

**MINUTES
CITY COUNCIL MEETING
MONDAY, MARCH 3, 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 Baylie Odle, a 10-year-old, 4th grade student at Fairgrove 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, City Attorney Koczanowicz, City Clerk McMahon, Police Chief/Assistant City Manager Copsey, Administrative Services Director Chapman, Community Development Director Buckingham, Public Works Director/City Engineer Ray, and Commander Peters were also present.

Also present were Battalion Chief Heath and Captain Ferguson, Five Cities Fire Authority.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Tuesday, February 18, 2014 after meeting in Closed Session regarding:

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

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

None at this time.

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 public comments were received at this time.

PUBLIC HEARINGS

1. **Grover Beach Lodge and Conference Center, Development Permit Application No. 10-03. (Applicant: Pacifica Companies)** (Continued Public Hearing from the City Council meetings of January 21, 2014 and February 18, 2014.)

Mayor Peterson read the title to the foregoing item, declared the continued Public Hearing open, and deferred to staff for a report. City Manager Perrault stated that, although progress had been made during recent discussions between State Parks and Coastal Commission staff, additional time was needed to resolve an issue amenable to both parties

regarding shoreline armoring. It was therefore recommended that this matter be continued for another two weeks. Staff then responded to questions from the Council.

City Attorney Koczanowicz outlined the process for continuing the Public Hearing.

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 City Council continued the Public Hearing to the regularly scheduled City Council meeting of Monday, March 17, 2014 at 6:30 p.m.

2. Introduction and First Reading of Ordinance Amending Section 3999 of Chapter 16 of Article III of the Grover Beach Municipal Code.

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, Police Chief/Assistant City Manager Copsey provided an overview regarding a proposed Municipal Code amendment involving residency requirements for Penal Code 290 registrants to be consistent with current state law, increasing the residency restrictions from 1,000 feet to 2,000 feet from a park or school and requiring written permission for Penal Code 290 registrants to enter a school, as well as making other non-substantive changes. 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. No public comments were received at this time, and the Mayor closed the Public Hearing.

Action: It was m/s by Council Members Marshall/Bright to conduct first reading, by title only, of Ordinance No. 14-01, and schedule second reading and adoption at the next regularly scheduled City Council meeting of Monday, March 17, 2014. 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.

Ordinance No. 14-01: An Ordinance of the City Council of the City of Grover Beach, California, Adding Chapter 16 to Article III of the Grover Beach Municipal Code, Regarding Residency Requirements for Penal Code 290 Registrants.
(*First Reading only.*)

3. Request to Continue Introduction and First Reading of an Ordinance Amending Article X Chapter 3 of the Grover Beach Municipal Code to Include Regulations for State-issued Cable Television Franchises.

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, City Attorney Koczanowicz recommended continuing the Public Hearing to the next regularly scheduled City Council meeting as notification to all interested parties had not been completed timely.

No public testimony was received at this time.

Action: Upon unanimous consensus, the City Council continued the Public Hearing to the regularly scheduled City Council meeting of Monday, March 17, 2014 at 6:30 p.m.

CONSENT AGENDA

It was m/s by Council Member Nicolls/Mayor Pro Tem Lee to approve Consent Agenda Item Nos. 4, 5, and 6 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.

4. Treasurer's Report for the Period February 11, 2014 - February 25, 2014.

Action: Approved the Treasurer's Report as submitted.

5. Minutes of the City Council Meeting of January 21, 2014.

Action: Approved the minutes as submitted.

6. Fire Protection and Emergency Response Services Assessment for the Five Cities Fire Authority - Review of proposed property assessment ballots to be levied on four City properties in the amount of \$965.09 per year and providing direction to the City Manager regarding the City's vote.

Action: Authorized the City Manager to vote "yes" on ballots received by the City of Grover Beach, as property owner, to approve the proposed Five Cities Fire Authority assessments.

Prior to discussion of Agenda Item No. 7, Mayor Pro Tem Lee declared a conflict of interest due to his employment with the San Luis Obispo County Public Works Department, stating that the County provided funding for the Zone 3 Budget and most of his projects, as an employee of the County, were funded through the Zone 3 Budget. He then stepped down from the dais and left the Council Chambers.

REGULAR BUSINESS

7. Review of the San Luis Obispo County Flood Control District Zone 3 Annual Budget.

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 the proposed Zone 3 Budget regarding debt service, operations, and maintenance related to the Lopez Lake facility. He then responded to questions from the Council.

Discussion ensued regarding the proposed budget, suggesting that clarifying information regarding reserve funds be added to the document, and discussions held at the Technical Advisory Committee meetings.

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 consensus of the City Council (Mayor Pro Tem Lee absent, due to a conflict of interest), the Council provided the following recommendations to Council Member Bright, the Council's Zone 3 representative:

To vote for approval of the proposed Zone 3 Budget with the following suggestions:

- A) That the Capital Improvement Program be included as an appendix to the budget document; and
- B) That clarification be provided regarding allowable uses for each of the two Capital Reserve Funds and how income into each of the funds was derived.

At this time Mayor Pro Tem Lee returned to the dais.

8. Presentation Regarding City Council Member Roles and Responsibilities During an Emergency or Natural Disaster.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, Commander Peters provided an overview regarding the roles and responsibilities of elected officials during an emergency or natural disaster and the activation of the City's Emergency Operations Center. He also distributed copies of the magazine *Emergency Management*, stating that he had received the magazines from Council Member Nicolls and that the magazine included an article regarding the roles of elected officials during an emergency. 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.

Riki Heath, Battalion Chief, Five Cities Fire Authority, commented that incident command operations conducted in the field differed from those conducted in an emergency operations center.

No further public comments were received at this time.

Further Council discussion was held regarding communications, logistical matters during an emergency, personal emergency preparedness kits, and reference materials / training available either online or in a classroom setting.

Police Chief/Assistant City Manager Copsey praised Commander Peters for completing a number of emergency preparedness training sessions, and noted that information regarding online emergency management training options would be forwarded to the Council. He also described training sessions the Police Department conducted in collaboration with the Five Cities Fire Authority, Diablo Canyon Nuclear Power Plant, State Parks, and other local law enforcement agencies. He then responded to questions from the Council.

Action: Upon consensus, the information was received and filed, and staff was requested to schedule a tabletop training workshop for elected officials to be held sometime after April 16, 2014.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright stated that she had no committee reports at this time.

Mayor Pro Tem Lee reported on the meeting of Visit San Luis Obispo County.

Council Member Marshall reported on the meeting of the South San Luis Obispo County Sanitation District.

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

Mayor Peterson reported on the meeting of the Economic Vitality Corporation.

COUNCIL COMMUNICATIONS

- A. Mayor Peterson commented regarding a recent meeting she had attended with Pismo Beach Council Member Eric Howell. She then described the Chamber of Commerce's upcoming Grover Beach "Butterfly Daze" campaign to promote local businesses during the month of April.

CITY MANAGER'S REPORTS AND COMMENTS

9. City Council Joint Workshop with the Parks, Recreation and Beautification Commission.

City Manager Perrault announced that the Parks, Recreation & Beautification Commission would be conducting a "Community Service Day / Clean Sweep" planning session on Monday, March 10, 2014 at 6 p.m. in the Conference Room at City Hall to solicit public input regarding volunteer-led community service projects to be conducted during South County Sanitary Service's Annual Spring Clean-up Week.

He then reviewed the request for the Council to schedule a joint workshop with the Parks, Recreation & Beautification Commission to discuss matters of mutual interest.

Action: Upon consensus, the Council authorized scheduling a Special Joint City Council and Parks, Recreation and Beautification Commission Meeting on Thursday, March 13, 2014 at 6:30 p.m.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

THE GROVER BEACH CITY COUNCIL IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE DISSOLVED GROVER BEACH IMPROVEMENT AGENCY:

CLOSED SESSION

At 8:02 p.m., the Council met in Closed Session regarding the following item:

1. Conference with Legal Counsel - Anticipated Litigation

Pursuant to Government Code Section 54956.9(d)(2): One potential (1) case
A point has been reached where, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

Closed Session Announcements: At 8:19 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 8:20 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 05/05/2014)