

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, OCTOBER 17, 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 Jacob Boss, a 9-year-old, 5<sup>th</sup> grade student at Grover Heights Elementary School.

**ROLL CALL**

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

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

**CLOSED SESSION ANNOUNCEMENTS**

City Attorney Koczanowicz read the following announcement:

On Monday, October 3, 2011 after meeting in Closed Session regarding:

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.

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. Proclamation Declaring “Red Ribbon Week” on October 23-31, 2011.**

Mayor Shoals read and presented the proclamation to Police Chief Copsey, who described events to be held at the local elementary schools.

**2. Drawing for Five (5) Gift Baskets to be Awarded to Participants in the “Savor the Central Coast” Event, Held at Santa Margarita Ranch on October 1-2, 2011.**

Parks & Recreation Director Petker briefly described the event, displayed photos of the City booth, and described gift basket items donated from local businesses. A random drawing was held and the names of the following winners were announced: Linda Lindsay, Christer Kollmann, Karen Porter, Kimberly Coulter, and Emily Chavez.

**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. Anita Shower, Grover Beach, spoke in support of establishing a two-hour parking limit on the south side of West Grand Avenue from 8<sup>th</sup> to 10<sup>th</sup> Streets.
- B. Brad Snook, Volunteer Coordinator, Surfrider Foundation, expressed concerns regarding operations at the South San Luis Obispo County Sanitation District.

## **PUBLIC HEARINGS**

None at this time.

## **CONSENT AGENDA**

It was m/s by Council Members Peterson/Molnar to approve Consent Agenda Item Nos. 3 and 4 as recommended. The motion carried on the following roll call vote:

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

### **3. Treasurer's Report for the Period September 27 - October 12, 2011.**

**Action:** Approved as submitted.

### **4. Notice of Completion for the Longbranch Avenue Demonstration / Safe Routes to School Project, CIP #386** - Formal acceptance of improvements constructed by R. Simons Company, Inc., on Longbranch Avenue, including corner ramp bulb outs, parkway planters, connecting sidewalks, paving, and striping.

**Action:** Adopted Resolution No. 11-62.

**Resolution No. 11-62: A Resolution of the City Council of the City of Grover Beach, California, Formally Accepting Construction of the Longbranch Demonstration/Safe Routes to School Project, CIP #386.**

## **REGULAR BUSINESS**

### **5. Discussion and Direction to Staff Regarding Potential Smoking Regulations in Public Facilities in the City.**

For the information of those present, City Attorney Koczanowicz provided an overview of recent discussions held by the City Council and by the Parks, Recreation & Beautification Commission regarding whether to establish smoking regulations in City facilities. He noted the Commission had recommended prohibiting smoking in all City parks up to the edge of the surrounding sidewalk, as well as at City-sponsored events such as the summer concert series. Staff then responded to Council questions. It was noted that the City had no jurisdiction to prohibit smoking on the beach, but could assist State Parks with enforcement efforts if such a regulation were enacted by the State.

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

Melissa Peters, San Luis Obispo County Tobacco Control Program, described smoking regulations enacted in nearby communities and public education programs available locally regarding smoking cessation, and offered to assist the City with drafting a local smoking regulation.

There was no further public comment received.

Brief Council discussion ensued regarding public areas where citizens might potentially benefit if smoking were prohibited.

**Action:** Upon consensus, the Council authorized staff to proceed with drafting an Ordinance for Council consideration to prohibit smoking in City buildings and park facilities within the confines of the surrounding sidewalks and during special events held on City-owned property.

**Prior to discussion of Item No. 6, Council Member Peterson declared a conflict of interest due to her residence being located within 500 feet of the subject area. She then stepped down from the dais and left the Council Chambers.**

**6. Potential AT&T Lease of City-owned Parking Lot.**

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 request from AT&T to install an 80-foot tall faux monopine wireless communications antenna on City-owned property. The proposed location for the antenna and related equipment would be on the southern portion of the City-owned parking lot at 170 West Grand Avenue and result in the elimination of three existing parking spaces. He noted that staff was seeking Council authorization to proceed with processing the development application. If authorization was granted, the application would be subject to the approval process by the Planning Commission. He also described inquiries received from other wireless providers interested in locating wireless communication antennas in the vicinity. Staff then responded to questions from the Council. It was noted that the applicant's representative was not available to attend this meeting due to a personal emergency.

Brief discussion was held regarding future development near the proposed project site, whether to reduce the number of parking spaces, and the general appearance of wireless communications equipment.

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

Anita Shower, Grover Beach, inquired whether an alternate site had been identified.

There were no further public comments received.

Upon request by the City Council, City Attorney Koczanowicz outlined the procedure for processing a development application.

**Action:** Upon consensus, the Council: 1) authorized staff to proceed with processing the development application; and 2) requested that the Planning Commission make its recommendation to the City Council so the entire project would be subject to review by the City Council.

**At this time, Council Member Peterson returned to the dais.**

**7. Status Report - Water Resources.**

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 regarding City water resources, trends in water supply and demand, efforts to address potential supply deficiencies, and recommendations for ongoing management of City water resources. He then responded to questions from the City Council.

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

Brief Council discussion was held regarding the option to use graywater, encouraging residents to choose native plant species for landscaping projects, and existing water conservation programs sponsored by the City.

**Action:** Upon unanimous consensus, the report was received and filed.

**Recess:** Upon consensus, the meeting recessed at 7:58 p.m., to 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.

**PULLED CONSENT AGENDA ITEMS**

None at this time.

## **COUNCIL COMMITTEE REPORTS**

Council Member Bright reported on the meeting of the Air Pollution Control District (APCD) and outlined a proposed rule to reduce dust emissions scheduled for adoption by the APCD Board in November.

Brief discussion was held regarding a recent State Parks-sponsored workshop and tour of the Off-Highway Motor Vehicle Recreation Area, and inviting representatives from the APCD and State Parks to the next regular City Council meeting to present information regarding the proposed rule.

Council Member Molnar stated she had nothing to report.

Mayor Pro Tem Nicolls noted that the Klapproad Initiative Task Team had completed its task and disbanded and should therefore be removed from future agendas under "Council Committee Reports". He then reported on meetings of the San Luis Obispo County Water Resources Advisory Committee (WRAC) and the South San Luis Obispo County Sanitation District. He also described efforts by the Sanitation District to prevent illegal dumping into sewer lines and recent improvements regarding monitoring and testing the system.

Council Member Peterson stated she had nothing to report.

Mayor Shoals reported on the meeting of the San Luis Obispo County of Governments (SLOCOG), distributed information regarding funding for transportation projects in Grover Beach, and described potential projects for the next funding cycle. He announced that the next meeting of the San Luis Obispo Regional Transit Authority (SLORTA) would include a discussion regarding bus route changes. He stated that the next meeting of the Five Cities Fire Joint Powers Authority would include a discussion of the results from a community interest survey regarding formation of a fire protection district. He then reported on a recent meeting regarding the Grover Beach Lodge and Conference Center Project, with the next meeting to be held in Sacramento.

## **CITY COUNCIL MEMBER ITEMS**

None at this time.

## **COUNCIL COMMUNICATIONS**

- A. Mayor Shoals announced that a community Neighborhood Watch meeting would be held at the Ramona Garden Park Center on Thursday, October 20, 2011 at 6:00 p.m. He stated the meeting was in response to previous discussions with residents on North 14<sup>th</sup> Street, and that postcards announcing this upcoming meeting had been mailed to a wider area of residents in that same vicinity to discuss neighborhood concerns.

Brief discussion was held regarding whether there would be a quorum of the City Council at that meeting since the residences of two Council Members were located near North 14<sup>th</sup> Street. City Attorney Koczanowicz confirmed that the City Clerk would post a notice in compliance with requirements of the Brown Act.

- B. Council Member Peterson noted that the Council had previously discussed the possibility of scheduling a workshop to discuss parking regulations in general and potentially revising the City's parking standards.

Brief discussion was held regarding scheduling a workshop at a future date regarding parking standards in high density residential and commercial districts, as well as parking enforcement, which was conducted on a complaint basis due to a lack of staff resources.

In reference to a communication the Council had received from former Mayor Dave Ekbohm regarding costs for fire services and whether that cost was within the range for other similar-sized communities to Grover Beach, Council Member Peterson inquired whether there was consensus to have staff research the matter further.

Brief discussion was held regarding information recently provided to the City Council by City Manager Perrault regarding fire service costs and that no further research was necessary at this time.

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

#### **8. Special City Council Meeting Regarding the Five-year Capital Improvement Program Tentatively Scheduled for Monday, October 24, 2011.**

Acting City Manager/Police Chief Copsey reminded all those present that a meeting to discuss the Capital Improvement Program was scheduled for October 24, 2011 at 6:30 p.m.

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

None at this time.

### **CLOSED SESSION**

At 9:16 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 9:35 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 9:35 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:  
/s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 11/21/2011)