

**MINUTES
CITY COUNCIL MEETING
MONDAY, MAY 20, 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 A moment of silence was held in memory of Grover Beach resident and local attorney Jon Seitz.

FLAG SALUTE The flag salute was led by Chloe Thompson, a 9-year-old, 3rd 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, Police Chief Copsey, Parks & Recreation Program Director Petker, Police Commander Miller, Police Sergeant Limon, Police Officer Bio, and Maintenance Worker III Zarate were also present.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, May 6, 2013 after meeting in Closed Session regarding:

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.

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. **Life Saving Award Presented to Grover Beach Police Sergeant Angelo Limon and Police Officer Reggie Bio.**

Police Chief Copsey described the events that transpired on April 21, 2013 and the actions taken by Police Officer Bio and Sergeant Limon that saved the life of Grover Beach resident Benjamin Carroll. Chief Copsey and Commander Miller then presented Letters of Commendation and Life Saving Awards to Police Officer Bio and Sergeant Limon.

At this time, Mayor Peterson invited comments from the public.

The following persons expressed praise and appreciation for the Police Department:

- Benjamin Carroll, Jr., Grover Beach; and
- Edie Hatton, Grover Beach, who also described recent cleanup efforts along West Grand Avenue and the parking lot area behind Rabobank.

No further public comments were received at this time.

Members of the City Council thanked and praised Officer Bio and Sergeant Limon for their actions.

2. Proclamation Declaring May 19-25, 2013 as “National Public Works Week”.

Council Member Marshall read and presented the proclamation to Public Works Maintenance Worker III Cesar Zarate, the 2012 Public Works Employee of the Year.

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. John A. Wysong, Grover Beach, praised the efficiency of the Police Department. He then expressed concerns regarding the water meter installed at his residence.
- B. Charles Florez, Grover Beach, expressed concerns regarding the number of homeless individuals in the downtown area and the need for a day use center for the homeless.
- C. Police Chief Copsey invited all those in attendance to attend the Special Olympics Tip-a-Cop fundraiser and dinner to be held at the South County Regional Center on Thursday, May 23, 2013.
- D. Edie Hatton, Grover Beach, spoke in support of constructing a day use center for the homeless.

City Manager Perrault clarified that funds had been donated through the Klaproad Foundation to be used for homeless services in the South County area, and that the San Luis Obispo Community Foundation was working with the Homeless Services Oversight Committee to locate a site in the South County area to construct a day use center for the homeless.

PUBLIC HEARING

3. Accepting the California Coastal Commission’s Certification of Local Coastal Program Amendments with Revisions Required by the California Coastal Commission for Certification Related to the Grover Beach Lodge & Conference Center Project and the Public Works Chapter - (Development Permit Application No. 10-03).

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, Community Development Director Buckingham provided an overview of the California Coastal Commission’s certification of the amendments to the Local Coastal Program with revisions related to the Grover Beach Lodge & Conference Center and the chapter in the Local Coastal Program regarding public works facilities. He then described the process required for the Coastal Commission’s certification to become effective, noted that alternatives were being pursued as a result of the Commission’s denial of locating the equestrian staging area south of West Grand Avenue, and outlined next steps to be completed by Pacifica Companies prior to the commencement of project construction. He then responded to questions from the Council.

At this time, Mayor Peterson acknowledged the presence of former Mayor John Shoals who was seated in the audience. She then invited comments from those in the audience who wished to be heard on this matter.

John Shoals, former Mayor, spoke in support of the lodge and conference center project.

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

Members of the Council expressed their appreciation to Mr. Shoals for his efforts and commitment to the community, including continuing to volunteer his time in support of the project.

Action: It was m/s by Mayor Pro Tem Bright/Council Member Nicolls to adopt Resolution No. 13-19. 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. 13-19: A Resolution of the City Council of the City of Grover Beach Accepting the California Coastal Commission's Certification of Local Coastal Program Amendments with Revisions Required by the California Coastal Commission for Certification Related to the Grover Beach Lodge & Conference Center and Public Works Chapter and Rescinding Resolution No. 12-15.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Peterson pulled Item Nos. 5 and 7. It was m/s by Council Members Marshall/Lee to approve Consent Agenda Item Nos. 4 and 6 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.

4. Treasurer's Report for the Period April 30, 2013 - May 14, 2013.

Action: Approved as submitted.

6. Second Reading and Adoption of Ordinance No. 13-01 Amending the Grover Beach Municipal Code Section 2401 Reducing the Number of Planning Commission Members from Seven to Five - Amending the Grover Beach Municipal Code to reduce the number of citizens appointed to the Planning Commission from seven to five.

Action: Adopted Ordinance No. 13-01.

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. (Second reading.)

REGULAR BUSINESS

8. Preliminary Presentation of the Proposed FY 14 Budget.

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 an overview of the proposed budget for the coming fiscal year. He updated the Council regarding the City's fiscal status, described significant fiscal impacts over the past three-year period, outlined actions taken in response to the economic downturn, noted the receipt of one-time unanticipated revenues used to restore Reserve balances, and briefly described each major fund in the City's budget. Staff then responded to questions from the Council and provided additional explanations regarding various items in the proposed budget document.

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 Council received the draft FY 14 Budget and set the formal budget hearing for Monday, June 3, 2013.

9. 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 noted that, according to County staff,

the representative appointed to the Water Resources Advisory Committee (WRAC) need not be a Council Member, but was recommended to be an individual knowledgeable with issues regarding water. Further, County staff indicated that cities often appointed a Council Member as the lead representative who would be available when policy issues were to be discussed, with a staff member appointed as the alternate who would attend most of the meetings. Therefore, it would be appropriate for the Council to appoint Public Works Director/City Engineer Ray to fill the WRAC alternate position.

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 discussion was held regarding the availability of individual Council Members to attend WRAC meetings.

Action: It was m/s by Council Member Marshall/Mayor Pro Tem Bright to: 1) appoint Council Member Nicolls as the representative and Public Works Director/City Engineer Ray as the alternate representative to the Water Resources Advisory Committee (WRAC); and 2) adopt Resolution No. 13-20 confirming all appointments. 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. 13-20: 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

5. Minutes of the City Council Meeting of May 6, 2013.

Mayor Peterson requested amending the draft minutes regarding remarks made by Supervisor Hill under the Public Comment period, specifically regarding the La Grande Tract to clarify that the sale of the La Grande Tract and air quality on the Nipomo Mesa were two separate and unrelated matters. She noted that Supervisor Hill was expressing his opinion regarding which issue was of primary concern.

Action: Upon unanimous consensus, the Council approved the minutes with the requested amendment.

7. Authorization to Amend the Agreement with Wallace Group for Professional Services Associated with the West Grand Avenue Enhancement Project, Phase 2.

Upon request, Public Works Director/City Engineer Ray briefly described the original estimates for project construction costs and contract management services for Phase 2 of the West Grand Avenue Enhancement Project. He then outlined various unanticipated factors regarding the concrete work, a subcontractor, and contract management services that resulted in subsequent change orders and/or construction delays. Staff then responded to questions from the Council.

Brief discussion was held regarding options for addressing and preventing future construction delays, and periodically providing the Council with a summary of construction projects completed to date and whether they were completed on time and within budget.

Public Works Director/City Engineer Ray praised the quality of contract and construction management services being provided by the Wallace Group, noting the positive comments received from Caltrans staff during a recent pre-audit review.

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

Dacé Morgan, Wallace Group, expressed appreciation for the positive comments and thanked the Council for its continued support. She also confirmed that Wallace Group would participate in post-project debriefings to explore options for improving the contract management process.

Action: It was m/s by Council Member Lee/Mayor Pro Tem Bright to: 1) approve the amended Professional Services Agreement with 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, Marshall, Nicolls, Mayor Pro Tem Bright, and Mayor Peterson.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

COUNCIL COMMITTEE REPORTS

Mayor Pro Tem Bright reported on meetings of the Housing Trust Fund, Zone Three Advisory Committee, and Visit San Luis Obispo County (formerly the San Luis Obispo County Visitors and Conference Bureau).

Council Member Lee announced that tickets would soon be available to attend the "Savor the Central Coast" event. He then reported on the meeting of the Integrated Waste Management Authority and described upcoming Chamber-sponsored events and sponsorship opportunities.

Council Member Nicolls stated that he had nothing to report.

Mayor Peterson described the results of an Economic Impact Study conducted by the Economic Vitality Corporation that included information regarding the Grover Beach Lodge and Conference Center Project. She requested Council consensus to schedule a presentation of the study's findings at a future Council meeting.

Action: Upon consensus, the Council authorized scheduling a presentation regarding the Economic Impact Study by the Economic Vitality Corporation at a future Council meeting.

Mayor Peterson then reported on meetings of the South San Luis Obispo County Sanitation District, the Air Pollution Control District, and the San Luis Obispo Council of Governments subcommittee regarding "rebranding".

Council Member Marshall reported on the meeting of the Homeless Services Oversight Committee. He then distributed a flyer regarding an upcoming event hosted by the organization North County Connection in Atascadero.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Nicolls described the services offered at a recent "Stand Down" event for military veterans held in San Luis Obispo, noting the event was well-attended.
- B. Mayor Peterson described a seminar she had recently attended in San Francisco regarding the Public Records Act, noting she would be reviewing the information with the City Attorney and City Manager.

Brief discussion was held, with City Attorney Koczanowicz responding to questions, regarding fees charged for providing information to the public.

Mayor Peterson requested Council consensus to schedule a workshop to review requirements of the Brown Act and Public Records Act.

Brief discussion was held regarding the proposed meeting format, whether it should be held at either a regular or special meeting and inviting, but not requiring, Commissioners and Committee Members to attend the workshop.

Action: Upon consensus, the Council authorized a discussion regarding meeting dates for a workshop regarding requirements of the Brown Act.

- C. Mayor Pro Tem Bright described cleanup efforts during a recent Grover Beautiful Day event, thanking and praising the volunteers who participated that included local business people, staff, and fellow elected officials.
- D. Mayor Peterson suggested establishing a Mayor Emeritus Program to recognize individuals who were actively involved in the community, were elected to the office of Mayor, and then continued to serve the community after leaving elective office.

Action: Upon consensus, the Council authorized scheduling a discussion on a future agenda regarding a Mayor Emeritus Program.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:00 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 Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: Hillcrest cell tower site (APN 060-581-041)
Agency negotiator: City Manager and City Attorney
Negotiating party: Crown Castle, Inc.
Under negotiation: Terms of extension of the lease or potential sale.

Closed Session Announcements: At 9:30 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 9:31 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:
/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 06/03/2013)