South 13th Street from Trouville Avenue to Longbranch Avenue, and 2) on the south side of Longbranch Avenue.

It was then m/s by Council Member Peterson/Mayor Shoals to adopt Resolution No. 11-59. 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. 11-59: A Resolution of the City Council of the City of Grover Beach, California, Allocating New CDBG Funds and Reallocating Leftover Funds for the City's Community Development Block Grant (CDBG) Program.

ORDER OF THE DAY: Upon consensus of the Council (Council Member Bright absent), the Order of the Day was amended to consider Agenda Item No. 8 next.

REGULAR BUSINESS

8. Letter to County Supervisors Requesting Support of Supplemental Water for the Nipomo Mesa.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Public Works Director/City Engineer Ray provided an overview of the City's freshwater supplied from the Santa Maria Groundwater Basin and the agreement among neighboring communities to limit pumping from the basin so as not to exceed its safe yield. He outlined terms of a settlement agreement to end litigation regarding regional impacts to the basin that included a requirement for the Nipomo Community Services District to provide supplemental water to the Nipomo Mesa. He also described reports that indicated groundwater levels in the Nipomo Mesa area were continuing to fall, despite last year's above average rainfall, and that demand exceeded the ability to replace the water pumped from the underground aquifer. He then reviewed a draft letter to the San Luis Obispo County Board of Supervisors in support of a supplemental water project for the Nipomo Mesa area, noting that the letter did not specify any particular supplemental water project. He then responded to questions from the Council.

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

John Songson, rural Arroyo Grande resident and Mesa Community Alliance representative, objected to the supplemental water project currently being considered by the Nipomo Community Services District and requested an opportunity to schedule a presentation regarding alternatives.

There were no further public comments received.

Discussion ensued regarding the Santa Maria Valley litigation and a recent citizen-led effort scheduled for discussion in the coming weeks by the County Board of Supervisors requesting that the County take the lead regarding formation of a Nipomo Mesa area assessment district to finance construction of a supplemental water project.

Action: Upon consensus (Council Member Bright absent), the Council deferred taking action on the draft letter until further technical information was provided.

ORDER OF THE DAY: At 8:18 p.m. the Order of the Day resumed to the agenda as posted.

PUBLIC HEARINGS (Continued)

5. FY 12 Citizen's Option for Public Safety (COPS) Grant and Authorization to Reallocate FY 11 COPS Grant Funds.

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, Police Chief Copsey provided an overview of the annual state grant program to augment local funding for law enforcement services. He reviewed past expenditures under the grant program and then reviewed proposed expenditures to improve technology and upgrade the department's records management system, purchase equipment and make facility enhancements, fund a part-time dispatcher position, and supplement overtime associated with special projects or unusual cases. He also recommended reallocating FY 11 COPS grant funds to complete records management system upgrades and change the full-time, grant-funded dispatcher position to a part-time position. He noted that newer technology for communicating with field personnel was anticipated to reduce the workload for dispatch services. He then responded to questions from the Council.

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 Hearing.

Further discussion was held regarding duties handled by the Communications Supervisor, ensuring that current dispatch service levels were maintained, and deferring discussions of any further amendments to personnel allocations to City Council budget discussions when all City departments were being considered.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Peterson to adopt Resolution No. 11-60. 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. 11-60: Resolution of the City Council of the City of Grover Beach Authorizing the Grover Beach Police Department's Recommendation for Changing the Spending Plan for the Citizen's Option for Public Safety (COPS) Grant (FY11).

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Peterson to adopt Resolution No.11-61. 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. 11-61: Resolution of the City Council of the City of Grover Beach Accepting the Grover Beach Police Department's Recommendation for Spending the Citizen's Option for Public Safety (COPS) Grant (FY12).

CONSENT AGENDA

Upon consensus (Council Member Bright absent), the Council approved Consent Agenda Item Nos. 6 and 7 as recommended.

6. Treasurer's Report for the Period September 14, 2011 - September 27, 2011.

Action: Approved as submitted.

7. Business Tax Certificate Report - Second Quarter 2011.

Action: The report for the period April 1, 2011 to June 30, 2011 was received and filed.

REGULAR BUSINESS

9. Disposition of the Carolan House.

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 described the City-owned building located at the northeast corner of South 14th Street and Mentone Avenue, referred to as the "Carolan House", which until recently had been used for several years for an off-site records storage facility. He stated that the building had deteriorated due to deferred maintenance and, after a period of heavy rainfall last winter, had incurred roof damage. He reviewed estimated costs to repair the building, but noted that it would not be sufficient to re-establish its previous use. He outlined estimated costs to either fully restore or demolish the building, and noted that an insurance claim had been filed for winter storm damage to the building. He then reviewed recommendations from the Parks, Recreation & Beautification Commission to solicit interest from individuals or groups interested in preserving the building either on-site or at a different location.

Brief discussion was held regarding alternatives for off-site records storage, as well as the process for making the City-owned building available for potential purchase by private individuals or organizations.

Action: Upon consensus (Council Member Bright absent), the Council authorized staff to proceed with finalizing the insurance claim and demolishing the building.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Molnar stated she had nothing to report.

Council Member Peterson described the recent "Savor the Central Coast" event and noted that a local business had contributed a donation towards the City's costs.

Mayor Pro Tem Nicolls reported on the recent open house event hosted by the South San Luis Obispo County Sanitation District, and a facilitated workshop retreat held by the San Luis Obispo Countywide 10-Year Plan to End Chronic Homelessness Committee.

Mayor Shoals described transportation funding issues scheduled for discussion at the next meeting of the San Luis Obispo Council of Governments (SLOCOG) and stated that he would request staff distribute copies regarding the 2012 Regional Transportation Enhancement Program. He stated staff would be meeting later that week with members of the Joint Authority to review concept drawings for the Grover Beach Lodge & Conference Center Project. He then reported on the meeting of the Five Cities Fire Joint Powers Authority and described the results of a recent telephone survey regarding the potential formation of a fire assessment district.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

10. Annual League of California Cities Conference Held on September 21-23, 2011.

Council Member Peterson described the sessions held at the recent League of California Cities conference and course materials she had requested be included in the agenda packet regarding efficiently conducting public meetings.

Action: The information was received and filed.

COUNCIL COMMUNICATIONS - (Continued)

- A. Council Member Peterson announced that the Grover Beach Train Station would be one of the sites for the Central Coast Railroad Festival on Saturday October 8, 2011.
- B. Mayor Pro Tem Nicolls distributed shirts received at a recent Narvacan Sister City dinner event to the other members of the City Council and City Manager Perrault, and noted that Narvacan officials had received Grover Beach shirts.

CITY MANAGER'S REPORTS AND COMMENTS

11. Request to Schedule a Special Workshop Session to Discuss the Proposed Capital Improvement Plan (CIP).

City Manager Perrault requested the Council consider scheduling a workshop session to receive an update regarding the proposed Capital Improvement Plan.

Action: Upon consensus (Council Member Bright absent), a workshop to review the draft CIP was scheduled for Monday, October 24, 2011 at 6:30 p.m.

CITY ATTORNEY'S REPORTS AND COMMENTS

In reference to the upcoming Central Coast Railroad Festival, City Attorney Koczanowicz reminded the Council that regulations pursuant to the Fair Political Practices Commission prohibited elected officials from receiving gifts for free transportation.

He then reported on the meeting of the Administrative Services Policy Committee that was held at the Annual League of California Cities Conference.

CLOSED SESSION

At 9:14 p.m., the Council met in Closed Session regarding the following item:

- 1. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: Hillcrest cell tower site (APN 060-581-041)
Agency negotiator: City Manager and City Attorney
Negotiating party: Crown Castle, Inc.
Under negotiation: Terms of extension of the lease or potential sale

Closed Session Announcements: At 9:30 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present (except for Council Member Bright 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 9:30 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:
/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 11/07/2011)