

**MINUTES
CITY COUNCIL MEETING
MONDAY, DECEMBER 7, 2009**

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 Juan Olivarria, Principal, Grover Beach Elementary School.

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, Interim Community Development Director Beck, Police Chief Copsey, Economic Development Specialist Buckingham, and Planner II Reese were also present.

Also present was City Engineer Garing.

AGENDA REVIEW

Action: Upon unanimous consensus, 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 described the Shop & Dine Grover Beach Program and announced that there were now 70 local businesses participating in the program. Council Member Peterson then assisted Administrative Services Director Chapman with the random drawing. The names of the following Shop & Dine Grover Beach winners were announced: Steve Bergstrom, Jeremy Bond, Kim Dickson, Homer Flores, Barry Hauge, Allan Johnson, Edward Lucas, Brad Pickett, Ann Marie Taylor, and Jay Wells.

2. Appointment of Mayor Pro Tem for the Upcoming Year.

City Attorney Koczanowicz described the process, in accordance with Resolution No. 08-18, for the directly-elected Mayor to appoint a Council Member to serve as Mayor Pro Tem.

Action: Mayor Shoals selected Mayor Pro Tem Nicolls to continue serving as Mayor Pro Tem for the one-year period December 2009 - December 2010.

Mayor Pro Tem Nicolls accepted the appointment, stating that he enjoyed representing the City and looked forward to serving another year as Mayor Pro Tem.

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. John Wysong, Grover Beach, expressed concerns regarding poorly maintained streets and the increasing number of multi-story Planned Unit Developments in the community. He then submitted photos of recent development projects and street segments to illustrate his concerns.
- B. Jeff Lee, Parks, Recreation and Beautification Commissioner, provided an overview of the following recent City-sponsored events: Tree Lighting Ceremony, Santa's Workshop, and Holiday Parade. He then described two upcoming events, the Holiday of Lights Contest and the City's 50th Anniversary Celebration.

PUBLIC HEARINGS

3. Reallocation of Community Development Block Grant (CDBG) Funds from the 2008 and 2009 Funding Cycles, Allocation of Program Income, and Preliminary Allocation of Funding from the 2010 Community Development Block Grant Funding Cycle.

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, Planner II Reese provided an overview of the proposed reallocations of CDBG funds to redesign sidewalk improvements at the intersection of 13th Street and Longbranch Avenue to be consistent with improvements planned for the Longbranch Avenue Demonstration Project. The project had also been slightly expanded to include improvements on Manhattan and Seabright Avenues and therefore had incurred additional costs. She stated that staff recommended reallocating unspent funds from previous funding cycles to meet deadlines established by the Department of Housing and Urban Development, and also outlined a list of proposed reallocations and recommendations for preliminary allocations for the 2010 funding cycle. Planner II Reese and Interim Community Development Director Beck then responded to questions from the Council.

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

The following persons spoke in support of their respective agency's application for funding and briefly described services either provided or applicable to Grover Beach residents:

- Al Brill, Arroyo Grande resident, Mission Community Women's Business Center;
- Carl Hansen, Executive Director, Food Bank Coalition;
- Pearl Munak, President, Transitional Food and Shelter; and
- Anna Boyd-Bucy, Executive Director, Big Brothers Big Sisters.

John Koepf, Arroyo Grande resident and Grover Beach property owner, also spoke in support of funding programs for Big Brothers Big Sisters.

There were no further public comments received and the Mayor closed the Public Hearing.

Actions: It was m/s by Council Member Peterson/Mires to:

- 1) Adopt Resolution No. 09-88 reallocating unspent 2008 CDBG funds from the Minor Home Repair Project and from the Architectural Barrier Removal at City Hall Project to the South 13th Street Architectural Barrier Removal Project;
- 2) Adopt Resolution No. 09-89 reallocating 2009 CDBG funds from the Architectural Barrier Removal at City Hall Project to the South 13th Street Architectural Barrier Removal Project;
- 3) Adopt Resolution No. 09-90 recommending approval of allocating program income to the South 13th Street Architectural Barrier Removal Project to the San Luis Obispo County Board of Supervisors; and
- 4) Adopt Resolution No. 09-91 approving the 2010 CDBG Program and preliminary recommendations for allocation of the 2010 CDBG Action Plan to the San Luis Obispo County Board of Supervisors.

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. 09-88: A Resolution of the City Council of the City of Grover Beach, California, Amending the 2008 Annual Action Plan for the City's Community Development Block Grant (CDBG) Program and Reallocating CDBG Funds.

Resolution No. 09-89: A Resolution of the City Council of the City of Grover Beach, California, Amending the 2009 Annual Action Plan for the City's Community Development Block Grant (CDBG) Program and Reallocating CDBG Funds.

Resolution No. 09-90: A Resolution of the City Council of the City of Grover Beach, California, Recommending Allocation by the San Luis Obispo County Board of Supervisors.

Resolution No. 09-91: A Resolution of the City Council of the City of Grover Beach, California, Approving the 2010 Community Development Block Grant (CDBG) Program and Recommendations for Preliminary Allocation by the San Luis Obispo County Board of Supervisors.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item Nos. 7 and 8 were pulled pursuant to the request of Mayor Shoals. Council Member Bright stated that she would abstain from voting on Consent Agenda Item No. 10, due to her residence being located within 500 feet of the subject property.

It was m/s by Council Members Bright/Peterson to approve Consent Agenda Item Nos 4, 5, 6, 9, and 10, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Bright (*except* for Item No. 10), Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Member Bright (for Item No. 10 *only*).

4. Treasurer's Report for the Period November 12 - 30, 2009.

Action: Approved as submitted.

5. Minutes of the City Council Meeting of July 20, 2009.

Action: Approved the minutes as submitted.

6. Proposed Amendment to the Master Fee Schedule - Suspending the application and processing fees for Business Tax Certificates.

Action: Adopted Resolution No. 09-92 and Resolution No. 09-93.

Resolution No. 09-92: A Resolution of the City Council of the City of Grover Beach Amending the Master Fee Schedule for the Suspension of Application and Renewal Fees for Business Tax Certificates.

Resolution No. 09-93: A Resolution of the City Council of the City of Grover Beach Adopting the 5th Amendment to the FY 10 Annual Appropriation Resolution No. 09-53 by Unappropriating \$30,975 for Suspension of the Application and Processing Fees for Business Tax Certificates.

9. Safe Routes to School Grant Project - Authorizing the City Manager to sign the agreement for the Safe Routes to School grant-funded project, a related Master Agreement with CalTrans, and future associated documents.

Action: Adopted Resolution No. 09-94.

Resolution No. 09-94: A Resolution of the Grover Beach City Council Authorizing the City Manager to Sign the Agreements Associated with the Safe Routes to School Grant SR2SL-5359(014) and the Master Agreement No. 00277S with CalTrans.

10. Approval of Final Tract Map No. 2849 for 1510 Brighton Avenue, Development Application No. 08-17 - Accepting the final map for a five-unit Planned Unit Development constructed at 1510 Brighton Avenue. (Applicant: Gabe Ramirez)

Action: Adopted Resolution No. 09-95.

Resolution No. 09-95: Resolution of the City Council of the City of Grover Beach, California, Approving and Authorizing the City Clerk to Record Final Tract Map No. 2849 (1510 Brighton Avenue).

ORDER OF THE DAY: Upon consensus of the City Council, Consent Agenda Item Nos. 7 and 8 were considered next.

7. Award of Bid for Public Street Improvements on Atlantic City Avenue, from North 13th Street to Oak Park Boulevard.

Mayor Shoals requested that, since the bid amount of the lowest responsive bidder was less than the engineer's estimate, the Council consider authorizing the use of any remaining project funds towards additional street improvements on Atlantic City Avenue from east of Oak Park Boulevard to the cul-de-sac.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Bright to: 1) adopt Resolution No. 09-96 awarding construction of the project to the lowest responsive bidder, Ferravanti Paving; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$21,346, to be deducted from contingency; 3) authorize the Mayor to execute the contract on behalf of the City; and 4) authorize the use of any remaining project funds for design and construction of street improvements on Atlantic City Avenue from east of Oak Park Boulevard to the cul-de-sac. 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. 09-96: Resolution of the City Council of the City of Grover Beach, California, Awarding the Street Rehabilitation Project Atlantic City Avenue (North 13th Street to Oak Park Boulevard).

8. Award of Bid for Street Rehabilitation Project on South 4th Street, from Seabright Avenue to West Grand Avenue.

Mayor Shoals requested that, since the bid amount of the lowest responsive bidder was less than the engineer's estimate, the Council consider extending the project area to the adjacent block on South 5th Street.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Bright to: 1) adopt Resolution No. 09-97 awarding construction of the project to the lowest responsive bidder, CalPortland Construction; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$19,977 to be deducted from contingency; 3) authorize the Mayor to execute the contract on behalf of the City, and 4) authorize the use of any remaining project funds for design and construction of street improvements on South 5th Street from Seabright Avenue to West Grand Avenue. 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. 09-97: Resolution of the City Council of the City of Grover Beach, California, Awarding the Street Rehabilitation Project on South 4th Street, Seabright Avenue to West Grand Avenue.

ORDER OF THE DAY: At this time, the Order of the Day resumed to the agenda as posted.

REGULAR BUSINESS

11. South County Transit Hub Project, Phase III Concept.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Engineer Garing gave an overview of the three phases

of construction for the South County Transit Hub Project, previously referred to as the "Ramona Specific Plan". Phase I was completed and had encompassed the three street segments located immediately adjacent to Ramona Garden Park. Phase II improvements on Ramona Avenue from North 9th Street west to North 8th Street were currently under construction and anticipated to be completed within the next two months. He then displayed an updated concept design for the final phase of the project and described proposed design modifications to accommodate:

- the size and relocation of the proposed cul-de-sac on North 9th Street between Brighton Avenue and Ramona Avenue;
- storm drain improvements on North 9th Street;
- undergrounding utilities on the west side of North 9th Street between Ramona Avenue and Brighton Avenue; and
- parking on North 9th Street, from West Grand Avenue to Ramona Avenue.

City Engineer Garing then responded to questions from the Council.

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

Tom Murray, Arroyo Grande resident and Grover Beach property owner, spoke in support of the project in general, as well as undergrounding utilities and minimizing the size of the proposed cul-de-sac. He also suggested preparing a landscape overlay with alternative plant species.

There were no further public comments received.

Brief discussion was held regarding the design components presented, the Council's desire to improve traffic flow downtown, and installing a more aesthetically pleasing sidewalk configuration on North 9th Street after the existing mature trees were removed.

Action: Upon unanimous consensus, the Council directed staff to amend the concept design for the South County Transit Hub Project, Phase III, as follows:

- 1) *cul-de-sac*: reduce the size from 40 feet down to 29 feet, and consider the use of other design alternatives to accommodate emergency vehicles, such as bollards;
- 2) *parking on North 9th Street (from West Grand Avenue to Ramona Avenue)*: keep a uniform parking design, if possible; increase the maximum amount of parking spaces; and for staff to prepare additional parking design concepts for both one-way and two-way traffic patterns for further Council discussion and final determination at a later date;
- 3) *underground utilities*: proceed with building the necessary supporting structure for AT&T and Charter Cable to complete undergrounding at no additional cost to the City; and
- 4) *future developments*: prepare plans to improve traffic and pedestrian flow between open spaces, public buildings, and future planned facilities within the project area.

12. **Participation in a Joint Effort to Develop Hydromodification Control Criteria with Other Central Coast Cities.**

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 the state mandate to prepare a Storm Water Management Plan (SWMP) that focused on limiting the impacts of storm water on designated streams to improve water quality. In the case of Grover Beach, the designated stream was Meadow Creek. Although the City agreed with the intent of this regulation, the City had filed an appeal based on the Plan's 150-plus requirements for Best Management Practices and estimated costs for implementation. The State subsequently denied the appeal. The City was therefore now required to begin implementing the SWMP over a five-year period and to file annual progress reports with the Regional Water Quality Control Board.

City Manager Perrault stated that the Regional Board had recently invited the City to participate in a program with other Central Coast Cities to develop "hydromodification control criteria" - methodology to measure storm water flow on a property before and after

development. Participation in the joint effort could assist the City with modifying the SWMP. The Board had secured and allocated funding for this joint effort to the Central Coast Low Impact Design Center (LID), a local non-profit focused on developing creative and environmentally-friendly design solutions. The Center would supervise the joint effort and work with local jurisdictions in developing hydromodification criteria that were acceptable to both the Regional Board and the local jurisdictions. The program was estimated to be completed in a year. Other than staff time to provide information to the LID experts, there would be no initial cost to the City for participation during the year.

He stated that the alternative would be for the City to develop modifications on its own and incur all costs associated with that effort. Additionally, the modifications would need to be completed by May 2010, rather than the extended one year period of 2011 under the joint effort. City Manager Perrault stated that, even with participation in the joint effort, there still was no guarantee that it would produce the desired result by the end of the study. He then introduced Dominic Rocques of the Regional Water Quality Control Board, who was seated in the audience and available to respond to questions.

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

Brief discussion was held regarding participating in the joint effort, but emphasizing the Council's concerns regarding certain characteristics and development requirements that were unique to Grover Beach.

Action: Upon unanimous consensus, the Council authorized the City Manager to execute the Declaration Form to approve the City's participation in the joint effort, along with a cover letter to the Regional Water Quality Control Board regarding the Council's concerns that consideration be given to the City of Grover Beach for its existing storm water detention requirements, small lot configurations, sandy soils, and current development status.

Recess: Upon consensus of the City Council, the meeting recessed at 8:11 p.m. and the Mayor announced that the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening, would convene at 8:20 p.m.

Reconvene: At 9:47 p.m., the meeting reconvened with all Council Members present, except for Council Member Bright who had left the meeting due to illness.

PULLED CONSENT AGENDA ITEMS

None at this time, as Consent Agenda Item Nos. 7 and 8 were discussed earlier in the meeting.

COUNCIL COMMITTEE REPORTS

Mayor Pro Tem Nicolls stated the South San Luis Obispo County Sanitation District would be celebrating the installation of new equipment with a ribbon cutting ceremony.

Council Member Mires reported on the meeting of the Zone Three Advisory Committee and progress achieved to date to develop a Habitat Conservation Plan. He also reported on the meeting of the San Luis Obispo County Water Resources Advisory Committee (WRAC).

Council Member Peterson stated the San Luis Obispo County Visitors & Conference Bureau (VCB) would be submitting a request to assist with sponsoring a *Sunset* magazine event in late 2010 to showcase the Central Coast.

Mayor Shoals described upcoming funding opportunities through the San Luis Obispo Council of Governments (SLOCOG) regarding transportation enhancement projects. He then reported on potential bus route changes and announced that he was still accepting comments from South County residents regarding unmet transit needs.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Nicolls requested that Council Members provide the Parks and Recreation Department with the names of individuals to receive invitations to the City's 50th Anniversary Celebration.
- B. Mayor Shoals stated the next meeting of the Joint Authority to discuss the Grover Beach Lodge and Conference Center Project with representatives from State Parks and Pacifica would be held in Sacramento on December 9-10, 2009.

He announced that the League of California Cities Channel Counties Division would be hosting a holiday event/business meeting at the Santa Barbra Maritime Museum on Friday, December 11, 2009.

Mayor Shoals then commended staff for the success of the recent Holiday Parade and suggested that the City Council consider participating next year in the holiday parades of neighboring communities. Mayor Pro Tem Nicolls also noted that he had received unsolicited compliments regarding the City's Holiday Parade.

- C. Council Member Peterson thanked and commended staff for the sidewalk improvements recently completed in front of City Hall. She also commended staff for the success of the Shop & Dine Grover Beach Program and described the positive comments she had received regarding the community.

City Manager Perrault stated that staff would soon be repainting the main hallway at City Hall and hallway carpeting was scheduled to be replaced over the weekend.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Perrault stated that the next regular City Council meeting scheduled for Monday, December 21, 2009, would be primarily ceremonial to celebrate the City's 50th anniversary of incorporation. He then reviewed the list of tentatively scheduled items for that meeting.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 10:06 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 06/07/2010)