

**MINUTES
CITY COUNCIL MEETING
MONDAY, MARCH 2, 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 Zachary Nichols, a 7-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, Parks and Recreation Director Petker, Police Lieutenant Peters, and Economic Development Specialist Buckingham were also present.

Also present was City Engineer Garing.

AGENDA REVIEW

Upon consensus of the City Council, the Order of the Day was amended as follows: 1) the meeting will recess after Agenda Item No. 6 to conduct the Joint City Council / Improvement Agency meeting; and 2) Council Communications will be held immediately after the Consent Agenda.

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

CEREMONIAL CALENDAR

1. Proclamation Declaring March 2009 as "American Red Cross Month".

Mayor Shoals read and presented the Proclamation to Bryan DuVall, Board Member for the San Luis Obispo County Chapter of the American Red Cross.

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. Adam Hill, San Luis Obispo County 3rd District Supervisor, announced the dates, times, and locations of his South County office hours to be held in Grover Beach and Pismo Beach.

PUBLIC HEARINGS

None at this time.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Pro Tem Nicolls requested and received clarification from staff regarding the involvement of the San Luis Obispo Council of Governments (SLOCOG) in meetings for the Longbranch Avenue Demonstration Project (Agenda Item No. 4).

Council Members Mires and Peterson each stated that they would abstain from voting on Agenda Item No. 3, as they were not present at the meetings listed. It was m/s by Council Members Peterson/Bright to approve Consent Agenda Item Nos. 2, 3, and 4, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Bright, Mires (except for Item No. 3), Peterson (except for Item No. 3), Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members Mires and Peterson (for Item No. 3 only).

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

Action: Approved as submitted.

3. Minutes of the Following City Council Meetings:

- Regular City Council Meeting of September 15, 2008;
- Regular City Council Meeting of October 6, 2008; and
- Joint City Council / Improvement Agency Meeting of October 6, 2008.

Action: Approved the minutes as submitted.

4. Authorization to Enter Into an Agreement for Design Services for the Longbranch Avenue Demonstration Project - Agreement for design services to narrow Longbranch Avenue so as to reduce future pavement management costs, encourage the use of alternative transportation methodologies, and enhance the aesthetics of the neighborhood.

Action: 1) Adopted Resolution No. 09-12 authorizing the City to enter into an agreement with the Wallace Group, and 2) authorized the City Manager to execute the agreement on behalf of the City.

Resolution No. 09-12: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter into an Agreement with the Wallace Group for Design Services for the Longbranch Avenue Demonstration Project.

ORDER OF THE DAY: Pursuant to Council consensus during review of the posted agenda, Mayor Shoals called for Council Communications.

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Nicolls congratulated Mayor Shoals for being appointed to serve another year as President of the San Luis Obispo Council of Governments (SLOCOG), and complimented him for representing the community well. He then praised City Manager Perrault for staying informed on regional transportation issues that involved the City, and said that the SLOCOG Executive Director had recently commented favorably regarding the City Manager's interactions with that agency.
- B. Council Member Peterson stated that she had received citizen requests for the City flag to be displayed more often. Mayor Shoals suggested updating the flag design. Council Member Bright stated that she had received comments suggesting the City designate an official City flower and proposed incorporating it into a new flag design.

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

REGULAR BUSINESS

5. Appointment to the Planning Commission.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Interim Community Development Director Beck reviewed the recommendations from the Advisory Body Screening Committee regarding applicants who were interviewed on February 24, 2009 to fill one vacancy on the Planning Commission.

Action: It was m/s by Council Member Bright/Mayor Pro Tem Nicolls to: 1) accept the Screening Committee's recommendations; 2) adopt Resolution No. 09-13 appointing Mr. Greg Alex to fill an unexpired term on the Planning Commission, expiring on May 31, 2009; and authorize extending his appointment on the Commission to serve a full four-year term, expiring on May 31, 2013; and 3) direct staff to maintain Mr. Jeffrey Lee's application

for consideration at the next meeting of the Advisory Body Screening Committee without requiring Mr. Lee to again participate in the interview process. 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. 09-13: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Appointment of Greg Alex to Serve on the Grover Beach Planning Commission.

At this time, Planning Commissioner Alex was introduced to the City Council and members of the audience.

6. Cleaver Property Park Master Plan. Location: 164 South 13th Street.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Parks and Recreation Director Petker provided an overview of the project site, summarized discussions held at the June 16, 2008 Council meeting regarding the concept of an interim dog park and subsequent research conducted for developing Costa Bella Park as an interim dog park. She stated that the Council had authorized the preparation of a master plan for a community center facility, and confirmed that the Parks, Recreation and Beautification Commission had recommended construction of a facility as a long-term top priority for the property, commenting that such a facility could accommodate several groups at one time. She reviewed potential funding options for facility construction through grants, partnering with the Boys and Girls Club of South San Luis Obispo County, development impact fees, donations, and sponsors. Consultant David Foote of *firma* was then introduced.

Mr. Foote provided an overview of the property layout and displayed a revised facility design, which incorporated previous comments received from the Council, Parks, Recreation and Beautification Commission, and City staff. He commented on the health of an existing large oak tree that could remain in place, but suggested that the City obtain another arborist report before making a final design determination.

Brief discussion was held confirming that construction of a community center complied with the requirement for developing the property for "public park purposes". Additional discussion was held regarding on-site retention being a more effective design for drainage rather than installing pervious pavement materials; reducing the number of parking spaces; reviewing the issue of street trees at a later date; and whether a playground structure or other amenity could be installed, if the large oak tree was removed.

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

Moyses Muguira, Executive Director of the Boys and Girls Club, spoke in support of developing a community center and offered to assist the City with pursuing project funding.

There were no further public comments received.

Council discussion was held regarding the existing large oak tree and whether to maintain or remove it, potential liability issues due to tree limb that required bracing/support, and deferring a final design determination until after receipt/review of a more current professional arborist report.

Mr. Foote responded to questions regarding an environmental review of the project site and possible mitigation measures in the event the large oak tree was removed.

Action: Upon m/s of Mayor Pro Tem Nicolls/Council Member Bright, the City Council: 1) directed the elimination of three parking spaces at the back of the lot in the design concept; 2) authorized the architect to initiate the California Environmental Quality Act (CEQA) process for final plan adoption at the April 6, 2009 City Council meeting; and 3) directed staff to obtain a new arborist report regarding the current condition of the oak tree. 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 7:27 p.m. to the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 9:06 p.m., the meeting reconvened with all Council Members present.

7. Supplemental Water Supply Options.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Engineer Garing reviewed estimated costs, yields, and completion dates to secure supplemental water through desalination, the Nacimiento Pipeline Extension, and expanding the Lopez Dam reservoir to raise the spillway. Expanding the reservoir was identified by the Zone 3 Advisory Committee as the most cost-effective option for a supplemental supply of potable water. The next phase in pursuit of that option would be through an engineering feasibility assessment. Staff then responded to questions from the Council.

Brief discussion was held regarding the City's existing sources of water from the Lopez reservoir and ground water, and future water supply needs as identified in the Land Use Element.

Action: It was m/s by Council Member Bright/Mayor Pro Tem Nicolls to direct the Zone 3 Advisory Committee Delegate, Council Member Mires, to vote affirmatively to continue with the Lopez Reservoir Expansion project phase "Alternatives Assessment/Engineering Feasibility". 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.

8. Establish an Overhead to Underground Utility Conversion Program.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Engineer Garing reviewed the process for converting utilities from overhead to underground through the use of "Rule 20A", which requires PG&E to establish a fund specific to Grover Beach for funding such conversions. Costs to place the utilities underground would be reimbursed to PG&E through the City's accrued Rule 20A account. Other utilities, such as telephone and cable, would be required to absorb the costs to underground their facilities. The typical time between designating an underground utility district and actual construction was estimated at five to seven years. City Engineer Garing then presented a map of proposed project areas that fronted or were in the vicinity of public facilities and civic areas. Staff responded to questions from the Council and described the process conducted with PG&E staff to identify the proposed project areas.

Action: Upon unanimous consensus, the Council:

- 1) Identified and prioritized the following overhead to underground utility conversion project areas -
 - Project A - South County Transit Hub** - includes North 8th Street to Ramona Avenue, Ramona Avenue east to North 10th Street and north to Brighton Avenue, Brighton Avenue west to North 9th Street and then south to Ramona Avenue;
 - Project B - West Grand Avenue** - includes West Grand Avenue from Highway 1 to the end of West Grand Avenue;
 - Project C - Longbranch Avenue** - includes North 8th Street from West Grand Avenue south to Longbranch Avenue, and Longbranch Avenue east to South 12th Street; and
 - Project D - Mentone Avenue and 16th Street Park** - includes Mentone Avenue from South 13th Street to Oak Park Boulevard, and South 16th Street to Nice Avenue, and Nice Avenue eastward to the end of 16th Street Park; and
- 2) Directed staff to prepare a resolution suitable for transmission to PG&E for its consideration and inclusion in the Rule 20A overhead to underground conversion program for the City of Grover Beach.

COUNCIL COMMITTEE REPORTS

Council Member Bright - none at this time.

Council Member Mires - none at this time.

Mayor Pro Tem Nicolls - none at this time.

Council Member Peterson - none at this time.

Mayor Shoals reported on meetings of the San Luis Obispo Council of Governments and the Fire and Emergency Oversight Committee.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS (Continued from Council Communications provided earlier in the meeting.)

- A. Mayor Shoals suggested the formation of an Economic Development Advisory Committee to receive input from business professionals on the City's Economic Development Strategy and requested an update on economic development efforts by staff. He stated that the Economic Vitality Corporation (EVC) had suggested the formation of a South County Economic Development Task Force and had recently co-sponsored a business seminar in Atascadero. With regard to the recent resignation of Grover Beach Chamber of Commerce Executive Director Margo Mason, Mayor Shoals suggested reconvening the Council subcommittee to review the City's contract with the Chamber.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:44 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 Manager

Closed Session Announcements: At 10:40 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, and he 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 10:40 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 7/6/09)