

**MINUTES
CITY COUNCIL MEETING
MONDAY, MARCH 16, 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 Kiley Johnson, a 6-year-old, 1st grade student at Grover Heights Elementary School.

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, Battalion Chief Heath, Planner II Reese, and Economic Development Specialist Buckingham were also present.

Also present were City Engineer Garing and Parks, Recreation and Beautification Commission Chair Laferriere.

CLOSED SESSION ANNOUNCEMENTS: City Attorney Koczanowicz read the following announcement:

On Monday, March 2, 2009 after meeting in Closed Session regarding:

1. Public Employee Performance Evaluation
Pursuant to Government Code Section 54957
Employee: City Manager

the City Council reconvened into open session and announced there were no reportable actions taken.

AGENDA REVIEW

Mayor Shoals requested that the Council consider Agenda Item No. 9, City Attorney's Reports and Comments, before Public Hearing Agenda Item Nos. 2, 3 and 4.

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

CEREMONIAL CALENDAR

1. **Proclamation Declaring the City of Grover Beach a 2010 Census Partner.**

Mayor Shoals read and presented the proclamation to Patricia Mondragon, Partnership Specialist with the U.S. Census Bureau.

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.

ORDER OF THE DAY: Pursuant to Council consensus during review of the posted agenda, Mayor Shoals called for discussion of Agenda Item No. 9.

CITY ATTORNEY'S REPORTS AND COMMENTS

9. **Discussion of Potential Grover Beach Municipal Code Amendments to Include Mobilehome Park Conversion Regulations.**

City Attorney Koczanowicz provided an overview of regulations by the State of California regarding conversion of a mobilehome park if a mobilehome park owner chose to close the

park and convert the property to another use. He then reviewed requirements for a local agency to adopt its own regulations for mobilehome park conversions. City Attorney Koczanowicz pointed out key elements contained in a draft mobilehome park conversion Ordinance being considered by the City of San Luis Obispo, and an Ordinance that had already been adopted by the County of San Luis Obispo. He then responded to questions from the Council regarding the environmental review process associated with mobilehome park conversions, and commented on applicable state law in the event a park owner filed for bankruptcy.

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

Jim Erickson, Le Sage Mobilehome Park resident, Grover Beach, spoke in support of a local mobilehome park conversion Ordinance, and recommended that it specify a 20-mile relocation radius and include a definition for "park model". He also stated that the homeowners association had recommended having a pre-conversion questionnaire distributed to mobilehome park residents and having the City compile that data.

There were no further public comments received.

Brief discussion was held regarding preferred language to include in a local Ordinance:

- relocation assistance within a 20 mile radius;
- on-site fair market value;
- having the conversion impact report presented to the Planning Commission, which could be appealed to the City Council;
- definition of "park model";
- distribution of a pre-conversion questionnaire; and
- use of regulations similar to those contained in the County's Ordinance.

Action: Upon unanimous consensus, the Council received the report and directed staff to proceed with drafting a Mobilehome Park Conversion Ordinance for review by the Planning Commission prior to its consideration by the City Council.

ORDER OF THE DAY: The Order of the Day returned to the agenda as posted.

PUBLIC HEARINGS

2. Amendment to Grover Beach Municipal Code Section 9137.9 Relating to Curb, Gutter and Sidewalk. (Continued Public Hearing from January 26, 2009 and February 17, 2009.)

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. City Engineer Garing reviewed the existing requirements related to curb, gutter, and sidewalk, including reconstruction of a portion of the City street fronting such projects, for single-family homes, multi-family units or commercial developments. He then reviewed proposed changes to City regulations, including the requirement for replacement if the existing curb, gutter or sidewalk was determined to be in unsatisfactory condition, and noted that single-family residential units and remodels or additions to single-family residential units would be exempt from these additional requirements. Upon question, City Engineer Garing confirmed that, in the event of financial hardship, a determination could be appealed to the City Council.

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

Action: It was m/s by Council Members Mires/Peterson to: 1) conduct the first reading of Ordinance No. 09-01, amending the Grover Beach Municipal Code Section 9137.9 to incorporate requirements that certain qualifying projects provide pavement reconstruction and conformance to the existing centerline of the street if the street condition fronting the project fell below a 60 rating in the Pavement Management System, as verified by the City Engineer, as well as an additional requirement to replace currently existing unsatisfactory improvements to City Standards as directed by the City Engineer; and 2) schedule second reading and adoption at the next Regular City Council meeting on April 6, 2009. 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.

Ordinance No. 09-01: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article IX Zoning Regulations, Chapter 1, Part 37 General Provisions, Conditions and Exceptions of the City of Grover Beach Zoning Regulations Amending Section 9137.9, Relating to Curb, Gutter, Sidewalk and Street Conforms. (First Reading only.)

3. Recommendations to the San Luis Obispo Board of Supervisors to Approve the Final Allocations for the 2009 Community Development Block Grant (CDBG) Program and Amend the 2008 Annual Action Plan for the City's CDBG Program to Reallocate CDBG Funds.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Planner II Reese provided an overview of the Community Development Block Grant (CDBG) Program and the recent developments regarding: 1) a request from Transitional Food and Shelter that was discovered to have been submitted to multiple jurisdictions to fund a North County facility, with few South County area clients; 2) changes in the federal regulations regarding reallocation of remaining funds at the end of a fiscal year; and 3) the delayed release of information from the U.S. Department of Housing and Urban Development regarding final funding amounts. She stated that funding recommendations were therefore based on the current year's funding amounts and would be adjusted accordingly, if the allocations received were less than originally anticipated. She then reviewed the recommended funding allocations and responded to questions from the Council.

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

The following persons spoke in support of their respective organizations' funding requests:

- Pearl Munak, President, Transitional Food and Shelter, Inc., stated that, although their organization was located in the North County, their clients came from all jurisdictions;
- Sara Rudd-Lawlor, Grover Beach resident and Director of Big Brothers Big Sisters Program of San Luis Obispo County; and
- Linda McGregor, Executive Director, 2-1-1 SLO Hotline, stated that Grover Beach had the highest increase in calls for service over the past year and was the fifth largest user group;
- Dee Torres, Director, EOC Homeless Services; and
- Marie Fleming, EOC Health Services, Senior Health Screening, who stated that their organization provided the only free senior health prevention services in the County.

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

Brief discussion was held regarding the funding requests and alternative programs available to fund non-profit organizations. The Council encouraged the representative from Transitional Food and Shelter to submit an application in the next funding cycle.

Action: It was m/s by Council Member Mires/Mayor Shoals to adopt Resolution No. 09-16 reallocating any remaining 2008 CDBG program year funds allocated to Program Administration that remained after all FY 2008-2009 expenditures were accounted for to the Architectural Barrier Removal at City Hall project, and allocating 2009 CDBG program year funds (estimated at \$121,092) to the following programs:

EOC - Minor Home Repair Program (\$10,000); Big Brothers Big Sisters Mentoring Program (\$4,000); EOC - Maxine Lewis Memorial Shelter (\$3,500); EOC - Senior Health Screening Program (\$3,500); People's Self Help Housing Corporation (\$3,000); Senior Nutrition Program of SLO County (\$4,000); Architectural Barrier Removal at City Hall (\$77,983); Program Administration (\$12,109); and 2-1-1 SLO Hotline (\$3,000). 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. 09-16: A Resolution of the City Council of the City of Grover Beach, California, Approving the 2009 Community Development Block Grant (CDBG) Program and Recommendations for Final Allocation by the San Luis Obispo County Board of Supervisors and Amending the 2008 Annual Action Plan for the City's CDBG Program and Reallocating CDBG Funds.

4. Rescind and Replace Graffiti Abatement Ordinance Section 3998 of Chapter 15 of Article 3 of the Grover Beach Municipal Code.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Police Chief Copsey provided statistical information regarding the increasing number of graffiti-related incidents in the community and anti-graffiti efforts conducted to date. He then reviewed proposed amendments to the City's existing regulations to prevent the spread of graffiti, improve upon established mechanisms for its removal, and recover costs associated with such removal. He stated that a community focus group had assisted with drafting the proposed revisions to better address our community's needs. He then responded to Council questions regarding proposed cost recovery procedures.

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

Dee Santos, former Mayor of Grover Beach and current Board Member of the Lucia Mar Unified School District, suggested partnering with the school district to assign graffiti-abatement tasks to students required to perform community service, and also suggested advertising the new regulations in the City newsletter and distributing flyers to the schools.

There were no further public comments received.

Brief Council discussion was held in support of the proposed amendments. The Council commended Police Chief Copsey for involving community members in the preparation of the draft Ordinance.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Peterson to introduce Ordinance No. 09-02, by title only, and schedule second reading and adoption at the next regular City Council meeting. 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.

Ordinance No. 09-02: An Ordinance of the City Council of the City of Grover Beach, California, Rescinding and Replacing Chapter 15 to Article III of the Grover Beach Municipal Code, Graffiti Ordinance. (First Reading only.)

CONSENT AGENDA

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

5. Treasurer's Report for the Period February 24 - March 11, 2009.

Action: Approve as submitted.

6. Minutes of the City Council Meetings of October 20, 2008; November 17, 2008; and December 1, 2008. Action: Approved the minutes as submitted.

7. **Increase in Hourly Wage Scale for the Part-time Job Class of Police Detective -**
Consideration of amending the salary schedule to ensure that the job class of part-time detective, a position funded by the Citizens Option for Public Safety (COPS) grant, is compensated at the same hourly rate as a full-time detective.

Action: Adopted Resolution No. 09-17 amending the Classification and Compensation Plan for the part-time salary schedule for the single job class of Police Detective (P/T).

Resolution No. 09-17: Resolution of the City Council of the City of Grover Beach Amending the Classification and Compensation Plan Resolution No. 02-73 to Increase the Police Detective Part-Time Salary Range.

REGULAR BUSINESS

8. **Possible Areas for Improvements in Development Standards and Processing Requirements for Applications to Community Development Department, and Opportunities for Feedback from the Community.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Interim Community Development Director Beck stated that staff had analyzed areas for possible improvements regarding the manner in which applications were brought to the Planning Commission and City Council. Staff suggestions were presented to the Planning Commission in January 2009 and Commission comments were incorporated into a revised chart entitled "Possible Ideas for Streamlining or Improvements in the Process or Ordinance".

She presented the chart and stated that recommendations focused primarily on three specific areas of concern: 1) anything occurring through Ordinances or processes that affect economic development; 2) Housing Element implementation; and 3) customer service, which included administrative practices. She also noted that, since the initial development of the chart, some of the suggestions had already been implemented. Based on Council comments received, staff would be refining the department work program for the remainder of the fiscal year and into 2010.

Brief discussion was held regarding the proposed standards and streamlining processes. The Council praised staff for identifying areas for improvement, bringing forth the recommendations for the Council's review and comment, and for having already implemented some of the improvements.

Action: Upon consensus, Council comments would be incorporated into the Community Development Department's work program.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Mires reported on the meeting of the Integrated Waste Management Authority.

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

Council Member Bright reported on the meeting of the Air Pollution Control District, and also stated that she had been selected to serve as the liaison to the Basin-wide Air Pollution Control Council.

Mayor Pro Tem Nicolls - nothing to report.

Mayor Shoals - nothing to report.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Mayor Shoals distributed a flyer regarding an Economic Vitality Corporation (EVC) business resource seminar to be held on March 31, 2009 in partnership with the Arroyo Grande, Grover Beach, Pismo Beach, and Nipomo Chambers of Commerce.

He then distributed copies of an article entitled "*Cities Try to Stir Local Economy*" for ideas on developing a local economic stimulus package.

- B. Council Member Peterson expressed concerns regarding pending layoffs announced by the Lucia Mar School District and whether the Council could offer its support to the school board.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

Recess: Upon consensus of the City Council, the meeting recessed at 8:46 p.m. to the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 9:32 p.m., the meeting reconvened with all Council Members present.

CITY ATTORNEY'S REPORTS AND COMMENTS

9. **Discussion of Potential Grover Beach Municipal Code Amendments to Include Mobilehome Park Conversion Regulations.**

(Note: Upon Council consensus, this item was considered immediately after Public Communications earlier in the meeting.)

CLOSED SESSION

At 9:32 p.m., the Council met in Closed Session regarding the following item:

1. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Attorney

Closed Session Announcements: At 9:50 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 9:50 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:
/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 07/20/09)