

**MINUTES
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 18, 2014**

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 Dixon Smith, a 9-year-old, 3rd grade student at Grover Beach Elementary School.

ROLL CALL

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

City Staff: City Manager Perrault, Assistant City Attorney Hale, City Clerk McMahon, Police Chief/Assistant City Manager Copsey, and Public Works Director/City Engineer Ray were also present.

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. Proclamation Designating Tuesday, February 25, 2014 as “World Spay Day”.

Council Member Bright read and presented the proclamation to Annie Dreizler, representative of the Feline Network of the Central Coast.

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. The following persons spoke in support of the City co-sponsoring a proposed special event to showcase street machines, muscle cars, 18-wheelers, and motorcycles:
- Linda McClure, Grover Beach resident and business owner, described the proposed event and suggested event dates, distributed copies of the event logo, and confirmed that she had the City’s application form to submit a request for a special event;
 - Tom Rehder, Grover Beach business owner, described the event as a potential revenue source for community or City projects; and
 - Mark Veiga, Oceano resident.

Upon request, City Manager Perrault briefly described the special event permit application process and noted that the Police Chief/Assistant City Manager and Parks & Recreation Program Director would typically meet with applicants to discuss this type of proposed special event.

PUBLIC HEARING

2. Grover Beach Lodge and Conference Center, Development Permit Application No. 10-03 (Applicant: Pacifica Companies). (Continued Public Hearing from January 21, 2014.)

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 noted that the City Council had continued this item to tonight’s meeting in order to allow additional time for the Joint Authority to work with Coastal Commission staff to address a concern regarding the shoreline armoring policy. He stated that, although discussions had been held, additional time was needed. It was therefore recommended that the matter be continued to the next regularly scheduled City Council meeting and that no public testimony be received at this time.

Action: Upon unanimous consensus, no public testimony was received at this time, and the City Council continued the Public Hearing to the City Council meeting of March 3, 2014 at 6:30 p.m.

CONSENT AGENDA

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

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

3. Treasurer's Report for the Period January 28, 2014 - February 11, 2014.

Action: Approved the Treasurer's Report as submitted.

4. Minutes of the Special City Council Meeting of December 30, 2013.

Action: Approved the minutes as submitted.

REGULAR BUSINESS

5. Authorization to Award Construction Contract for CIP 263: Grover Beach City Hall Accessibility Retrofit and Parking Lot Improvements.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, Public Works Director/City Engineer Ray briefly reviewed bids received for repaving, striping, and the construction of new accessible walkways in the south parking lot at City Hall. He displayed diagrams of the project area, described project funding sources, and outlined options for either allocating additional funding or modifying the project for rebidding, noting the potential loss of grant funds if the project was delayed for rebidding.

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 Member Nicolls/Mayor Pro Tem Lee to: 1) adopt Resolution No. 14-10 awarding the construction contract to the lowest responsive bidder, Crandall Construction, in the amount of \$113,617; 2) authorize the Mayor to execute the contract on behalf of the City and authorize the City Manager to sign and affirm change orders up to 15% of the project bid amount; and 3) adopt Resolution No. 14-11 amending the Annual Appropriation Resolution to allocate \$40,000 from the General Fund Reserve to the Grover Beach City Hall Accessibility Retrofit and Parking Lot Improvement Project, CIP 263. The motion carried on the following roll call vote:

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

Resolution No. 14-10: A Resolution of the City Council of the City of Grover Beach, California, Awarding the Grover Beach City Hall Accessibility Retrofit and Parking Lot Improvement Project.

Resolution No. 14-11: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 3rd Amendment to the Annual Appropriation Resolution No. 13-47 by Providing Funding for CIP #263, the City Hall Accessibility Retrofit and Parking Lot Improvement Project.

6. Authorization to Award Construction Contract for CIP 273: Citywide Public Improvements - Grover Beach City Hall Perimeter Improvements.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, Public Works Director/City Engineer Ray briefly reviewed bids received for the construction of new sidewalks along the perimeter of City Hall. He described the grant received to fund the project, outlined options for allocating additional project funding, and responded to questions from the Council.

Upon question, staff confirmed that Council Member Bright would have no conflict of interest with participating in the Council's deliberations regarding this matter if the Council chose to allocate additional project funding from the General Fund Reserve (rather than the Local Street Rehabilitation Project, CIP 283, which would reduce the scope or delay street rehabilitation for Brighton Avenue and Nice Avenue).

Brief discussion was held regarding project outcomes for improved parking, circulation, and access, as well as project costs. It was noted that the project included directional arrows on the pavement and signage for handicap access; however, the project did not include wayfinding signage.

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 Member Nicolls/Mayor Pro Tem Lee to: 1) adopt Resolution No. 14-12 awarding the construction contract to the lowest responsive bidder, CalPortland Construction, in the amount of \$51,547.50; 2) authorize the Mayor to execute the contract on behalf of the City and authorize the City Manager to sign and affirm change orders up to 15% of the project bid amount; and 3) adopt Resolution No. 14-13 amending the Annual Appropriation Resolution to allocate \$25,500 from the General Fund Reserve to CIP 273, Citywide Public Improvements. The motion carried on the following roll call vote:

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

Resolution No. 14-12: Resolution of the City Council of the City of Grover Beach, California, Awarding the Citywide Public Improvements Project Grover Beach City Hall Perimeter Improvements.

Resolution No. 14-13: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 2nd Amendment to the Annual Appropriation Resolution No. 13-47 by Providing Funding for CIP #273, Citywide Public Improvements, Grover Beach City Hall Perimeter Improvements Project.

Council Member Nicolls commented on a recent *Los Angeles Times* newspaper article regarding CalPortland's work on a large-scale concrete construction project located in Southern California.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright reported on the meeting of the Housing Trust Fund.

Council Member Lee stated that he had no committee reports at this time.

Council Member Marshall reported on the meeting of the South San Luis Obispo County Sanitation District and noted that the next meeting would be held in Arroyo Grande.

Council Member Nicolls reported on the meeting of the Five Cities Fire Joint Powers Authority and announced upcoming meeting dates regarding the Fire Authority's proposed special assessment.

Mayor Peterson stated that she had no committee reports at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Marshall commented on a recent television news report regarding the City's water conservation incentive program "Cash for Grass" and the City's recent press release urging residents to conserve water.
- B. Mayor Peterson announced that she had received requests for proclamations from the Five Cities Elks Lodge and the Central Coast Wine Classic. Mayor Pro Tem Lee suggested issuing a proclamation recognizing Morro Bay on its 50th anniversary.

Upon question, City Manager Perrault briefly described the process for issuing City Council proclamations and confirmed that staff would contact the organizations for additional information.

Mayor Peterson then described communications received from: 1) Pismo Beach City Council Member Ed Waage regarding the proposed project at the Phillips 66 facility on the Nipomo Mesa; and 2) Grover Heights Elementary School requesting donations for the school's read-a-thon fundraiser.

CITY MANAGER'S REPORTS AND COMMENTS

City Manger Perrault announced the following: 1) a Special City Council meeting regarding staff workloads in preparation for the next fiscal year's budget discussions was scheduled for Monday, February 24, 2014 at 6:30 p.m.; 2) a Public Workshop regarding the proposed City Charter was scheduled to be held on Wednesday, March 5, 2014 at 6:30 p.m.; and 3) noted the deadline to submit reservations to attend the Parks & Recreation Department's Volunteer Appreciation Dinner.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 7:39 p.m., the Council met in Closed Session regarding the following items:

- 1. **Conference with Legal Counsel - Existing Litigation**
Pursuant to Government Code Section 54956.9(d)(1)
Vernon v. City of Grover Beach SLO County Superior Court Case # 14CV0040
- 2. **Pursuant to Government Code Section 54956.8**
Property: Various City Public Rights of Way (ROW)
Agency negotiator: City Manager and City Attorney
Negotiating party: Digital West Networks, Inc.
Under negotiation: Terms and conditions of franchise/ROW

Closed Session Announcements: At 8:14 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 8:15 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:
/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 04/21/2014)