

**MINUTES
CITY COUNCIL MEETING
MONDAY, JULY 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

FLAG SALUTE The flag salute was led by Council Member Bright.

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, Public Works Director/City Engineer Ray, Police Chief Copsey, Parks & Recreation Program Director Petker, Police Commander Peters, and Human Resources Coordinator Barrett were also present.

Also present was Fire Chief Aranaz, Five Cities Fire Authority.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, June 18, 2012 after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Potential Litigation
Pursuant to Government Code Section 54956.9(b) - one potential case
Damage claim by: Elsayed M. Elsayed
2. Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8
Property: APN-060-253-016
Agency negotiator: City Manager and City Attorney
Negotiating party: San Luis Obispo County YMCA
Under negotiation: Terms of the lease
3. 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)

the City Council reconvened into open session and announced the following: regarding Closed Session Item No. 1 - the City Council voted (5-0) to deny the claim; regarding Closed Session Item Nos. 2 and 3 - there were no reportable actions taken.

AGENDA REVIEW

Action: Upon unanimous consensus, the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

1. **Proclamation Designating July as “National Park and Recreation Month”.**

Mayor Shoals read and presented the proclamation to Parks & Recreation Program Director Petker.

Jim Battersby, retired professor of the Department of Recreation, Parks & Tourism Administration, California Polytechnic State University, spoke in support of continued funding for local parks and recreation activities and in support of the proposed agreement scheduled later on the agenda regarding operation of the South County Skate Park by the San Luis Obispo County YMCA (Agenda Item No. 17).

2. Proclamation Honoring Lieutenant John Bewick on His Retirement from the City of Grover Beach.

Mayor Shoals read and presented the proclamation to retired Police Lieutenant John Bewick. Police Chief Copsey presented retired Lieutenant Bewick with a "Citizens Award" on behalf of former Mayor Peter Keith. Chief Copsey then presented Lieutenant Bewick with his retirement badge and, together with Commander Peters, presented him with a shadow box display of mementoes spanning his 26-year career with the Police Department.

PRESENTATION

3. Update Regarding the South San Luis Obispo County Sanitation District.

John Wallace, District Administrator, South San Luis Obispo County Sanitation District, presented an overview of services provided by the District and displayed a comparison chart regarding area sewer rates. He then summarized the events of the December 2010 spill event, outlined steps taken to prevent a future spill, and described the preparations for an upcoming State Water Quality Control Board hearing. He then responded to questions from the Council.

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

The following individuals expressed concerns regarding the December 2010 spill event and recent schedule changes for meetings of the Sanitation District:

- Brad Snook, Surfrider Foundation; and
- Jeff Pienack, Surfrider Foundation.

John Wallace, District Administrator, responded to comments from representatives of the Surfrider Foundation.

Brief discussion was held regarding the District's authority to schedule items for discussion under Closed Session, and whether to schedule discussion on a Council agenda regarding the City's appointed representative to the District. Upon request, Mr. Wallace responded to additional questions from the Council.

City Attorney Koczanowicz outlined the requirements for adding an item to the posted agenda. He also noted that the bylaws for the Sanitation District identified the Mayor or the Mayor's designee as the City's representative to the District.

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. Liz Doukas White, Grover Beach, expressed concerns regarding the City's response to complaints she had raised involving modifications to a single-family home in her neighborhood.

It was noted that recent code enforcement efforts had been conducted at the specific residence on Atlantic City Avenue.

- B. Elizabeth Martyn, in reference to Consent Agenda Item No. 8, introduced herself to the City Council and members of the audience and briefly described the areas of legal practice by her law firm, Lewis, Brisbois, Bisgaard & Smith, in representing public agencies.
- C. Brad Snook, Surfrider Foundation, expressed concerns regarding the South San Luis Obispo County Sanitation District.
- D. Jeff Pienack, Surfrider Foundation, spoke in support of programs that encouraged the use of recycled water.

ORDER OF THE DAY: At this time, Mayor Shoals called for discussion of Regular Business Agenda Item 16.

Prior to discussion of Agenda Item No. 16, Council Member Peterson declared a conflict of interest due to a business relationship with one of the applicants, stepped down from the dais, and left the Council Chambers.

REGULAR BUSINESS

16. Appointments to the Planning Commission.

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 briefly reviewed recommendations from the Advisory Body Screening Committee from interviews held with Planning Commission applicants on June 27, 2012. Although the Committee had recommended appointing two of the applicants, one of the recommended applicants, Victor Montalban, had recently contacted the City to withdraw his application from further consideration. City Manager Perrault then responded to questions from the Council.

Brief discussion was held regarding whether to continue the recruitment process for Planning Commission applicants to fill the one remaining vacancy.

Action: It was m/s by Council Members Bright/Molnar to accept the Screening Committee's recommendations and adopt Resolution No. 12-41 appointing Ron Rodman to the four-year term, expiring on May 31, 2016. The motion carried on the following roll call vote:

AYES: Council Members Bright, Molnar, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.
RECUSED: Council Member Peterson (*due to a conflict of interest*).

Resolution No. 12-41: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Appointment of Ron Rodman to the Grover Beach Planning Commission.

Upon consensus, staff was authorized to continue the recruitment process for applicants to fill the unexpired term on the Planning Commission, scheduled to expire on May 31, 2014.

At this time Council Member Peterson returned to the dais.

Recess: Upon consensus of the City Council, the meeting recessed at 7:56 p.m.
Reconvene: At 8:10 p.m., the meeting reconvened with all Council Members present.

ORDER OF THE DAY: The Order of the Day resumed to the agenda as posted.

PUBLIC HEARINGS

4. Further Consideration of a Proposed Charter Ballot Measure.

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, City Manager Perrault provided an overview regarding the concepts of changing from a general law city to a charter city and provided examples of "municipal affairs" subject to a city charter. He reviewed amendments to the draft charter since its initial presentation; referenced additional information provided with the staff report regarding potential advantages of setting local contract procedures; and noted correspondence recently received in support of the charter proposal from: Kevin Dayton, President and CEO, Labor Issues Solutions, LLC; and Russell Johnson, Government Affairs Director, Central California Chapter of Associated Builders and Contractors, Inc. He then outlined potential advantages, as well as disadvantages, of placing the proposed Charter on the ballot. City Manager Perrault and City Attorney Koczanowicz 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 requiring the payment of prevailing wages and/or the value of apprenticeship programs:

- Steve Weiner, Executive Secretary-Treasurer, Tri-Counties Building Trades Council;
- Wayne Haserot, San Luis Obispo resident;
- Mike Seaman, Operating Engineers Union; Nipomo resident;
- David Baldwin, Cement Masons Union, Los Osos resident;
- Walt Mankins, Operating Engineers Union, Arroyo Grande resident;
- Walt French, Plumbers & Steamfitters Union, Grover Beach resident;
- Anthony Wheaton, Cement Masons Union, Grover Beach resident;
- Jim Conway, Danville resident, consultant to labor organizations and trades workers;
- Don Savory, Ironworkers Union, Fresno resident;
- Louis Robles; Ironworkers Union, Grover Beach resident; and
- Alex Lantsberg, Smart Cities Prevail.

The following persons spoke in support of the proposed Charter and the flexibility to choose whether to require the payment of prevailing wages:

- Duke Sterling, Grover Beach business owner; and
- John Laferriere, Grover Beach resident, who cited previous major street rehabilitation projects on Oak Park Boulevard that required the payment of prevailing wages, but did not result in flawless workmanship; he also spoke in support of eliminating local term limits.

The following comments were also received:

- Sharon Brown, Grover Beach, spoke in support of changing the title of the ballot measure to "Home Rule" and requested clarification regarding various terms and elements in the proposed Charter.

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

Further Council discussion ensued regarding various elements of the proposed Charter, and the desire to establish some protection of local resources from the State and increase local control for more efficient operations. Staff responded to Council questions and provided further clarification regarding the proposed Charter. Additional discussion was held regarding the suggestion to amend Section 201 for Elected Officials to change the term "Mayor Pro Tempore" to "Vice Mayor".

City Attorney Koczanowicz recommended increasing the number of years required to practice law in Section 206 for the City Attorney to "five years" rather than "two".

Council Member Molnar suggested either eliminating the prevailing wage exemption or amending it so that only "minor" construction projects could be subject to the exemption.

Mayor Shoals suggested adding language that could require contractors to hire "local workers within 50 miles of the City" for construction projects funded only through local sources; and changing the two-year term for directly-elected Mayor to a four-year term, noting that the change, if approved by the voters this November, would not affect him as the current officeholder.

Actions: Upon consensus, the proposed Charter was amended as follows (deleted text denoted with ~~strike out~~, and added text denoted with double underline):

- Section 201: "...Annually, the Mayor shall appoint a Council Member to serve as ~~Mayor Pro Tempore~~ Vice Mayor, with all the duties and responsibilities of that position."
- Section 206 : "The City Attorney shall be an attorney-at-law, duly admitted to practice in the courts of this State, and having practice therein at least ~~two (2)~~ five (5) years..."

It was m/s by Mayor Pro Nicolls/Council Member Peterson to adopt Resolution No. 12-42, approving the proposed Charter, as amended. The motion carried on the following roll call vote:

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

Resolution No. 12-42: A Resolution of the City Council of the City of Grover Beach, California, Approving a Charter for Placement on the General Municipal Election to be held on Tuesday, November 6, 2012.

Action: It was m/s by Council Member Peterson/Mayor Pro Tem Nicolls to adopt Resolution No. 12-43, adding a Measure to the November 6, 2012 ballot. The motion carried on the following roll call vote:

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

Resolution No. 12-43: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Submission to the Qualified Electors of the City a Measure Relating to Changing From a General Law City to a Charter City at the General Election to be Held on Tuesday, November 6, 2012.

Action: It was m/s by Council Members Peterson/Bright to adopt Resolution No. 12-44 setting priorities for Arguments and directing the City Attorney to prepare an Impartial Analysis. The motion carried on the following roll call vote:

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

Resolution No. 12-44: A Resolution of the City Council of the City of Grover Beach, California, Setting Priorities for Filing Written Arguments Regarding a City Measure and Directing the City Attorney to Prepare an Impartial Analysis.

Action: It was m/s by Council Members Peterson/Bright to adopt Resolution No. 12-45 authorizing Rebuttals. The motion carried on the following roll call vote:

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

Resolution No. 12-45: A Resolution of the City Council of the City of Grover Beach, California, Providing for the Filing of Rebuttal Arguments for a City Measure Submitted at the General Municipal Election.

5. 2012 Weed Abatement Cost Protest Hearing.

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, Fire Chief Aranz provided an overview of the weed abatement program, the abatement process for properties found after re-inspection to be in violation, and the opportunity for property owners to protest the cost of abatement. 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.

Sharon Brown, Grover Beach, suggested the City abate the weeds at the municipal court building on South 16th Street that was now vacant.

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

City Manager Perrault confirmed that the County of San Luis Obispo was responsible for the municipal building on South 16th Street and staff would contact the County regarding grounds maintenance.

Action: It was m/s by Council Members Bright/Peterson to adopt Resolution No 12-46 authorizing the City Clerk to attach weed abatement costs to properties in the amounts listed on Exhibit "A" for assessment on County Tax Rolls. 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. 12-46: A Resolution of the City Council of the City of Grover Beach Confirming the Report From the Five Cities Fire Authority Regarding the Weed and Rubbish Abatement Procedure and Making Assessments.

6. Introduction and First Reading of a Proposed Ordinance Adding Chapter 17 To Article III of the Municipal Code to Add Regulations Restricting Smoking in Public Places.

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, City Attorney Koczanowicz provided an overview of the proposed regulations that would prohibit smoking of tobacco products in public parks and on the surrounding public sidewalks, with some areas exempted for the bus transit facility at Ramona Garden Park. City Attorney Koczanowicz and Police Chief Cosey then responded to questions from the Council.

Brief discussion was held regarding areas being proposed as restricted from smoking, and the Police Department being responsible for enforcing the new regulations.

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

The following persons spoke in support of the proposed Ordinance:

- Clint Weirick, Grover Beach resident;
- Kathleen Karle, Division Manager, San Luis Obispo County Public Health Department, had to leave the meeting prior to discussion of this item, but submitted her comments in writing, which the Mayor read aloud;
- Sharon Brown, Grover Beach resident, who requested smoking be prohibited from the entire bus transit area, including the bus shelter area frequently used by passengers like herself with mobility issues; and
- Duke Sterling, Grover Beach business owner, who also requested amending the Ordinance to prohibit smoking from the entire bus transit area.

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

Further discussion was held regarding alternative areas for individuals to smoke who were using the bus transit area, such as the parking lot located nearby.

Action: It was m/s by Council Members Peterson/Bright to amend the Ordinance to delete the exclusion of the bus transit area, conduct first reading, by title only, of Ordinance No. 12-04, as amended, and schedule second reading and adoption for the next regular City Council meeting on Monday, August 6, 2012. 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. 12-04: An Ordinance of the City Council of the City of Grover Beach Amending Article III of the Grover Beach Municipal Code to Add Regulations Restricting Smoking in Public Parks.
(First Reading only.)

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item Nos. 9, 10, and 14 were pulled pursuant to the respective requests of Council Member Peterson, Mayor Shoals, and Council Member Molnar. It was m/s by Council Members Peterson/Bright to approve Consent Agenda Item Nos. 7, 8, 11, 12, 13, and 15 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.

7. Treasurer's Report for the Period June 13 - July 10, 2012.

Action: Approved as submitted.

8. Approval of Amended Legal Services Agreement with the Law Office of Martin D. Koczanowicz.

Action: Approved the new Legal Services Agreement and authorized the Mayor to execute the agreement on behalf of the City.

11. Authorization to Enter into an Agreement with the Phoenix Group for Parking Citation Processing and Collection Services.

Action: Authorized the Mayor to execute the agreement with the Phoenix Group for parking citation processing and collection services.

12. Proposed One-year Successor Memorandum of Understanding (MOU) with Service Employees International Union (SEIU), Local 620.

Action: Adopted Resolution No. 12-47 and authorized the City negotiating team to execute the MOU.

Resolution No. 12-47: A Resolution of the City Council of the City of Grover Beach, California, Approving a Memorandum of Understanding with Service Employees International Union, Local 620 (SEIU) from July 1, 2012 to June 30, 2013.

13. Proposed One-year Successor Memorandum of Understanding (MOU) with the Grover Beach Police Officers' Association.

Action: Adopted Resolution No. 12-48 and authorized the City negotiating team to execute the MOU.

Resolution No. 12-48: A Resolution of the City Council of the City of Grover Beach, California Approving a Memorandum of Understanding with the Grover Beach Police Officers' Association from July 1, 2012 to June 30, 2013.

15. Letter of Support for Local Groundwater Assistance Grant Application - Letter of support and intent to participate in a Local Groundwater Assistance (LGA) Grant application to develop a Salt and Nutrient Management Plan to perform additional analysis of the characteristics of the groundwater basin.

Action: Authorized the Mayor to sign the letter of support and intent to participate on behalf of the City.

ORDER OF THE DAY: Upon consensus of the City Council, Consent Agenda Item No. 14 was discussed next, rather than later in the meeting under "Pulled Consent Agenda Items".

14. Consideration of Sale of City-owned Property Located at 920 Brighton Avenue.

Mayor Shoals read the title to the forgoing item and deferred to staff for a report. For the information of those present, City Attorney Koczanowicz provided an overview regarding the revised agreement to sell City-owned property located at 920 Brighton Avenue.

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

Upon question, Darrell Voth confirmed that the terms of the revised agreement were acceptable.

There were no further comments received.

Council Member Molnar objected to the sale of City assets.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Peterson to: 1) adopt Resolution No. 12-49 approving the amended Sale Purchase Agreement with Darrell and Linda Voth; and 2) authorize the Mayor to execute the Agreement on behalf of the City. 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.

Resolution No. 12-49: A Resolution of the City Council for City of Grover Beach Approving the Sale of a Certain Parcel of Land Located on 920 Brighton Avenue to Darrell and Linda Voth.

Recess: Upon consensus of the City Council, the meeting recessed at 10:15 p.m.
Reconvene: At 10:22 p.m., the meeting reconvened with all Council Members present.

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

REGULAR BUSINESS

17. Consideration of Approval of the Lease Agreement Between the City of Grover Beach and the San Luis Obispo County YMCA for Operation of the South County Skate Park.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Parks & Recreation Program Director Petker provided an overview of the proposed one-year lease agreement with the San Luis Obispo County YMCA to operate the South County Skate Park. She noted that final approval of the agreement was pending approval by the YMCA Executive Board.

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

The following persons spoke in support of the proposed agreement:

- Linda Wingert, South County Regional Director, YMCA;
- Jeff Lee, Grover Beach resident; and
- Liz Doukas White, Grover Beach resident, who volunteered the Eco-Rotary Club to assist with maintenance of the Skate Park.

There were no further public comments received.

Action: It was m/s by Council Members Bright/Peterson to approve the Lease Agreement for the San Luis Obispo County YMCA to operate the South County Skate Park and authorize the Mayor to execute the Agreement on behalf of the City. 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.

PULLED CONSENT AGENDA ITEMS

At this time Mayor Shoals called for discussion of Consent Agenda Item No. 9.

9. Adoption of FPPC Form 806 Reporting the Compensation of Public Officials Appointed to Other Governmental Agencies.

Council Member Peterson suggested providing the Council with additional information regarding the terms of Council appointments to various boards and commissions.

Brief discussion was held regarding the annual selection process for Council committee assignments.

City Attorney Koczanowicz clarified that the Form 806 was a new requirement by the Fair Political Practices Commission and that the City was required to post the completed form on the City website.

Action: It was m/s by Council Members Bright/Peterson to adopt for its use the FPPC-approved Form 806. 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.

11:00 p.m. Rule: At 10:40 p.m., brief discussion was held to continue Council discussions on all remaining open session agenda items.

10. Award of Bid for Street Sweeping Services.

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 briefly reviewed bids received for street sweeping services, displayed a map of proposed service options, and described the various service levels. He then responded to questions from the Council.

Brief discussion was held regarding adding street sweeping services in the vicinity of Grover Beach Elementary School, Longbranch Avenue, Mentone Basin Park, and the bus transit center at Ramona Garden Park; as well as the temporary reduction in street sweeping services due to budget constraints at the end of the previous fiscal year.

Action: It was m/s by Council Members Peterson/Molnar to: 1) amend the street sweeping contract to include Mentone Avenue, Longbranch Avenue, and other streets with scheduled City activities, as needed; 2) authorize staff to contact South County Area Transit representatives regarding the build up of oil and grease from buses at the Ramona Garden Transit Center; 3) adopt Resolution No. 12-50 awarding the Street Sweeping Services Contract to SP Maintenance Service, Inc., approving service level Option #2A; and 4) authorize the Mayor to execute the contract on behalf of the City. 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. 12-50: A Resolution of the City Council of the City of Grover Beach, California, Awarding the Street Sweeping Contract to SP Maintenance, Inc.

COUNCIL COMMITTEE REPORTS

Due to the late hour, all Council Committee reports were deferred to the next meeting.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

A. Council Member Peterson commented on her recent tour of the Police Department's remodeled Dispatch Center and praised the state-of-the-art equipment and technology improvements.

- B. Council Member Molnar inquired regarding the "Public Comments" received earlier in the meeting involving a code enforcement issue on Atlantic City Avenue and occupancy of the single-family residence.

City Attorney Koczanowicz briefly described code enforcement efforts involving the property and recommended that any detailed discussion regarding this matter be held in a scheduled Closed Session.

Action: Upon consensus, the Council authorized scheduling a discussion regarding this code enforcement matter in a future Closed Session.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

City Attorney Koczanowicz announced the cancellation of the following items that were scheduled for discussion under Closed Session:

1. **Conference with Legal Counsel - Existing Litigation**
Pursuant to Government Code Section 54956.9(a)
City of Grover Beach v. Listyo et al CV 110015
2. **Public Employee Performance Evaluation.**
Pursuant to Government Code Section 54957
Employee: City Manager

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 11:00 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 10/01/2012)