

**MINUTES
CITY COUNCIL MEETING
MONDAY, APRIL 15, 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 Isaiah West, an 8-year-old, 3rd grade student at Grover Heights Elementary School.

ROLL CALL

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

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Police Chief Copsey, and Parks & Recreation Program Director Petker were also present.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, April 1, 2013 after meeting in Closed Session regarding:

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

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

AGENDA REVIEW

Action: Upon consensus (Council Member Nicolls absent), the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

1. Mayor's Commendation Honoring Theaola Lynn.

Mayor Peterson read and presented the Mayor's Commendation to Theaola Lynn. She then invited comments from those who wished to speak on this item.

The following individuals cited personal experiences shared with Mrs. Lynn, praising her contributions to the community and positive influence on students:

- Juan Olivarria, retired Principal, Grover Beach and Harloe Elementary Schools;
- Keith Storton, Arroyo Grande resident and former student of Mrs. Lynn;
- Arnie Dowdy, former City Administrator;
- Dee Santos, former Mayor, and current Parks, Recreation & Beautification Commission Chair; and
- Karen Bright, Mayor Pro Tem.

2. Proclamation of Appreciation to Former Planning Commissioner Brad Evans.

Mayor Pro Tem Bright read and presented the proclamation to former Planning Commissioner Brad Evans.

3. Proclamation Declaring April 26, 2013 as National "Arbor Day".

Council Member Lee read and presented the proclamation to Parks & Recreation Program Director Petker.

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. Lionel Johnston, Pismo Beach, encouraged landscaping with native plant species, displayed samples of native trees, and offered to donate trees for the City's Arbor Day celebration. He also described efforts to improve air quality at local school sites by planting specific tree species.
- B. Kenny Klein, San Luis Obispo Regional Rideshare, described upcoming events during the month of May to promote and celebrate "Bike Month".
- C. Dee Santos, Chair, Parks, Recreation & Beautification Commission, thanked the Council for the recent decision not to change regularly scheduled City Council meeting dates from Monday evenings.

PUBLIC HEARINGS

4. Public Hearing to Receive Public Input on the Goals and Work Program for FY 14. (Continued Public Hearing from April 1, 2013.)

Mayor Peterson 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, City Manager Perrault briefly described the goal-setting process and summarized the Council's previous direction regarding revisions to the draft Goals and Work Program for the next budget cycle. 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.

Sharon Brown, Grover Beach, spoke in support of the revised Goals and Work Program and suggested further changes to promote the community's quality of life and natural environmental features.

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

Brief discussion was held regarding further amendments to the Goals and Work Program.

Action: Upon consensus (Council Member Nicolls absent), the Council approved the Goals and Work Program for FY 14, as amended.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item Nos. 8 and 10 were pulled pursuant to the requests from Council Members Lee and Marshall.

It was m/s by Mayor Pro Tem Bright/Council Member Marshall to approve Consent Agenda Item Nos. 5, 6, 7, and 9 as recommended. The motion carried on the following roll call vote:

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

5. Treasurer's Report for the Period March 25, 2013 - April 9, 2013.

Action: Approved as submitted.

6. Minutes of the Regular City Council Meetings of March 4, 2013 and March 18, 2013.

Action: Approved the minutes as submitted.

7. Business Tax Certificate Reports: Third and Fourth Quarters 2012 - Informational reports regarding Business Tax Certificates issued during the periods July 2012 to September 2012 and October 2012 to December 2012.

Action: Received and filed the reports.

9. **Records Destruction Authorization** - Authorization to destroy certain records.
Action: Adopted Resolution No. 13-12.

Resolution No. 13-12: Resolution of the City Council of the City of Grover Beach Accepting the Police Department's Staff Report and Recommendations for Records Destruction.

REGULAR BUSINESS

None at this time.

PULLED CONSENT AGENDA ITEMS

At this time Mayor Peterson called for discussion of Consent Agenda No. 8.

8. **Authorization to Send a Letter in Support of AB 564 (Mullin).**

City Manager Perrault responded to questions from the Council regarding the proposed legislation for findings by an Oversight Board to former redevelopment agencies to not be modified or revised by any future action by the Department of Finance. He also noted that Mayor Peterson and he were scheduled to attend the League of California Cities Legislative Action Day event in Sacramento on April 24, 2013 and would have an opportunity to speak directly with legislators regarding the bill.

Mayor Peterson invited public comments on this matter. No public comments were received at this time.

Action: Upon consensus, the Council authorized the Mayor to execute the letter in support of AB 564 (Mullin) on behalf of the City.

10. **Consideration of an Amendment to the General Fund Budget to Authorize a Payment of \$50,000 Directed by the Department of Finance (Improvement Agency Dissolution).**

City Manager Perrault responded to questions from the Council regarding the proposed budget amendment for a loan repayment to the Successor Agency of the dissolved Grover Beach Improvement Agency. He and City Attorney Koczanowicz responded to questions regarding the Meet and Confer process with the Department of Finance.

Mayor Peterson invited public comments 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. 13-13 authorizing an amendment to the Annual Appropriation Resolution to fund the repayment of \$50,000 to the Successor Agency - Other Funds. The motion carried on the following roll call vote:

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

Resolution No. 13-13: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 5th Amendment to the Annual Appropriation Resolution No. 12-60 by Providing Funding for Repayment of Loan Payment by the Former Grover Beach Improvement Agency.

COUNCIL COMMITTEE REPORTS

Mayor Pro Tem Bright stated that she had nothing to report at this time.

Council Member Lee stated that he had nothing to report at this time.

Council Member Marshall reported on the meeting of the Water Resources Advisory Committee.

Council Member Nicolls was absent from this meeting.

Mayor Peterson announced an upcoming meeting of the Executive Committee to the Air Pollution Control District. She also noted that Mayor Pro Tem Bright would be attending the next meeting of the Economic Vitality Corporation.

CITY COUNCIL MEMBER ITEMS

11. Consideration of a Resolution in Support of a Statewide Earthquake Early Warning System.

City Manager Perrault provided a brief overview regarding proposed legislation, SB 135 (Padilla), that would enable the development of a statewide earthquake early warning system. He also noted that he had contacted Senator Padilla's office and was informed that funding for the statewide system was proposed to be through the telecommunications industry.

Brief discussion was held regarding the proposed legislation.

Mayor Peterson invited public comments on this matter. No public comments were received at this time.

Further discussion was held regarding funding sources for the program and potential negative impacts to cities.

City Manager Perrault offered to send a transmittal letter with the Resolution in support of the proposed legislation, expressing the Council's concerns regarding program costs and requesting that funding not be taken from either the State's General Fund or from cities.

Action: It was m/s by Council Members Marshall/Lee to: 1) adopt Resolution No. 13-14 in support of SB 135 (Padilla); and 2) authorize the City Manager to send a transmittal letter expressing the Council's concerns regarding program costs, requesting that development and operational costs for the statewide system become neither an obligation for the State's General Fund nor an obligation for local government, and that the revenue necessary to fund and operate the system be raised in a fair and equitable manner. The motion carried on the following roll call vote:

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

Resolution No. 13-14: A Resolution of the City Council of the City of Grover Beach, California, in Support of SB 135 (Padilla) to Create a Statewide Earthquake Early Warning System in California.

12. Discussion Regarding Use of City Facilities for Meetings of the South San Luis Obispo County Sanitation District.

Brief discussion was held regarding the request from the South San Luis Obispo County Sanitation District to use the Council Chambers for District meetings that were proposed to be held on a rotational basis among member agencies.

Mayor Peterson invited public comments on this matter. No public comments were received at this time.

Further discussion was held regarding logistical issues with securing City Hall offices and the potential confusion that rotating meeting locations might cause for members of the general public, since District meetings have been held at the same location in Oceano for a number of years.

Action: Upon consensus (Council Member Nicolls absent), the Council authorized the City Manager to send a letter respectfully declining the request from the South San Luis Obispo

County Sanitation District to hold District Board meetings in the Council Chambers at Grover Beach City Hall.

13. Request for Authorization to Send a Letter to the Board of Supervisors Regarding the Sale of the La Grande Tract to the State.

Mayor Peterson briefly outlined reasons for her request that the Council authorize sending a letter to the Board of Supervisors in support of the sale of the La Grande Tract and the reallocation of funds by the State to complete the purchase. A correction was also noted that only one letter was being requested, not “two” as referenced in the staff report.

Brief discussion was held regarding the location of the La Grande Tract within the State Parks Off-highway Vehicle Recreation Area. Additional discussion was held regarding the potential benefits (economic, recreational, and tourism value, as well as easier management under single-ownership and reduced liability for County residents) for surrounding communities if the County sold the property to the State. It was also noted that neighboring jurisdictions might also be sending similar letters of support.

Mayor Peterson invited public comments on this matter.

Sharon Brown, Grover Beach, requested and received information regarding the general location of the La Grande Tract.

No further public comments were received.

Action: Upon consensus (Council Member Nicolls absent), the Council authorized: 1) amending the letter to include the potential benefits for surrounding communities from the sale of the property; and 2) for the Mayor to execute the letter, as amended, requesting on behalf of the City that the Board of Supervisors reconsider the sale of the La Grande Tract to the State.

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Bright summarized discussions held at the recent Mayors Meeting which she attended on behalf of Mayor Peterson. She then described a separate meeting with representatives working with the U.S. Green Building Council's Green Schools Action Group, requesting the City's support of “Green Apple Day of Service”, a program to promote healthy, safe, and resource-efficient school environments.

Action: Upon consensus (Council Member Nicolls absent), the Council authorized scheduling a presentation regarding “Green Apple Day of Service” on a future meeting agenda.

- B. Council Member Lee commented on the success of the recent “V-Day 5 Cities” fundraiser that was held at the Community Center in Grover Beach.
- C. Mayor Peterson briefly described a promotional program initiated by the Air Pollution Control District and being marketed by local businesses to encourage car-free vacationing and car-free travel to and around San Luis Obispo County. She then requested the Council receive a brief report at a future Council meeting regarding the emergency management training session recently held in Maryland. She also summarized outcomes from the recent Coastal Commission meeting regarding the Grover Beach Lodge and Conference Center Project.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Perrault provided a verbal update regarding progress on the construction of improvements for the West Grand Avenue Enhancement Project, Phase 2, in the downtown area.

CITY ATTORNEY'S REPORTS AND COMMENTS

City Attorney Koczanowicz noted that the next the League of California Cities Channel Counties Division Meeting would be held in Moorpark.

CLOSED SESSION

At 9:05 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(d)(1)
Lopez v. City of Grover Beach, et al CV 120210

Closed Session Announcements: At 9:24 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 9:25 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:

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