

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, APRIL 1, 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 Mayor Pro Tem Bright.

**ROLL CALL**

City Council: Council Members Lee, Marshall, Nicolls, Mayor Pro Tem Bright, and Mayor Peterson were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon,, Community Development Director Buckingham, and Police Chief Copsey were also present.

Also present was City Engineer (Sewer/Water) Jim Garing.

**CLOSED SESSION ANNOUNCEMENTS**

City Attorney Koczanowicz read the following announcement:

On Monday March 18, 2013 after meeting in Closed Session regarding:

1. Conference with Legal Counsel – Existing Litigation  
Pursuant to Government Code Section 54956.9(a)  
Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al,  
and Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214.
2. Conference with Labor Negotiators  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator(s): City Manager, Administrative Services Director, Assistant  
Administrative Services Director, Human Resources  
Coordinator, Police Chief and/or Commander (may include  
some or all of the above)  
Employee Group: All employee groups (represented and unrepresented)

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

**AGENDA REVIEW**

At this time, City Manager Perrault noted the following correction to the title for Agenda Item No. 6 - "Letter to the Board of Directors of the Nipomo Community Services District Requesting Support of Supplemental Water for the Nipomo Mesa", rather than a "Letter to the Board of Supervisors...". He also stated that staff recommended continuing Agenda Item No 2 regarding the Goals and Work Program for the FY 14 Budget to the next regularly scheduled City Council meeting.

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

**CEREMONIAL CALENDAR**

1. **Proclamation Declaring April as "Autism Awareness Month"**.

Mayor Peterson read and presented the proclamation to Shawna Whitfield, Board Member for the Autism Spectrum Center.

**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. Edie Hatton, Grover Beach, announced the formation of a group of residents and business owners who were interested in clean-up and beautification projects in Grover Beach. She then distributed photos of debris left by homeless individuals near a local bus stop.
- B. Kelli Howard, Atascadero, invited all those present to an upcoming theater performance and fundraiser for the Sexual Assault Recovery and Prevention (SARP) Center of San Luis Obispo County to be held at the Community Center in Grover Beach.
- C. John Wysong, Grover Beach, expressed concerns regarding water rates and City office closures.

## **PUBLIC HEARING**

### **2. Public Hearing to Receive Public Input on the Setting of Goals and a Work Program for the FY 14 Budget.**

Mayor Peterson read the title to the foregoing item, declared the Public Hearing open, and invited comments from those in the audience who wished to be heard on this matter. No public comments were received at this time.

City Attorney Koczanowicz noted that, if the Council continued the Public Hearing to a date certain, no further legal notice publication would be required.

**Action:** Upon unanimous consensus, as announced earlier under Agenda Review, the Public Hearing was continued to the next regularly scheduled meeting of Monday, April 15, 2013.

## **CONSENT AGENDA**

Prior to consideration of the Consent Agenda, Mayor Peterson invited comments from those in the audience who wished to be heard on any item listed on the Consent Agenda. No public comments were received at this time.

It was m/s by Mayor Pro Tem Bright/Council Member Lee to approve Consent Agenda Item Nos. 3, 4, and 5 as recommended. The motion carried on the following roll call vote:

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

### **3. Treasurer's Report for the Period March 12, 2013 - March 25, 2013.**

**Action:** Approved as submitted.

### **4. Minutes of the Special City Council Meeting of February 25, 2013.**

**Action:** Approved the minutes as submitted.

### **5. 2012 Annual Report on the Status of the General Plan - Annual Report regarding the status of the General Plan and progress in its implementation, including progress in meeting its share of regional housing needs.**

**Action:** 1) The 2012 Annual Report on the Status of the General Plan was received and filed; and 2) in accordance with statutory requirements, staff was directed to submit the report to the State.

## **REGULAR BUSINESS**

### **6. Letter to Board of Directors of the Nipomo Community Services District Requesting Support of Supplemental Water for the Nipomo Mesa. (Corrected agenda title, as announced earlier under Agenda Review.)**

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault briefly described the proposed letter in support of the Nipomo Supplemental Water Supply Project, outlined why the project was

important to residents, and explained that the intent of the letter was to assist the District in obtaining additional funding for the proposed project. He also noted neighboring communities were sending similar letters of support, and that City Engineer (Sewer/Water) Garing was available to answer any technical questions.

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

Michael LeBrun, General Manager, Nipomo Community Services District, responded to questions from the Council regarding the proposed supplemental water project and existing sources of water, and noted that the authority for planning and new development rested with the County of San Luis Obispo, rather than the District.

No further public comments were received.

Brief discussion was held regarding the proposed letter.

**Action:** Upon unanimous consensus, the City Council authorized amending the first sentence in the draft letter to "...and outlines why the City believes this project is so critically important..." (added text denoted with double underline) and authorized the Mayor to execute the letter, as amended, on behalf of the City.

#### **7. Appointment of Council Members to Various Boards, Commissions, and Committees.**

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault briefly described the process for appointing Council representatives to regional boards, commissions, and committees.

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.

Brief Council discussion was held regarding the list of assignments and the availability of individual Council Members to attend certain meetings.

Council Member Lee noted an upcoming project through his employer, the County of San Luis Obispo Public Works Department, that posed a conflict of interest for him regarding continuing to serve as the City's alternate representative to the South San Luis Obispo County Sanitation District.

**Action:** It was m/s by Mayor Pro Tem Bright/Council Member Lee to: 1) adopt Resolution No. 13-11 confirming certain Council appointments; and 2) authorize the City Clerk to update Fair Political Practices Commission (FPPC) Form 806 for posting to the City website. The motion carried on the following roll call vote:

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

#### **Resolution No. 13-11: A Resolution of the City Council of the City of Grover Beach, California, Confirming City Council Committee Assignments for the Remainder of Calendar Year 2013.**

#### **8. Discussion Regarding I-12 Measure - The "Home Rule Charter Measure".**

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault provided a brief overview of the November 2012 ballot measure that, had it been approved, would have converted the City from a "general law" city to a "charter" city. He outlined several options if the Council chose to pursue becoming a charter city and described the potential fiscal impacts. He then responded to questions from the Council.

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

The following individuals spoke in *opposition* to a proposed charter that included a prevailing wage exemption:

- Walt Mankins, Arroyo Grande;
- Steven Weiner, Executive Secretary Treasurer, Construction Trade Councils, Santa Barbara; and
- Walt French, Grover Beach.

The following individuals spoke in *support* of becoming a charter city:

- Leslie Halls, Executive Director, San Luis Obispo County Builders Exchange; and
- Sharon Brown, Grover Beach.

Discussion ensued regarding forming a charter committee, providing the public with informational materials regarding charter city concepts, proposed legislation that could impact charter cities, and informational material anticipated to be available later in the year through the League of California Cities regarding charter cities.

Council Member Nicolls noted that the Council had received a letter from former Mayor Stephen Lieberman offering to serve on an advisory charter committee. Council Member Nicolls offered to meet with Mr. Lieberman to discuss potential charter committee options and to bring recommendations to the Council at a future meeting.

**Action:** Upon unanimous consensus, the City Council authorized Council Member Nicolls to meet with City Manager Perrault and Mr. Lieberman regarding organizing a charter committee and to bring their recommendations to the Council for its consideration.

## **9. Proposed Amendments to League Bylaws.**

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault briefly described proposed amendments to the League of California Cities' Bylaws.

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:** Upon unanimous consensus, the City Council authorized staff to submit a "yes" vote regarding the adoption of two proposed amendments to the League of California Cities' Bylaws.

## **PULLED CONSENT AGENDA ITEMS**

None at this time.

## **COUNCIL COMMITTEE REPORTS**

Council Member Bright stated that she had nothing to report at this time.

Council Member Lee reported on meetings of the Chamber of Commerce, Visit San Luis Obispo County, and the Homeless Services Oversight Council.

Council Member Nicolls stated that he had no committee reports at this time; however, he described plans for officials throughout the County to attend the Emergency Management Institute training in Maryland. He also noted that he would be absent from the next regularly scheduled City Council meeting.

Mayor Peterson reported on meetings of the Air Pollution Control District and the Economic Vitality Corporation, and noted that the Board for the South San Luis Obispo County Sanitation District was still awaiting the completion of studies.

## **CITY COUNCIL MEMBER ITEMS**

### **10. Discussion Regarding Changing the Meeting Date for Regular City Council Meetings.**

Council Member Marshall referenced supplemental material distributed to each Council Member that listed the schedule of existing meetings held in the City Council Chambers or attended by individual Council Members at other meeting locations, potential City Council meeting date options, and a list of other agency meetings held throughout the County. Based on that information, he suggested the Council consider changing its regularly scheduled meeting dates to either Wednesday or Thursday evenings.

Brief discussion was held regarding the proposed change and potential impacts.

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

The following persons spoke in opposition to changing the regular meeting date:

- Sharon Brown, Grover Beach; and
- Edie Hatton, Grover Beach.

**Action:** Upon consensus, the meeting date for regular City Council meetings would remain unchanged.

## **COUNCIL COMMUNICATIONS**

- A. Council Member Lee described his recent conversation with a Grover Beach resident regarding the resident's water meter concerns. He then invited all those in attendance to the "V-Day Five Cities" event at the Grover Beach Community Center to raise funds for the Sexual Assault Recovery and Prevention (SARP) Center of San Luis Obispo County.
- B. Mayor Peterson stated that she would be attending SARP's afternoon tea fundraiser as well as a fundraiser for the Orchid Society. She stated that she had attended the official re-opening of the South County Skate Park and that it was well-attended. She also noted the increased work effort by members of the Joint Authority and Pacifica Companies in preparation for the upcoming Coastal Commission meeting regarding the Grover Beach Lodge Project.

## **CITY MANAGER'S REPORTS AND COMMENTS**

In response to a question raised previously under the discussion of Agenda Item No. 9 (Proposed Amendments to the League of California Cities' Bylaws), City Manager Perrault provided further information regarding the League of California Cities and National League of Cities.

In reference to the upcoming Coastal Commission meeting on April 11, 2013, he stated that the City had received a copy of the Commission's staff report regarding the Grover Beach Lodge Project.

In reference to a previous citizen comment regarding City Hall office closures, he described other California cities that also operated with a mandatory employee furlough program with either closure of city offices on the same day or flexed schedules within departments. It was also noted that, over the past three years, the City's furlough schedule had been publicized in local newspapers, City newsletters, and posted at City Hall and on the City website.

## **CITY ATTORNEY'S REPORTS AND COMMENTS**

None at this time.

## **CLOSED SESSION**

At 8:52 p.m., the Council met in Closed Session regarding the following item:

1. **Conference with Legal Counsel - Anticipated Litigation**  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(4): One (1) potential case

Closed Session Announcements: At 9:17 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 9:17 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 05/06/2013)