

**MINUTES
CITY COUNCIL MEETING
MONDAY, JULY 6, 2009**

CALL TO ORDER Mayor Shoals 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 Police Chief Copsey.

ROLL CALL

City Council: Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Interim Community Development Director Beck, Police Chief Copsey, Fire Chief Hubert, Fire Battalion Chief Heath, Parks and Recreation Director Petker, Public Works Superintendent Ford, and Economic Development Specialist Buckingham were also present.

Also present were City Engineer Garing and Mr. Jeff Emerick, owner of Garing Taylor and Associates.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement - On Monday, June 22, 2009 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager, City Attorney, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Chief, Police Lieutenant, and Fire Chief.
Employee Group: All groups.

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. **Presentation of Beautification Awards:**
 - **Manferd Jennings Shower Residence, 867 North 6th Street, and**
 - **Michael & Diane Stuart Residence, 170 Ocean View Avenue.**

Council Member Bright presented the Proclamation to Mrs. Anita Shower. Mayor Shoals announced that Mr. and Mrs. Stuart were unable to attend the meeting due to a medical emergency.

2. **Proclamation Declaring July 2009 as "National Parks and Recreation Month".**

Mayor Shoals read and presented the Proclamation to Parks and Recreation Director Petker. Parks and Recreation Director Petker introduced the following individuals, who gave testimonies of positive personal experiences with recreation programs, special events, and use of City facilities:

- Angie Dalziell and her son Logan - Tiny Tots Program;
- Susie Armstrong speaking on behalf of her son Tallon - Hobby Discovery Camp, Mother/Son Dance, and tennis classes at Grover Heights Park;

- Joe Manuele and son Jojo - South County Skate Park;
- Nan Fowler - Community Center and Summer Concert Series; and
- Rolando Rojas and daughter Alexa - South County Skate Park.

Parks, Recreation & Beautification Commissioner Greeley then spoke regarding the benefits of parks and recreation programs.

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. No one responded and the Mayor closed the Public Communications segment for this portion of the meeting.

PUBLIC HEARINGS

3. 2009 Weed Abatement Program Cost Protest Hearing.

Mayor Shoals 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, Fire Chief Hubert provided an overview of the Weed Abatement Program to reduce the potential of a fire spreading from one property to the next. He then reviewed the process for notifying property owners prior to abatement proceedings and the costs associated with the program.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter. There was no response and the Mayor closed the Public Hearing.

Action: It was m/s by Council Members Bright/Peterson to adopt Resolution No. 09-40 authorizing the City Clerk to attach weed abatement costs to properties in the amounts listed on Exhibit "A" to the Resolution for assessment on the County tax rolls. The motion carried on the following roll call vote:

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

Resolution No. 09-40: A Resolution of the City Council of the City of Grover Beach, California, Confirming the Report of City Staff Regarding the Weed and Rubbish Abatement Procedure and Making Assessments.

CONSENT AGENDA

It was m/s by Council Members Bright/Peterson to approve Consent Agenda Item Nos. 4, 5, 6, and 7 as recommended. The motion carried on the following roll call vote:

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

4. Treasurer's Report for the Period June 16 - July 1, 2009.

Action: Approved as submitted.

5. Minutes of the Regular City Council Meeting of February 17, 2009 and March 2, 2009.

Action: Approved the minutes as submitted.

6. Amendment to Joint Fire Management, Administrative, and Training Services and Equipment Sharing Agreement

- Request from the Oceano Community Services District to expand the existing agreement between the Cities of Grover Beach and Arroyo Grande and the Oceano Community Services District to provide full administration and supervision services for their fire personnel. **Action:** Approved the Amended Joint Fire Management, Administrative, and Training Services and Equipment Sharing Agreement.

7. **Adoption of a Resolution Consenting to the Reorganization of Charter Communications Through Bankruptcy Courts** - Request from Charter Communications for a resolution in support of its reorganization plan, which would be presented to the Court along with resolutions from other public entities in Charter's service area. **Action:** Adopted Resolution No. 09-41 in support of the proposed reorganization plan for Charter Communications.

Resolution No. 09-41: A Resolution of the City Council of the City of Grover Beach, California, Consenting to Charter Communication's Restructuring.

REGULAR BUSINESS

8. **Recommendation from the Fire Oversight Committee Regarding Consolidation of Fire Services.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault described recent cooperative efforts between the Cities of Grover Beach and Arroyo Grande and the Oceano Community Services District to provide fire services to each respective community. He reviewed the Council's endorsement in October 2008 of the Fire Oversight Committee's recommendation for full consolidation of fire services and the formation of an independent Joint Powers Authority (JPA) to direct and manage fire services. Until the JPA was officially established and the Board seated, it was recommended that the Fire Oversight Committee serve as the Interim Board of Directors for purposes of providing guidance in labor negotiations with the firefighters' union.

City Manager Perrault reviewed estimated personnel and equipment costs under a consolidated program, and how the costs would be allocated among the participating agencies. He also outlined a proposed time schedule for full consolidation of fire services by July 2010. He and Fire Chief Hubert then responded to questions regarding anticipated costs, improved efficiencies in the areas of staffing and equipment under a consolidated program, and issues that would be determined through labor negotiations. It was noted that formation of a special district for fire and emergency services was previously determined not to be an option as that would require LAFCO and voter-approval, further delaying consolidation efforts.

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

The following persons spoke in support of fire consolidation and formation of a JPA:

- P.J. Fergusen, IAFF Local 4403 President and Fire Captain, Grover Beach Fire Department;
- Craig Sanders, Santa Barbara County Fire Department employee and local resident;
- Matt Milhauser, Five Cities Firefighters Association member and Reserve Firefighter for the Cities of Grover Beach and Arroyo Grande and the Oceano Community Services District;
- Matt Lipson, San Luis Obispo Fire Department employee and local resident; and
- Steve Lieberman, Grover Beach resident and former Mayor.

There were no further public comments received.

The Council commented on the benefits anticipated under a consolidated fire services program and extended its thanks to the other agencies, committees, and individuals for working cooperatively towards improving public safety.

Action: It was m/s by Mayor Pro Tem Nicolls /Council Member Bright to direct staff to proceed with the formation of the Fire Joint Powers Authority and designate the Fire Oversight Committee as the Interim Board for the purposes of providing direction to labor negotiators to prepare a Memorandum of Understanding with the firefighters union.

The motion carried on the following roll call vote:

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

Recess: Upon consensus of the City Council, the meeting recessed at 7:28 p.m.
Reconvene: At 7:35 p.m., the meeting reconvened with all Council Members present.

PULLED CONSENT AGENDA ITEMS

None at this time.

ORDER OF THE DAY: Upon consensus of the City Council, the Order of the Day was amended to consider Agenda Item No. 9 next.

CITY COUNCIL MEMBER ITEMS

9. Citizen Request to Modify Residential Parking Requirements for Guest Parking.

City Manager Perrault read a letter received from a local resident requesting that the City review and modify guest parking requirements for residential areas, specifically for those areas zoned for multi-unit or Planned Unit Developments.

Brief discussion was held regarding whether to refer the matter to the Planning Commission for review and recommendation regarding all residential parking requirements in general or to narrow the focus of the review on guest parking requirements for Planned Unit Developments and secondary dwelling units only.

Action: Upon unanimous consensus, the request would be forwarded to the Planning Commission for its review and recommendation to the City Council; however, the review would be focused on guest parking requirements in Planned Unit Developments and secondary dwelling units only.

Recess: Upon consensus of the City Council, the meeting recessed at 7:42 p.m. to the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 10:07 p.m., the meeting reconvened with all Council Members present.

ORDER OF THE DAY: At this time, the Order of the Day resumed to the agenda as posted.

COUNCIL COMMITTEE REPORTS

Council Member Peterson reported on the meeting of the San Luis Obispo County Visitors and Conference Bureau.

Council Member Bright reported on the meeting of the Air Pollution Control District.

Council Member Mires reported on the meeting of the San Luis Obispo County Water Resources Advisory Committee.

Mayor Pro Tem Nicolls stated that he had nothing to report.

Mayor Shoals reviewed items scheduled for discussion at the next meeting of the San Luis Obispo Council of Governments and the Regional Transit Authority. He then reported on the meeting of the South County Area Transit. He also announced an upcoming meeting scheduled for July 8, 2009, as well as the schedule for future meetings of the Joint Authority and Pacifica, regarding the Beach Lodge and Conference Center Project.

COUNCIL COMMUNICATIONS

A. Mayor Shoals announced that he had recently forwarded a list of items to the City Manager with the request that he provide the Council with a status report at the next meeting.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

10. Consideration of Establishing a Mayor Emeritus Title and/or Position and Related Policies.

City Attorney Koczanowicz provided a brief overview of research conducted regarding establishing a position or title of "Mayor Emeritus", and reviewed a list of other cities who have bestowed the title on former Mayors in recognition of long-term public service.

Brief discussion was held regarding alternatives to honor former Mayors and Council Members for their years of public service to the community, whether someone bestowed with the title should have official duties or serve in an official capacity, and scheduling the matter on a future agenda to receive public input. Additional discussion was held regarding adding a component to the City's upcoming 50th anniversary celebration to thank and honor all former elected officials, advisory body members, and business people for making historically significant contributions to the City over its 50-year history.

Action: Upon unanimous consensus, the Council: 1) directed staff to schedule this matter for a Public Hearing in either July or August for further Council consideration and public input, and 2) directed staff to include a component to the City's upcoming 50th Anniversary Celebration to recognize and thank former elected officials.

CLOSED SESSION

At 10:40 p.m., the Council met in Closed Session regarding the following items:

1. Conference with Real Property Negotiators

Pursuant to Government Code Section 54956.8

Property: 1541 Hillcrest Road

Agency Negotiator: City Manager and City Attorney

Negotiating Party: LYLE Company

Under negotiation: Lease Agreement

2. Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case

Closed Session Announcements: At 10:40 p.m., Mayor Shoals 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 Shoals adjourned the meeting at 11:20 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK

(Approved at CC Mtg 11/16/09)