

**MINUTES
CITY COUNCIL MEETING
MONDAY, JUNE 16, 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 Mayor Peterson.

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, Community Development Director Buckingham, Public Works Director/City Engineer Ray, Parks & Recreation Program Director Petker, and Recreation Coordinator O'Donnell were also present.

Also present were Parks, Recreation & Beautification Commissioner Debbie Johnston and Housing Element consultant Amy Sinsheimer of Pacific Municipal Consultants (PMC).

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, June 2, 2014 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault, Police Chief/Assistant City Manager James Copsey, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, Human Resources Coordinator Channelle Hubbard (may include some or all of the above)
Represented Employee Group: General Employees - (SEIU) Service Employees International Union, Local 620
2. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault, Police Chief/Assistant City Manager James Copsey, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, Human Resources Coordinator Channelle Hubbard, Commander John Peters or Commander Tim Miller (may include some or all of the above)
Represented Employee Group: Grover Beach Police Officers' Association (GBPOA)
3. 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. **Certificates of Appreciation - Grover Beach Spring Garden Tour Participants:**
 - Candida Salvador, 329 N. 7th Street;
 - Jeff Lee & Mary Moyers Lee, 558 North 14th Street;

- Bob Cotner, 141 North 14th Street;
- Lisa Flitsch, 1442 Atlantic City Avenue;
- Tim & Maalaea Quirk, 931 Margarita Avenue;
- Connie Maine, 1239 Aberdeen Court;
- Dennis Mulman, 1220 San Sorrento Court; and
- Cynthia Glenn, 551 West Grand Avenue.

Parks & Recreation Program Director Petker and Recreation Coordinator O'Donnell joined Parks, Recreation & Beautification Commissioner Johnston in presenting Certificates of Appreciation to the above-listed 2014 Spring Garden Tour participants.

It was noted that certificates would be sent to the following participants who were not available to attend the City Council meeting:

- Ivan & Rodit Betita, 855 Mentone Avenue;
- Darrell & Linda Voth, 920 Brighton Avenue; and
- Dee Santos, 850 Atlantic City Avenue.

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. Kaye Roozen, Grover Beach resident, thanked the City for the additional landscape maintenance work completed at Golden West Park and praised its improved appearance.

There were no further public comments received at this time.

PUBLIC HEARINGS

2. Declaration of Water Shortage Stage III.

Mayor Peterson read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Public Works Director/City Engineer Ray briefly described the City's adopted Urban Water Management Plan and the Contingency Plan used to define water shortage conditions. He reviewed data collected from rain gauge measurements, Lopez Reservoir levels, and well level conditions. Due to the third consecutive year of below average rainfall and declining water supply resources, it was recommended that the Council adopt a "Stage III - Severe, Mandatory Water Shortage Condition". He noted that this would invoke certain mandatory water use prohibitions and require a 10% reduction in water consumption. Staff then responded to questions from the Council.

Discussion ensued regarding the City's current water conservation and incentive programs; outdoor landscaping being an intensive water use; and the difficulty with applying a strictly year to year baseline comparison for determining compliance citywide. Additional discussion was held regarding mandates imposed by the State on local agencies regarding water management, and the notification process and enforcement program to be implemented in progressive steps to first inform water customers and offer guidance to achieve compliance prior to levying penalties.

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

The following persons objected to implementing mandatory water consumption reductions:

- Kaye Roozen, Grover Beach resident, requested an exemption for senior citizens;
- Cynthia Glenn, Grover Beach resident, expressed concerns regarding potential damage to swimming pools;
- Doug Tuttle, Grover Beach resident;
- Patty Seals, Grover Beach resident; and
- Steven Seals, Grover Beach resident.

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

Further discussion was held regarding City staff being available to assist water customers with identifying alternatives to reduce water consumption. It was noted that if water

resources continued to decline, a Stage IV Water Shortage condition would require a 25% reduction in water consumption.

Action: It was moved by Council Member Marshall and seconded by Mayor Pro Tem Lee to adopt Resolution No. 14-38 declaring a Stage III Water Shortage Condition. 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. 14-38: A Resolution of the City Council of the City of Grover Beach, California, Declaring a Stage III Water Shortage Condition in Accordance with the Adopted Water Shortage Contingency Plan.

3. Proposed City Charter Ballot Measure.

Mayor Peterson read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. City Manager Perrault briefly described the charter city form of government that allowed cities to establish their own rules with regard to municipal affairs. He then reviewed previous Council direction regarding the proposed draft City Charter. He noted that the Council had the ability to terminate further consideration of the City Charter at any point in the public review process, since the City Council was also considering a separate ballot measure regarding issuing bonds specifically for the purpose of financing street rehabilitation. Staff then responded to questions from the Council.

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

The following persons spoke in support of requiring prevailing wage in the proposed City Charter:

- Michelle Tucker, Sonora resident, Construction Industry Force Account Council (CIFAC);
- Sheri Cabral, Danville resident, California Contractors Association representative;
- David Baldwin, Arroyo Grande resident, Cement Masons Union representative;
- Terry Madonna, Santa Margarita resident, Plumbers and Pipefitters Union representative;
- Rob Ehlers, Grover Beach resident and Ironworkers Union representative; and
- Sam Merlino, Roseville resident and Ironworkers Union representative.

The following persons spoke in support of the proposed City Charter:

- Steve Lieberman, former Mayor; and
- Linda McClure, Grover Beach resident and business owner.

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

Further Council discussion was held regarding the issue of local control; pending legal challenges regarding Senate Bill 7 and the issue of prevailing wage impacting charter cities; the public review process conducted to date regarding the proposed City Charter and the community input received; whether to terminate further consideration of the Charter or defer a decision until after the Council received the results from the pavement management consultant's analysis of street conditions and estimated costs for street rehabilitation, which was scheduled to be presented at an upcoming Special City Council Meeting. It was noted that the next public review of the draft City Charter was scheduled as a Public Hearing item at the regular City Council meeting on Monday, July 7, 2014.

Action: Upon unanimous consensus, the Council directed staff to make no further changes to the draft City Charter at this time, and that further direction would be provided at the Special City Council meeting scheduled for Wednesday, June 25, 2014.

4. **General Plan Amendment: 2014-19 Housing Element Update – Development Application No. 14-06. Applicant: City of Grover Beach.**

Mayor Peterson read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Buckingham briefly described the state-mandated requirements regarding the Housing Element of the City's General Plan to meet existing and projected housing needs. He noted that with Community Development Block Grant funds, the City hired Pacific Municipal Consultants (PMC) to assist with the update of the Housing Element. He then outlined recommended changes to the Housing Element from the Department of Housing and Community Development and recent discussions from the Planning Commission's review of the document. He then introduced Housing Element consultant Amy Sinsheimer from PMC.

Referencing a PowerPoint presentation, Ms. Sinsheimer outlined the process for determining the allocation of regional housing needs; and outlined comments received from the public, the Department of Housing and Community Development, the Planning Commission, as well as previous comments received from the City Council. Ms. Sinsheimer and staff then responded to questions from the Council.

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

John Laferriere, Chair, Planning Commission, spoke in support of adopting the Housing Element Update and praised the consultant's work.

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

Action: It was moved by Council Member Nicolls and seconded by Council Member Bright to adopt Resolution No. 14-39 adopting the Negative Declaration. 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. 14-39: A Resolution of the City Council of the City of Grover Beach Adopting a Negative Declaration for the General Plan Amendment to Adopt the 2014-19 Housing Element Update (Development Application No. 14-06).

Action: It was moved by Council Member Nicolls and seconded by Council Member Bright to adopt Resolution No. 14-40 adopting the 2014-2019 Housing Element Update. 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. 14-40: A Resolution of the City Council of the City of Grover Beach Adopting a General Plan Amendment for the 2014-19 Housing Element Update (Development Application No. 14-06).

5. **Development Code and Local Coastal Program Amendment – Development Application Permit No. 11-12. Applicant: City of Grover Beach.**

Mayor Peterson read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Buckingham noted that the California Coastal Commission had recently suggested several modifications to the Local Coastal Program Amendment. Additional time was therefore needed to finalize the

Amendment. It was recommended that the Council receive no public testimony at this time and continue the Public Hearing to the regular City Council meeting of July 7, 2014.

Action: Upon unanimous consensus, no public testimony was received at this time and the City Council continued the Public Hearing to the regular City Council meeting of Monday, July 7, 2014 at 6:30 p.m.

CONSENT AGENDA

It was moved by Council Member Bright and seconded by Council Member Marshall to approve Consent Agenda Item Nos. 6, 7, 8, and 9 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.

6. Treasurer's Report for the Period May 27, 2014 - June 10, 2014.

Action: Approved the Treasurer's Report as submitted.

7. Minutes of the City Council Meetings of May 5, 2014 and May 19, 2014.

Action: Approved the minutes as submitted.

8. Resolutions for the 2014 General Municipal Election for the Election of Certain Officers of the City - Adopting Resolutions necessary to call a General Municipal Election and consolidate it with the County of San Luis Obispo.

Action: 1) Adopted Resolution No. 14-41 calling and giving notice of a General Municipal Election to be held on November 4, 2014 for the election of certain officers of the City; 2) adopted Resolution No. 14-42 requesting the County Board of Supervisors to consolidate the City's General Municipal Election with the Statewide General Election; and 3) adopted Resolution No. 14-43 adopting regulations for candidates governing submittal of a Candidate's Statement.

Resolution No. 14-41: A Resolution of the City Council of the City of Grover Beach, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 4, 2014, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities.

Resolution No. 14-42: A Resolution of the City Council of the City of Grover Beach, California, Requesting the Board of Supervisors of the County of San Luis Obispo to Consolidate a General Municipal Election to be Held on Tuesday, November 4, 2014, with the Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Elections Code.

Resolution No. 14-43: A Resolution of the City Council of the City of Grover Beach, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election.

9. Amendment to the FY 14 Budget and Authorization to Send a Letter Supporting the Land Conservancy's Efforts to Acquire Property for the Pismo Preserve - Amending the FY 14 Budget (ending June 30, 2014) to allocate \$5,000 to the Land Conservancy of San Luis Obispo for the purchase of the Pismo Preserve, a 900-acre regional public park.
Action: 1) Adopted Resolution No. 14-44 authorizing the payment of \$5,000 to the Land Conservancy; and 2) authorized the Mayor to execute the letter on the City's behalf.

Resolution No. 14-44: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 7th Amendment to the Annual Appropriation Resolution No. 13-47 to Provide Funding for the Pismo Preserve - Land Conservancy.

REGULAR BUSINESS

None at this time.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

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

Mayor Pro Tem Lee stated that he had no committee reports at this time.

Council Member Marshall stated that he had no committee reports at this time and announced that the next meeting of the South San Luis Obispo County Sanitation District would be held in the Council Chambers at Arroyo Grande City Hall on June 18, 2014.

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

Mayor Peterson reported on the meeting of the San Luis Obispo Council of Governments.

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Lee provided an update regarding the success of a recent surgical procedure for a young Grover Beach resident, which he had announced at the previous City Council meeting.
- B. Mayor Peterson announced that a meeting with the Chamber of Commerce and local tourism representatives would be held in the Conference Room at City Hall on Friday, June 27th to discuss preparing local businesses for the next "Huckfest" event on the beach. She then described a recent meeting she had attended hosted by the Five Cities Christian Women and the presentation provided by the Five Cities Fire Authority that was well received. She also inquired and received information from staff regarding the public comment period on the San Luis Obispo County Integrated Regional Water Management Plan (IRWM). City Manager Perrault confirmed that he would work with the Public Works Director to provide comments regarding the IRWM, and would schedule the matter for Council discussion in July, if necessary.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Perrault provided the following announcements:

- A. *Special City Council Meeting on Wednesday, June 25 2014 at 6:30 p.m.* - reminded all those present that a Special City Council meeting had been scheduled to receive the results from the polling consultants Fairbank, Maslin, Maullin, Metz & Associates (FM3) and an update from the pavement management consultants Pavement Engineering, Inc. He also noted that the meeting would be videotaped and broadcast live on the City's Government Cable Access Channel 20.
- B. *Meeting with San Luis Obispo County Regarding Surplus Water* - stated that the Public Works Director and he would be meeting with representatives from the Cities of Arroyo Grande and Pismo Beach and the County of San Luis Obispo regarding the issue of surplus water, noting that San Luis Obispo County Supervisor Hill had facilitated with scheduling the meeting.
- C. *California Coastal Commission Meeting Regarding Appeals Filed on the Grover Beach Lodge and Conference Center* - reported on the positive staff report presented by Coastal Commission staff and the Commission's finding of "No Substantial Issues" with the two appeals filed on project. He also noted that representatives from the City and California State Parks had attended the meeting. He then outlined the next steps towards development of the project.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:23 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: City Manager Robert Perrault, Police Chief/Assistant City Manager James Copsey, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, Human Resources Coordinator Channelle Hubbard (may include some or all of the above)
Represented Employee Group: General Employees - (SEIU) Service Employees International Union, Local 620

2. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault, Police Chief/Assistant City Manager James Copsey, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, Human Resources Coordinator Channelle Hubbard, Commander John Peters or Commander Tim Miller (may include some or all of the above)
Represented Employee Group: Grover Beach Police Officers' Association (GBPOA)

3. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: Various City Public Rights of Way and underground conduit (ROW)
Agency negotiator: City Manager Robert Perrault & Assistant City Attorney David Hale
Negotiating party: Digital West Networks, Inc.
Under negotiation: Potential price and terms of payment related to lease of City conduit and ROW.

Closed Session Announcements: At 9:57 p.m., Mayor Peterson reconvened the meeting in open session with all Council Members present. It was announced that 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 9:58 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 08/18/2014)