

**MINUTES
SPECIAL CITY COUNCIL MEETING
MONDAY, JANUARY 14, 2013**

CALL TO ORDER Mayor Peterson 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 Taylie Jane Whitlock, a 9-year-old, 4th grade student at Grover Heights Elementary School.

ROLL CALL

City Council: Council Members Lee, Molnar, Nicolls, Mayor Pro Tem Bright, and Mayor Peterson 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 Program Director Petker, and Planner II Reese were also present.

Also present were Parks, Recreation & Beautification Commissioners Heidi Boatman, Debbie Johnston, and Dee Santos.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, December 17, 2012 after meeting in Closed Session regarding:

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
2. Conference with Legal Counsel - Pending Litigation
Pursuant to Government Code Section 54956.9(c)
Initiation of Litigation: One (1) potential case

the City Council reconvened into open session and announced there were no reportable actions taken.

AGENDA REVIEW

Mayor Peterson requested continuing Agenda Item No. 9 regarding discussion of Measure I-12 to a later date.

Action: Upon consensus, the Council adopted the agenda as amended, continuing Agenda Item No. 9 to a later date.

CEREMONIAL CALENDAR

1. Holiday of Lights Certificates of Appreciation.

Parks & Recreation Program Director Petker briefly described the holiday decorating contest and was joined by Mayor Peterson, and Parks, Recreation & Beautification Commissioners Boatman, Johnston, and Santos in presenting Certificates of Appreciation to the following individuals:

- The Sherdahl Family, 456 Longbranch Avenue - Commissioner's Award:
Best Use of Lights
- The Lopez Family, 1654 Seabright Avenue - Mayor's Award:
Best Overall in Originality
- The Johnston Family, 565 North 10th Street - City Council Award: Best Original Use of
Animation and/or Craftsmanship

The following award winner was unavailable to attend the meeting, but was publicly recognized:

- The Proud Pooch, 1123 West Grand Avenue - Business Award:
Best Overall Business Display

2. Mayor's Commendation Recognizing Chris and Karen Rivas, Station Grill Restaurant.

City Manager Perrault briefly described the Station Grill Restaurant, open since October 2000, and the backgrounds of restaurant owners Chris and Karen Rivas.

Mayor Peterson read and presented the commendation to Mr. and Mrs. Rivas.

3. Swearing-in Ceremony and Introduction of New Police Department Employees - Police Officers Danny Gregory, Jr., and Anthony Lara; and Promoted Employee - Sergeant Juan Leon.

Police Chief Copsey administered the Oaths of Office to Police Officers Gregory and Lara. Officer Gregory was joined in the badge-pinning ceremony by his girlfriend, Jessica Romano, and Officer Lara was joined by his father, Jose Lara.

Police Chief Copsey administered the Oath of Office to Sergeant Leon, who was joined in the badge-pinning ceremony by his wife, Kim.

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. Dee Santos, Parks, Recreation & Beautification Commissioner, described the upcoming Parks and Recreation Volunteer Recognition Dinner to be held at the Trouville Community Center on Friday, January 25, 2013.

PUBLIC HEARINGS

Prior to discussion of Agenda Item No. 4, Council Member Molnar declared a conflict of interest due to her business being located within 500 feet of the subject property. She then stepped down from the dais and left the Council Chambers.

4. Recommendation to the San Luis Obispo County Board of Supervisors to Approve the Reallocation of Community Development Block Grant (CDBG) Funds from the 2011 Funding Cycle.

Mayor Peterson 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 recommendation to reallocate remaining unspent Community Development Block Grant funds from the 2011 funding cycle to another CDBG-eligible project. Staff then responded to questions from the Council.

Mayor Peterson invited comments from those in the audience who wished to be heard on this matter. No public comments were received at this time.

Action: It was m/s by Mayor Pro Tem Bright/Council Member Lee to adopt Resolution No. 13-01 requesting that the San Luis Obispo County Board of Supervisors approve the reallocation of 2011 CDBG Program Year Funds to the "Citywide Public Improvement Project". The motion carried on the following roll call vote:

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

Resolution No. 13-01: A Resolution of the City Council of the City of Grover Beach Reallocating 2011 Funds for the City's Community Development Block Grant (CDBG) Program.

At this time, Council Member Molnar returned to the dais.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item No. 7 was pulled pursuant to the request of Mayor Peterson.

It was m/s by Council Member Molnar/Mayor Pro Tem Bright to approve Consent Agenda Item Nos. 5 and 6 as recommended. The motion carried on the following roll call vote:

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

- 5. Treasurer's Report for the Period December 12, 2012 through January 9, 2013.**
Action: Approved as submitted.

- 6. Request to Destroy Records in Accordance with the Adopted Records Retention Schedule** - Authorizing the destruction of certain City records no longer required for retention.
Action: Adopted Resolution No. 13-02.

Resolution No. 13-02: Resolution of City Council of the City of Grover Beach Authorizing the Community Development Department to Destroy Records in Accordance with the Records Retention Schedule.

REGULAR BUSINESS

- 8. City Hall Improvements: Amendment to the Annual Appropriation Resolution.**

Mayor Peterson 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 the estimated costs to construct additional interior and exterior improvements at City Hall. He also noted a correction to page 1 of the staff report, stating the remaining amount of General Funds following completion of the new public services counter and entry door remodel would be \$7,400 (not ~~\$12,180~~) (added text indicated with double underline, deleted text indicated with ~~strikeout~~). He also displayed conceptual designs for the entry area and walkway to City Hall, and a sample wayfinding sign. Staff then responded to questions from the Council.

Discussion ensued regarding various project components, estimated costs, funding sources, re-prioritizing the list of improvements for the next phase of construction, maximizing the use of remaining funds on completing long-term improvements to the south parking lot and surrounding sidewalks rather than short-term spot repairs, and the Council's preference not to pursue the other proposed improvements at this time. Further discussion was held regarding the future option of soliciting volunteers and service groups to assist with landscaping components of the project.

Action: Upon consensus, the Council directed that: 1) all remaining funds for proposed City Hall improvements be focused primarily on constructing long-term repairs to the south parking lot and surrounding sidewalk; 2) staff update the list of proposed interior and exterior City Hall improvements for construction in the future; and 3) future landscaping improvements at City Hall include soliciting assistance from volunteers and service groups.

- 9. Discussion Regarding Measure I-12 - the "Home Rule Charter Measure".**

Action: As announced earlier in the meeting under "Agenda Review", this item was continued to a date uncertain.

PULLED CONSENT AGENDA ITEMS

- 7. Authorization to Enter in an Agreement with Wallace Group for Professional Services Associated with the West Grand Avenue Enhancement Project, Phase 2.**

Upon question, City Attorney Koczanowicz stated that the relationship with the Wallace Group of Council Member Nicolls, as a former Board Member to the South San Luis Obispo County Sanitation District, was not in and of itself a conflict of interest regarding this agenda item.

Public Works Director/City Engineer Ray responded to questions from the Council regarding the review and selection process for consultant services, noting that the selection was based on qualifications rather than proposed costs, as costs for services were negotiated later. He also noted that the scope of work for construction engineering, materials testing, and construction survey services associated with the project could not be completed by in-house staff, but confirmed that he would be overseeing the project. Additional discussion was held regarding insurance requirements for the consulting firm ultimately selected.

Mayor Peterson invited public comments on this item.

Dace Morgan, Director of Construction Management for the Wallace Group, spoke in support of the proposed agreement, introduced Construction Administrator Rich Pavlich, and responded to questions from the Council.

Council Member Molnar objected to the estimated costs for the services to be provided.

Mayor Peterson expressed concerns with the proposed firm, but noted that completion of the downtown improvements before the summer tourist season outweighed her concerns.

Action: It was m/s by Mayor Pro Tem Bright/Council Member Lee to: 1) adopt Resolution No. 13-03 authorizing the City to enter into a Professional Services Agreement with the Wallace Group; 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 Lee, Nicolls, Mayor Pro Tem Bright, and Mayor Peterson.
NOES: Council Member Molnar.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 13-03: Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter into a Professional Services Agreement with Wallace Group to Provide Construction Engineering, Materials Testing, and Construction Survey Services Associated with the Construction of the West Grand Avenue Enhancement Project-Phase 2.

COUNCIL COMMITTEE REPORTS

Mayor Pro Tem Bright reported on the meeting of the Housing Trust Fund and noted that other agencies had staff members from housing and planning divisions attend the meetings. She stated that she may need to be regularly briefed on pending development projects and potential affordable housing opportunities in Grover Beach.

Brief discussion was held regarding scheduling a future Council discussion regarding committee assignments, scheduling conflicts recently raised by Council Member Molnar, and improving the reporting process regarding committee actions and issues.

Council Member Lee described upcoming meeting dates for the San Luis Obispo County Visitors and Conference Bureau, Integrated Waste Management Authority, and the Chamber of Commerce Installation Dinner. He also noted that he had attended the recent meeting of the South San Luis Obispo County Sanitation District, but only as an observer.

Council Member Molnar stated that she was not able to attend the recent meeting of the Water Resources Advisory Committee due to a work commitment, and described the formation of a technical committee.

Council Member Nicolls stated that he had nothing to report.

Mayor Peterson reported on meetings of the San Luis Obispo Council of Governments and the South San Luis Obispo County Sanitation District. She also displayed a small plastic bag filled with "chip seal surface material" recently used along Highway One in the northern area of San Luis Obispo County. She noted that a group of bicyclists had attended the recent San Luis Obispo Council of Governments meeting to express their concerns regarding that specific material as being incompatible with bicycles.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Lee described the recent meeting of the California Coastal Commission held in Pismo Beach, praised the comments from proponents of the Grover Beach Lodge and Conference Center project, and noted the large number of supporters in attendance. He also stated that the evening reception held for the Commission was well-attended.
- B. Mayor Peterson stated that she, Council Member Lee, and City Manager Perrault would be attending the upcoming League of California Cities Mayors and Council Members Academy in Sacramento, and that they would also be meeting with the new State Parks Director and Assembly Member Achadjian. She then described a brief "meet and greet" she and City Manager Perrault had with members of the Coastal Commission when the Commission's bus stopped briefly at the project site for the Grover Beach Lodge and Conference Center Project.
- C. Council Member Molnar inquired whether there were plans to discuss reducing traffic speeds in the downtown area.

Brief discussion was held to wait at least six months after completion of Phase 2 improvements for the West Grand Avenue Enhancement Project before conducting a traffic speed study, as the downtown improvements might result in reducing traffic speeds.
- D. Mayor Pro Tem Bright requested that future staff reports regarding award of bids or professional service agreements also include a summarized list identifying all bidders or consultants responding to the request for bids or proposals, as well as a summary of those responses.

City Manager Perrault confirmed the information would be provided in future staff reports.

CITY MANAGER'S REPORTS AND COMMENTS

10. Review of Current Work Program and Preliminary Discussion Regarding Setting Goals for FY 14.

City Manager Perrault provided a status report regarding the goals and work program for FY 13 and outlined the following proposed schedule for the development of a work program to guide the budget process for the next fiscal year: February 19 - discussion of goals and work program; March 4 - Public Hearing and adoption of goals and work program; and adoption of the FY 14 Budget in April 2013.

Action: Upon unanimous consensus, the Council approved the recommended goal setting schedule for FY 14.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 8:59 p.m., the Council met in Closed Session regarding the following items:

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
2. **Conference with Legal Counsel - Pending Litigation**
Pursuant to Government Code Section 54956.9(c)
Initiation of Litigation: One (1) potential case

Closed Session Announcements: At 9:38 p.m., Mayor Peterson 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 Peterson adjourned the meeting at 9:38 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 02/19/2013)