

**MINUTES
CITY COUNCIL MEETING
TUESDAY, JANUARY 3, 2012**

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 Mayor Shoals.

ROLL CALL

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

City Staff: City Manager Perrault, Assistant City Attorney Donaldson, City Clerk McMahon, Community Development Director Buckingham, Public Works Director/City Engineer Ray, Police Chief Copsey, and Parks & Recreation Director Petker were also present.

Also present were Acting Fire Chief Heath, Five Cities Fire Authority; Brandon Medeiros, Tom Martin, and Don Druse from Rick Engineering; Parks, Recreation & Beautification Commission Chair Jeff Lee, and Parks, Recreation & Beautification Commissioners Leah Greeley and Ellie Ross.

CLOSED SESSION ANNOUNCEMENTS

Assistant City Attorney Donaldson read the following announcement:

On Monday, December 5, 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

City Manager Perrault requested the City Council consider adding an urgency item to the agenda under City Manager's Reports and Comments as "Item No. 8 - Consideration of Assuming Status as Successor Agency Under AB 1X 26 and Adopting Appropriate Resolution". He stated that, subsequent to posting the agenda, information had come to the City's attention regarding redevelopment agencies that required immediate action by the City Council.

Action: Upon m/s by Council Members Bright/Peterson, the Council added Item No. 8 as an urgency item and adopted the agenda as amended. 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.

CEREMONIAL CALENDAR

1. Certificates of Appreciation to Holiday of Lights Participants.

Mayor Shoals and Parks & Recreation Director Petker were joined by Parks, Recreation & Beautification Commission Chair Lee and Commissioners Greeley and Ross in

presenting Proclamations of Appreciation to the following 2011 Holiday of Lights award winners:

- Mayor's Award: Johnnie McKown & Family, 952 Margarita Avenue;
- City Council Award: The Sherdahl Family, 456 Longbranch Avenue;
- Commissioner's Award: The Sheller Family, 1407 Saratoga Avenue; and
- Business Award: Kautz Chevron, 1284 W. Grand Avenue.

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. Amy Simpson, Owner, 234-Taxi, expressed concerns regarding a non-permitted business providing taxicab services in the community. She then read information regarding "bandit cab legislation" to halt the operation of noncompliant cab companies and submitted copies of the information to the City Council.

Upon question, City Manager Perrault confirmed that staff had spoken with an employee of 234-Taxi regarding this same concern.

PUBLIC HEARINGS

None at this time.

CONSENT AGENDA

Upon consensus, the Council approved Consent Agenda Item Nos. 2 and 3 as recommended.

2. **Treasurer's Report for the Period November 28 - December 28, 2011.**

Action: Approved as submitted.

3. **Minutes of the Following City Council Meetings:**

- **Special City Council Meeting of October 24, 2011;**
- **Regular City Council Meeting of November 7, 2011;**
- **Regular City Council Meeting of November 21, 2011; and**
- **Regular City Council Meeting of December 5, 2011.**

Action: Approved the minutes as submitted.

REGULAR BUSINESS

4. **West Grand Avenue Enhancement Project: Decorative Paving Concepts.**

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 Phase 2 of the West Grand Avenue Enhancement Project for the downtown core from 8th to 11th Streets. He described funding sources for the project, noted certain funding restrictions for the construction of streetscape enhancements only, and outlined the cost estimates for various design elements. He suggested that, in the absence of additional funding, consideration be given to delete a few of the design elements from the project's base bid. He then introduced Tom Martin and Brandon Medeiros from Rick Engineering.

Mr. Martin and Mr. Medeiros presented information regarding decorative crosswalk and intersection paving materials. They also displayed sample photos and a chart of four different material types, comparing all materials and noting their respective attributes. Mr. Martin and Mr. Medeiros outlined estimated costs, recommended a specific paving design concept, as well as two alternative types of patterns and materials, and then responded to questions from the Council.

Discussion ensued regarding maximizing the use of transportation funds, restrictions on the types of improvements that could be constructed with enhancement funds, insufficient funding for the construction of storm drain improvements, the goal of creating a more pedestrian-friendly and visually distinctive downtown, and minimizing impacts to local businesses during the next construction phase. Additional discussion was held regarding

whether keeping the existing pavers or re-using them elsewhere might reduce project costs; installing shadow conduit to accommodate future installation of fiber optic cable, if possible; and deferring the decision on final selection of paving materials until additional information could be provided to the Council.

Upon request, the consultants confirmed they would provide City staff with a copy of the PowerPoint presentation materials to forward to each member of the City Council.

Action: Upon unanimous consensus, the Council: 1) continued this item to the regular City Council meeting of Monday, February 6, 2012; and 2) requested a recalculation of cost estimates for design alternatives 1 and 2, with the option of keeping the existing pavers in place or re-using them elsewhere.

Recess: Upon consensus of the City Council, the meeting recessed at 7:46 p.m.

Reconvene: At 7:54 p.m., the meeting reconvened with all Council Members present.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright stated she had nothing to report.

Council Member Molnar reported on the meeting of the San Luis Obispo County Water Resources Advisory Committee (WRAC), which she had attended as the City's alternate representative.

Council Member Peterson reported on meetings of the San Luis Obispo County Visitors & Conference Bureau (VCB) and the San Luis Obispo Economic Vitality Corporation (EVC). She also provided a summary of the information presented regarding an economic impact study of the State Vehicular Recreation Area.

Mayor Pro Tem Nicolls reported on the meeting of the South San Luis Obispo County Sanitation District and described the FOG Program to reduce the amount of fats, oils, and grease being discharged into the sanitary sewer system.

Mayor Shoals reported on the meeting of the San Luis Obispo Council of Governments (SLOCOG) and the results of a recent survey that indicated insufficient support for a proposed one-quarter to one-half percent sales tax for transportation improvements. He then described major transportation projects that would be competing for transportation grant funds.

CITY COUNCIL MEMBER ITEMS

5. Update Regarding Dispatch Consolidation Discussions.

Mayor Shoals provided a brief update regarding his recent discussions with the Mayor of Arroyo Grande on the potential of consolidating dispatch services. Mayor Shoals inquired whether there was interest in having staff explore the matter further and schedule a presentation of the information at a future meeting with an opportunity for public input.

Discussion was held regarding whether to research all potential options for consolidating police services or to focus primarily on the consolidation of dispatch services at this time. Additional discussion was held regarding contacting the San Luis Obispo County Sheriff-Coroner's Office for a proposal to provide dispatch services to Grover Beach.

Action: Upon unanimous consensus, the Council authorized staff to: 1) fully examine and evaluate all options regarding the consolidation of police services; 2) contact the San Luis Obispo County Sheriff-Coroner's Office to request a proposal for contract dispatch services to the City of Grover Beach; and 3) schedule the matter for City Council discussion once the information regarding all available options had been completed.

COUNCIL COMMUNICATIONS

- A. Council Member Peterson requested the Council consider establishing guidelines regarding the disposition and acquisition of property.

Action: Upon consensus, the Council authorized staff to schedule this matter on a future agenda for Council discussion.

- B. Mayor Pro Tem Nicolls distributed an article from *The Los Angeles Times* regarding term limits for elected officials and stated he objected to the two-term limit in Grover Beach for the position of elected Mayor. He then requested Council consensus to schedule the matter for discussion on a future agenda.

Brief discussion was held regarding the Council's level of interest in placing this matter on the June ballot and the impending election deadlines.

Action: Upon consensus, the Council authorized scheduling a City Council discussion regarding the potential placement of the issue of term limits for the position of Mayor on the upcoming June ballot.

- C. Council Member Molnar suggested that, if the City would be placing a matter on the June ballot, the Council also consider placing a second issue on that same ballot regarding revising the Business Tax Certificate Program.

Action: Upon consensus, the Council authorized scheduling a City Council discussion regarding the potential placement of the issue of revising the Business Tax Certificate Program on the upcoming June ballot.

- D. Council Member Bright expressed thanks and praise to the staff at Arroyo Grande Community Hospital for the quality of care and attention her family recently received over the Christmas holidays regarding a medical emergency involving her mother.

CITY MANAGER'S REPORTS AND COMMENTS

- 6. Review of City Council Meeting Schedule and List of Items to be Calendared During the First Six Months of 2012.**

City Manager Perrault reviewed a list of topics and major work projects tentatively scheduled for Council consideration during the next six months.

Brief discussion was held regarding the list of topics, targeted dates for discussion, and rescheduling the proposed date for conducting a Special Joint Session Workshop with the City Council and Commissioners to a Saturday in February.

Action: Upon unanimous consensus, the Council: 1) amended the proposed schedule to conduct a Special Joint Session Workshop for the City Council and Commissioners on either Saturday, February 11 or Saturday, February 25, 2012; 2) requested staff contact members of the Planning Commission and Parks, Recreation & Beautification Commission to determine availability and then determine the best date to schedule the special meeting; and 3) approved the meeting schedule and list of agenda items as amended.

- 7. Status Report Regarding the Supreme Court Decision on the Future of Redevelopment Agencies.**

City Manager Perrault briefly described legislation adopted as part of the adopted State budget that impacted redevelopment agencies, and the subsequent lawsuit filed by the League of California Cities and the California Redevelopment Agency. He stated the Supreme Court had deliberated on the lawsuit and ruled AB 1X 26 to be constitutional. Redevelopment agencies will therefore be eliminated effective February 1, 2012. AB 1X 27 was ruled to be unconstitutional. Therefore, the option to restart redevelopment agencies was eliminated. He then described the next steps in drafting documents to

transmit to a Successor Agency that would be responsible for overseeing the final dissolution of the Grover Beach Improvement Agency, and also described the Oversight Board that would govern Successor Agencies. He then responded to questions from the Council.

Note: During the Agenda Review held earlier in the meeting, the City Council added the following Agenda Item No. 8 as an urgency item to the posted agenda.

8. Consideration of Assuming Status as Successor Agency Under AB 1X 26 and Adopting Appropriate Resolution.

City Manager Perrault summarized the consequences of the Supreme Court's ruling that set into motion the legislatively established process for the dissolution of redevelopment agencies in California. He outlined the City's options regarding whether to serve as a Successor Agency, the duties and responsibilities of a Successor Agency, and the deadline to make that decision by January 13, 2012. City Manager Perrault and Assistant City Attorney Donaldson then responded to questions from the Council.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Peterson to adopt Resolution No. 12-01 affirming the City as the Successor Agency. 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.

Resolution No. 12-01: A Resolution of the City Council of the City of Grover Beach, California, Confirming the Election to Serve as a Successor Agency Assuming Functions and Responsibilities Under California Health & Safety Code Section 34177.

Recess: Upon consensus, the meeting recessed at 9:01 p.m. to the Joint City Council / Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 9:28 p.m., the meeting reconvened with all Council Members present.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:28 p.m., the Council met in Closed Session regarding the following items:

1. **Conference with Legal Counsel - Pending Litigation**
Pursuant to Government Code Section 54956.9(c)
Initiation of Litigation: One (1) potential case
2. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-206-027
Agency negotiator: City Manager and City Attorney
Negotiating party: AT&T
Under negotiation: Land lease
3. **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 a lease extension

Closed Session Announcements: At 10:35 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 10:35 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 02/06/2012)