

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, MAY 6, 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 Aaron Enriquez, an 11-year-old, 6<sup>th</sup> grade student at Grover Beach Elementary School.

**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, Administrative Services Director Chapman, Community Development Director Buckingham, Public Works Director/City Engineer Ray, and Police Chief Copsey were also present.

Also present were Battalion Chief Heath, Five Cities Fire Authority, and Steve Lieberman, former Mayor.

**CLOSED SESSION ANNOUNCEMENTS**

City Attorney Koczanowicz read the following announcement:

On Monday, April 15, 2013 after meeting in Closed Session regarding:

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

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 May 2013 as Bike Month.**

Mayor Peterson read and presented the proclamation to Kenny Kline of the San Luis Obispo Regional Transit Authority.

**PRESENTATIONS**

2. **Update on the Implementation of the International Baccalaureate Program at Grover Beach Elementary School.**

Grover Beach Elementary School Principal Pablo Chavero and International Baccalaureate Program Coordinator Heather Inglehart provided an overview of the program, outlined core concepts, and described plans to achieve program certification by the year 2015.

3. **Presentation Regarding the "US 101 Corridor Mobility Master Plan".**

Jessica Berry from the San Luis Obispo Council of Governments and George Aguilar from the Wallace Group provided an overview of a study to examine conditions in San Luis Obispo County along the US Highway 101 corridor, including frontage and service roads, multi-modal transit facilities, and the network of bicycle and pedestrian connections. It was noted that the study would also assist with identifying key areas of transportation deficiencies and establish regional priorities for multi-modal improvements and funding strategies. Outreach efforts were described and the public was encouraged to participate

by submitting comments via the interactive mapping tools on the project's website and by attending upcoming workshops.

**4. Presentation Regarding the Veterans Treatment Court (VTC) Program Being Implemented by the County of San Luis Obispo.**

Dana Cummings, San Luis Obispo County Veterans Service Officer, provided an overview of a program designed specifically to address the needs of combat veterans and the criminal justice system. He described the benefits occurring in other communities with an established Veterans Treatment Court Program, noted a target date to begin the program locally by mid-June 2013, and requested the Council send a letter to the San Luis Obispo County Board of Supervisors in support of establishing a local program. He then distributed information regarding a two-day "Stand Down" event in San Luis Obispo to provide services for homeless veterans.

**Action:** Upon unanimous consensus, the Council authorized the Mayor to execute the letter in support of the Veterans Treatment Court Program on behalf of the City Council.

**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. Adam Hill, District Three, San Luis Obispo County Supervisor, described recent meetings with City staff to explore possible alternatives for locating an equestrian staging area on County-owned property. He also offered to continue providing the County's support for City-sponsored cultural and civic events, such as the summer concert series. He then described the upcoming Amgen Tour of California bicycle race that would be arriving in San Luis Obispo County on May 16, 2013 and finishing Stage 5 in Avila Beach. He then responded to questions from the Council regarding the La Grande Tract, noting that the Board of Supervisors would also need to address concerns regarding air quality on the Nipomo Mesa, even though the two issues were separate and unrelated matters.
- B. Edie Hatton, Grover Beach resident, displayed photos of recent successful clean-up efforts at a bus bench location on West Grand Avenue.
- C. Linda McClure, Grover Beach resident and business owner, described the formation of a group of residents and business owners who were interested in supporting local businesses and "adopting" areas on West Grand Avenue for beautification efforts.

**PUBLIC HEARINGS**

**5. Master Fee Schedule Update.**

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, Administrative Services Director Chapman provided an overview of the comprehensive review and update of the City's Master Fee Schedule. She described the methodology used for calculating fees, reviewed fees by department, and noted that staff recommended the Council authorize administrative Master Fee Schedule updates in the future based on changes in future costs for services. Staff then responded to questions from the Council.

Discussion ensued regarding various fees and sections of the Master Fee Schedule, with further explanations provided by staff.

Mayor Peterson invited comments from those in the audience who wished to be heard on this matter. No public comments were received and the Mayor closed the Public Hearing.

Further discussion was held regarding whether to extend the period for receiving public input on the proposed fees, the public notification process, and how the fees were calculated to recapture the full cost of services whenever possible.

Mayor Peterson noted that she was scheduled to attend an upcoming workshop regarding public records and that she would prefer to postpone to a later meeting date the decision regarding whether to amend the Master Fee Schedule.

**Action:** It was m/s by Council Members Nicolls/Marshall to adopt Resolution No. 13-15 amending the Master Fee Schedule. The motion carried on the following roll call vote:

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

**Resolution No. 13-15: A Resolution of the City Council of the City of Grover Beach Amending the Master Fee Schedule.**

**6. Introduction and First Reading of a Proposed Ordinance Amending Grover Beach Municipal Code Section 2401 Reducing the Number of Planning Commission Members From Seven to Five.**

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Attorney Koczanowicz provided an overview of the proposed amendment to the Grover Beach Municipal Code to reduce the number of citizens appointed to the Planning Commission from seven to five.

Mayor Peterson invited comments from those in the audience who wished to be heard on this matter. No public comments were received and the Mayor closed the Public Hearing.

**Action:** It was m/s by Mayor Pro Tem Bright/Council Member Marshall to conduct first reading, by title only, of Ordinance No. 13-01, and schedule second reading and adoption for the next regular City Council meeting on Monday, May 20, 2013. 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.

**Ordinance No. 13-01: An Ordinance of the City Council of the City of Grover Beach Amending Article II Section 2401 of the Grover Beach Municipal Code to Reduce the Number of Planning Commission Members from Seven to Five. (First Reading only.)**

**CONSENT AGENDA**

It was m/s by Mayor Pro Tem Bright/Council Member Lee to approve Consent Agenda Item Nos. 7, 8, and 9 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.

**7. Treasurer's Report for the Period April 9, 2013 - April 30, 2013.**

**Action:** Approved as submitted.

**8. Minutes of the City Council Meetings of April 1, 2013 and April 15, 2013.**

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

**9. Appointment to Advisory Traffic Committee.**

**Action:** Adopted Resolution No. 13-16 re-appointing Paul Brunner to a two-year term on the Advisory Traffic Committee scheduled to expire on January 15, 2015.

**Resolution No. 13-16: A Resolution of the City Council of the City of Grover Beach, California, Re-appointing Paul Brunner to the Advisory Traffic Committee.**

## **REGULAR BUSINESS**

### **10. Oral Report From Council Member Nicolls and Steve Lieberman Regarding the Formation of a Charter Review Committee.**

Mayor Peterson read the title to the foregoing item and deferred to Council Member Nicolls and former Mayor Steve Lieberman for a report. For the information of those present, Mr. Lieberman briefly summarized recent discussions held with Council Member Nicolls and City Manager Perrault regarding the advantages and disadvantages of being a charter city, proposed legislation (SB 7) that might impact charter cities, and recommendations for the formation of an independent advisory committee comprised of residents, business representatives, and representatives from the building trade unions. He stated an advisory committee could draft a proposed charter and present recommendations to the Council for review and consideration.

Discussion was held regarding the status of the proposed legislation (SB 7), lobbying activities in Sacramento, the issue of prevailing wages, the proposed composition of representatives for the charter advisory committee, and preferably having representatives on the committee who either lived or worked in Grover Beach.

Mr. Lieberman noted the intent was to ensure the advisory committee was comprised of a broad cross-section of individuals to address as many stakeholder concerns as possible.

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

Steve Weiner, Tri Counties Building and Construction Trades Council, Santa Barbara, offered to assist in the development of the draft charter, and suggested recruiting the assistance of Grover Beach residents Walt French and Tony (Louis) Robles to serve on the advisory committee.

There were no further public comments received.

Further discussion was held regarding the composition of the advisory committee. It was noted that Mr. Lieberman, Council Member Nicolls, and City Manager Perrault would be involved in selecting members to serve on the advisory committee. The Council thanked and praised Mr. Lieberman for his assistance.

**Action:** The information was received and filed.

### **11. Consideration of Adopting Resolution Declaring Weeds to be a Nuisance and Providing for Weed Abatement.**

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, Battalion Chief Heath provided an overview of the annual Weed Abatement Program to encourage property owners to maintain their properties in a safe condition and prevent fire hazards in the community. He then responded to questions from the Council.

Brief discussion was held regarding raising public awareness of the increased fire dangers posed by recent dry weather conditions, and the Authority's plans to streamline the program among member agencies to ensure consistency with program administration.

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 Council Members Lee/Marshall to adopt Resolution No. 13-17. 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. 13-17: A Resolution of the City Council of the City of Grover Beach Declaring Weeds to be a Nuisance and Providing for Weed Abatement Pursuant to Government Code Sections 39560 through 39588; Article 2 - Alternative Procedures for Weed and Rubbish Abatement.**

**12. Revisions to 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 determining representatives to serve on various boards and commissions throughout the County. He noted that Council Member Marshall was recently informed that he might have a "conflict or appearance of a conflict" of interest with certain appointments due to his employment with the San Luis Obispo County Public Works Department. The Council was therefore being requested to reconsider certain appointments. He also noted a correction to the draft resolution, stating that Mayor Pro Tem Bright was still available to serve as the City's appointed representative to Zone Three.

Brief discussion was held regarding Council assignments. New assignments were discussed for the Homeless Service Oversight Council (HSOC) and the Zone Three Advisory Committee. Additional discussion was held regarding whether a staff member, Commissioner, or citizen representative could be the Council's appointed representative or alternate to attend meetings of the Water Resources Advisory Committee (WRAC).

**Action:** Upon unanimous consensus, the decision regarding selecting representatives to the Water Resources Advisory Committee was deferred until staff could provide further information regarding authorized representatives.

**Action:** It was m/s by Council Member Lee/Mayor Pro Tem Bright to: 1) adopt Resolution No. 13-18 confirming certain Council appointments, making new appointments for the Homeless Service Oversight Council (HSOC) and the Zone Three Advisory Committee; and 2) authorize the City Clerk to update FPPC Form 806 for posting on the City website as may be necessary. 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. 13-18: 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.**

**PULLED CONSENT AGENDA ITEMS**

None at this time.

**COUNCIL COMMITTEE REPORTS**

Mayor Pro Tem Bright reported on the meeting of the Economic Vitality Corporation, which she attended as the City's alternate representative.

Council Member Lee announced street banner sponsorship opportunities through the Chamber of Commerce and reported on meetings of the Visitors and Conference Bureau (or "Visit San Luis Obispo County") and the Integrated Waste Management Authority.

Council Member Nicolls reported on meetings of the Five Cities Fire Authority and South County Area Transit. He then provided an overview regarding the Emergency Management Training session recently held in Emmitsburg, Maryland, which was attended by approximately 70 officials from throughout the County. Upon request, Police Chief Copsey provided further details regarding the training session and valuable lessons learned.

**Action:** Upon consensus, the Council authorized either conducting a special training session or scheduling a discussion for a regular City Council meeting regarding the role of elected officials during an emergency.

Mayor Peterson reported on meetings of the Air Pollution Control District, San Luis Obispo Regional Transit Authority, and South San Luis Obispo County Sanitation District.

### **CITY COUNCIL MEMBER ITEMS**

None at this time.

### **COUNCIL COMMUNICATIONS**

- A. Council Member Lee inquired whether the City was aware of the status of the People's Kitchen program. City Manager Perrault responded that the City had received no communication regarding the program.
- B. Mayor Peterson briefly described topics discussed at the recent Mayors' meeting, and meetings held with State Parks representatives and legislators in conjunction with the Legislative Action Day event in Sacramento. She also praised the large number of volunteers who assisted with the recent Grover Beautiful Day event.
- C. Council Member Lee thanked City Attorney Koczanowicz for hosting a pre-reception event for those Council Members and staff who attended the recent Channel Counties Division dinner meeting in Moorpark.
- D. Mayor Pro Tem Bright and Mayor Peterson briefly described a recent meeting with Congresswoman Capps and members of her staff to discuss issues in Grover Beach.

Mayor Pro Tem Bright then relayed a comment she had received from former Parks, Recreation & Beautification Commissioner Sue Hartman praising the benefits of living in a close-knit and caring community and described a recent event involving a local downtown business.

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

City Manager Perrault briefly described proposed legislation to assist cities that had been negatively impacted by the dissolution of redevelopment agencies. He then announced the City recently received a "Finding of Completion" from the Department of Finance and noted that the City should soon be able to get certain agency loans repaid.

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

None at this time.

### **CLOSED SESSION**

At 9:29 p.m., the Council met in Closed Session regarding the following items:

#### **1. 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)

#### **2. Conference with Legal Counsel – Existing Litigation**

Pursuant to Government Code Section 54956.9(d)(1)

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.

Closed Session Announcements: At 10:12 p.m., Mayor Peterson reconvened the meeting in open session with all Council Members present. City Attorney Koczanowicz 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 10:13 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 05/20/2013)