

**MINUTES
CITY COUNCIL MEETING
MONDAY, APRIL 16, 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 A moment of silence was held in remembrance of David Angelo, former Board Member, Oceano Community Services District.

FLAG SALUTE The flag salute was led by Kyleigh Kowalski, an eight-year-old, 3rd 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: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, 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 Monday, April 2, 2012 after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code Section 54956.9(a)
Flores and Passant v. Shultz, et al CV 120026

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 April 27, 2012 as National "Arbor Day".**

Mayor Shoals read and presented the proclamation to Parks & Recreation Director Petker, who described Arbor Day activities to be held at Grover Heights Park.

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. Jacob Barrett, Grover Beach, introduced himself to the community and read a short essay he had written.
- B. Brad Snook, Chair, Surfrider Foundation, announced upcoming activities to be held in celebration of Earth Day. He then described a recent meeting he had attended regarding the marine sanctuary.
- C. Liz Doukas White, Grover Beach, requested to speak regarding Agenda Item No. 8. Mayor Shoals noted that public comments would be received at that time on the agenda.

PUBLIC HEARINGS

2. **Grover Beach Lodge and Conference Center, Development Permit Application No. 10-003.** Applicant: Pacifica Companies. *(Continued from March 5, 2012.)*

Mayor Shoals read the title to the foregoing item, declared the continued Public Hearing open, and deferred to staff for a report. For the information of those present, Community Development Director Buckingham reviewed Council actions taken at the March 5, 2012 City Council meeting regarding the Grover Beach Lodge and Conference Center project. He stated that the applicant had requested additional time to complete a financing plan for the project and further requested that the Public Hearing be continued to May 21, 2012.

Action: Upon unanimous consensus, no public testimony was received at this time and the Public Hearing for Development Permit Application No. 10-003 was continued to the City Council meeting scheduled for Monday, May 21, 2012.

3. Proposed Amendment to CalPERS Contracts for Service Credit for Retiring Employees.

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, Human Resources Coordinator Barrett provided an overview of the eligibility requirements for the City's Early Retirement Incentive Program and the stand-alone early retirement "Golden Handshake" program offered through the California Public Employees' Retirement System (CalPERS). She then reviewed the City's estimated future annual retirement costs for the proposed change in retirement benefits, stating that, if all 20 of the eligible employees were to retire at this time, the annual cost to the City starting in FY 14 would be approximately \$80,250; however, if the six employees who had expressed interest in taking advantage of the "Golden Handshake" were to retire, the annual cost to the City would be approximately \$24,500. Staff then responded to questions from the Council.

Brief discussion was held regarding estimated program costs and estimated savings to the General Fund. It was also noted that more detailed cost information would be provided at the next City Council meeting.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter. There was no response received and he closed the Public Hearing for this item.

Action: It was m/s by Council Members Bright/Molnar to: 1) introduce for first reading, by title only, Ordinance No. 12-03 amending the agreement with CalPERS for Local Miscellaneous and Local Safety members; 2) schedule second reading and adoption of Ordinance No. 12-03 at a regular City Council under "Regular Business" not less than 20 days following this meeting, pursuant to Government Code Section 20471; and 3) adopt Resolution No. 12-24 regarding the City Council's intention to amend the contract with CalPERS. 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.

Ordinance No. 12-03: An Ordinance of the City Council of the City of Grover Beach Authorizing an Amendment to the Contracts between the City Council of the City of Grover Beach, California, and the Board of Administration of the California Public Employees' Retirement System. (First Reading Only.)

Resolution No. 12-24: A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council City of Grover Beach.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item Nos. 5 and 6 were pulled pursuant to the requests of Council Member Molnar and Mayor Shoals, respectively. It was m/s by Council Members Peterson/Bright to approve Consent Agenda Item Nos. 4 and 7 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.

4. **Minutes of the City Council Meeting of Monday, March 19, 2012.**

Action: Approved the minutes as submitted.

7. **Resolution to Authorize Participation in the Healthy Eating Active Living (HEAL) Cities Campaign** - Resolution in support of the statewide campaign, in partnership with the League of California Cities, for policies that promote healthier lifestyles and communities.

Action: Adopted Resolution No. 12-25.

Resolution No. 12-25: A Resolution of the City Council of the City of Grover Beach, California, Authorizing Participation in the Healthy Eating Active Living (HEAL) Cities Campaign.

ORDER OF THE DAY: Upon consensus of the City Council, Mayor Shoals called for discussion of Agenda Item Nos. 5 and 6 next.

5. **Second Reading and Adoption of Ordinance No. 12-02 Amending the Zoning Map for a Portion of the Ramona Specific Plan Area.**

Community Development Director Buckingham provided a brief overview of the proposed amendment to the Zoning Map regarding five lots located within the Ramona Specific Plan Area.

Council Member Molnar noted that she had only pulled this item in order to vote on it separately from the rest of the items listed on the Consent Agenda.

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

Action: It was m/s by Council Member Bright/Mayor Pro Tem Nicolls to conduct second reading, by title only, and adopt Ordinance No. 12-02. The motion carried on the following roll call vote:

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

Ordinance No. 12-02: An Ordinance of the City Council of the City of Grover Beach Amending Article IX, Planning and Zoning Regulations, Chapter 1 of the Grover Beach Municipal Code Amending the Zoning Map Associated with Development Permit Application No. 12-01 for Assessor Parcel Numbers 060-162-006, 018, 019, 021, & 022. (Second Reading.)

6. **Resolution to Authorize the Application for Grant Funds from the California Bicycle Transportation Account (BTA).**

Upon request, staff responded to Council questions regarding the funding amount being requested, other available financing programs, and proposed improvements to enhance the safety and convenience for bicycle commuters.

City Manager Perrault stated that it was staff's opinion that a smaller project, which could be completed fairly quickly, might be more competitive. He also described the reimbursement process specific to grant-funded transportation projects, such as the West Grand Avenue Enhancement Project, which limited the City's ability to apply for a larger grant amount at this time.

Action: Upon m/s by Council Member Bright/Mayor Pro Tem Nicolls, the City Council adopted Resolution No. 12-26 authorizing staff to apply for \$80,000 in grant funds from the

California Bicycle Transportation Account (BTA) for striping, signage and bike racks throughout the City.

Resolution No. 12-26: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Application for Grant Funds from the California Transportation Account (BTA).

REGULAR BUSINESS

8. Discussion Regarding Charter City Concept.

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 regarding the concepts of municipal governance by either general law or charter. He and City Attorney Koczanowicz then responded to questions from the Council. It was noted that the Arroyo Grande City Council was also considering the concept of becoming a charter city.

Brief Council discussion was held regarding the potential fiscal impacts of becoming a charter city, a pending case before the Supreme Court regarding prevailing wages, and the extended time frame and noticing requirements for a proposed charter in order to receive public input and place the matter on the ballot.

Mayor Shoals invited public comments on this matter.

Liz Doukas White, Grover Beach, spoke against the charter city concept.

Heidi Boatman, Parks, Recreation & Beautification Commissioner, requested and received additional information regarding the issue of prevailing wages and public works projects.

There were no further public comments received.

Discussion ensued regarding the merits of becoming a charter city, election-related costs, negative fiscal impacts from the dissolution of redevelopment agencies, and tentative meeting dates to schedule Public Hearings to further consider the matter.

Upon request, City Attorney Koczanowicz stated he would research whether a charter might impact the Business Tax Certificate Program.

Action: Upon unanimous consensus, the Council authorized scheduling a discussion regarding changing the City's form of government from a general law city to a charter city on the following dates:

- 1) a Special City Council meeting on Monday, May 14, 2012;
- 2) a Regular City Council meeting on Monday, June 18, 2012; and
- 3) a Regular City Council meeting on Monday, July 16, 2012.

Recess: Upon unanimous consensus, the meeting was recessed at 8:20 p.m.

Reconvene: At 8:29 p.m., the meeting reconvened with all Council Members present.

9. City Council Goal Setting for Development of the FY 13 Budget.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided an overview of the City Council's goals for the current budget cycle. He also noted that the staff report included a list of suggested goals for the next budget cycle that was developed by staff and recognized the Council's overarching goal of economic development. He then responded to questions from the Council.

Brief discussion was held regarding the recently implemented program to reduce street sweeping and park maintenance for the remainder of the fiscal year. Discussion then ensued on refining the proposed Goals and Work Program for FY 13.

Action: Upon consensus, the Council provided comments regarding the draft list of Goals and Work Program for FY 13.

City Manager Perrault confirmed that a revised draft would be included in the preliminary FY 13 Budget presentation for final review and adoption by the City Council.

PULLED CONSENT AGENDA ITEMS

Note: Agenda Item Nos. 5 and 6 were pulled from the Consent Agenda; however, they were considered earlier in the meeting prior to Regular Business.

COUNCIL COMMITTEE REPORTS

Council Member Bright stated she had nothing to report.

Council Member Molnar stated she had nothing to report.

Mayor Pro Tem Nicolls reported on the meeting of the South San Luis Obispo County Sanitation District and described an upcoming District workshop regarding recycled water that would be held at the South County Regional Center.

Council Member Peterson reported on the meeting of the Air Pollution Control District (APCD) meeting as the City's alternate representative. She also described events scheduled for "National Train Day" on Saturday, May 12, 2012, and invited local businesses to participate in the year-round "car free" travel promotions that included discounted tickets for travel on Amtrak.

Mayor Shoals stated he had nothing to report.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

None at this time.

CITY MANAGER'S REPORTS AND COMMENTS

10. Formation of an Economic Development Assistance Team.

With the dissolution of redevelopment agencies, City Manager Perrault noted that new approaches were needed to assist with economic development efforts. He requested the Council consider forming an economic development assistance team to work on a case by case basis with existing businesses looking to expand and new businesses looking to locate within Grover Beach. He noted the emphasis would be on those businesses that would contribute to the local economy, have the potential to add new jobs to the local workforce, and implement the provisions of the City's Vision and Land Use plans and approved Master Plans. He then responded to questions from the Council.

Brief discussion was held regarding potential members of the team and the availability of individual members of the City Council to attend meetings during regular business hours.

Action: Upon consensus, the City Council authorized forming an Economic Development Assistance Team to consist of Mayor Shoals (Council Member Peterson as his alternate), Planning Commission Chair Laferriere (or his designee), the City Manager, and the Community Development Director, to be expanded as needed to involve the City Attorney and/or the Public Works Director/City Engineer.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:58 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)
Lopez v. City of Grover Beach, et al CV 120210

At 10:22 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 10.22 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 05/21/2012)