

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, JANUARY 5, 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 Police Chief Copsey.

**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, Interim Community Development Director Beck, Police Chief Copsey, Public Works Superintendent Ford, and Recreation Coordinator O'Donnell were also present.

Also present were City Engineer Garing, Parks, Recreation and Beautification Commission Vice Chair Greeley, and Parks, Recreation and Beautification Commissioner Delo.

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

On Monday, December 15, 2008, after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Pending Litigation  
Pursuant to Government Code Section 54956.9(a)  
Locarnini v. City of Grover Beach WCAB Claim 2002003948
2. Public Employee Performance Evaluation  
Pursuant to Government Code Section 54957  
Employee: City Manager

the City Council reconvened into open session and announced the following: In reference to Closed Session Item No. 1, the City Council unanimously approved the Settlement Agreement (on a 4-0-0 vote). In reference to Closed Session Item No. 2, there was no reportable action taken.

**AGENDA REVIEW**

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

**CEREMONIAL CALENDAR**

**1. Proclamations of Appreciation to the 2008 Holiday of Lights Award Winners.**

Mayor Shoals, Recreation Coordinator O'Donnell, Parks, Recreation and Beautification Commission Vice Chair Greeley and Commissioner Delo presented Proclamations of Appreciation to the following award winners who were in attendance at the meeting:

- **Mayor's Award** - The Young Family, 465 Rockaway Avenue;
- **City Council Award** - Henry & Donna Cantu, 337 Rockaway Avenue;
- **Business Award** - Ellie & Darrell Ross, Ellie's Place, 1401 W. Grand Avenue; and
- **Window Painting Award** - Rudy & Angie Lopez of Rudy & Angie's Mexican Food Restaurant, 1572 W. Grand Avenue.

The following award winners, who were not present at the meeting, were announced and publicly recognized:

- **Commissioner's Award** - The Jacinto Family, 881 N. 5<sup>th</sup> Street;
- **Best Religious Display** - The Latting Family, 600 Redondo Court; and
- **Simple Elegance Award** - Steven D. Sharpe, 778 Calvin Court.

Mr. Sam Greeley, who was seated in the audience, was recognized with a Certificate of Appreciation for his volunteer services as the event photographer.

**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.

### **PUBLIC HEARINGS**

None at this time.

### **CONSENT AGENDA**

It was m/s by Mayor Pro Tem Nicolls/Council Member 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, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.  
NOES: Council Members - None.  
ABSENT: Council Members - None.  
ABSTAIN: Council Members - None.

#### **2. Treasurer's Report for the Period December 10 - 30, 2008.**

**Action:** Approved as submitted.

#### **3. Award of Bid for Construction of a Storm Drain on South 5<sup>th</sup> Street, Manhattan Avenue to Longbranch Avenue.** Consideration of sixteen bids received on December 1, 2008 to construct a storm drain on South 5<sup>th</sup> Street.

**Action:** 1) Adopted Resolution No. 09-01 to award the Storm Drain on South 5<sup>th</sup> Street, Manhattan Avenue to Longbranch Avenue, Project (contingent upon the release of CDBG funds by HUD) to the lowest responsive bidder, Granite Construction Company; 2) authorized the City Manager to sign and affirm change orders to the project in amounts up to \$8,975, to be deducted from contingency funds; and 3) authorized the Mayor to execute the contract on behalf of the City.

**Resolution No. 09-01: Resolution of the City Council of the City of Grover Beach, California, Awarding the Project: Storm Drain on South 5<sup>th</sup> Street, Manhattan Avenue to Longbranch Avenue.**

#### **4. Acceptance of Improvements to the Ramona Transit Transfer Facility.** Consideration of accepting improvements and issuing a Notice of Completion for the Ramona Transit Transfer Facility at Ramona Garden Park, which consisted of constructing five bus stalls and a new bus shelter, and improvements to the sidewalk, street, and parking areas.

**Action:** Adopted Resolution No. 09-02 accepting the construction work performed by Granite Construction Company.

**Resolution No. 09-02: A Resolution of the City Council of the City of Grover Beach, California, Formally Accepting Improvements to the Ramona Transit Transfer Facility.**

### **REGULAR BUSINESS**

None at this time.

### **PULLED CONSENT AGENDA ITEMS**

None at this time.

### **COUNCIL COMMITTEE REPORTS**

None at this time.

### **CITY COUNCIL MEMBER ITEMS**

None at this time.

### **COUNCIL COMMUNICATIONS**

- A. Council Member Bright stated that a song and video featuring the Grover Beach community had been written and produced by local musician Merrell Fankhauser and suggested adding it to the City's new website design.
- B. Mayor Shoals suggested considering a design change for the City flag and encouraging community involvement by holding a design contest.

He then announced the upcoming League of California Cities' training session for new Mayors and Council Members to be held in Sacramento, California, at the end of the month.

### **CITY MANAGER'S REPORTS AND COMMENTS**

- 5. **Discussion of the City Council Meeting Scheduled to be Held on Tuesday, January 20, 2009 due to the Federal Legal Holiday of Martin Luther King Day on Monday, January 19, 2009.**

City Manager Perrault stated that the next regular City Council meeting was scheduled to be held on Tuesday, January 20, 2009, since City offices would be closed on Monday, January 19 in observance of a federal legal holiday. He noted that Tuesday, January 20 would be a travel day for Council Members Mires and Peterson, who were registered to attend the New Mayors and Council Members Academy in Sacramento, leaving only three Council Members available to attend the City Council meeting. Further, since Mayor Pro Tem Nicolls had a conflict of interest regarding an appeal of a Planning Commission decision tentatively scheduled for that meeting, there would be less than a quorum present.

Brief discussion was held regarding meeting date alternatives and items tentatively scheduled for consideration at the next Council meeting.

**Action:** Upon unanimous consensus, the Council authorized cancelling the next regular City Council meeting on Tuesday, January 20, 2009, and scheduling a special City Council meeting on Monday, January 26, 2009.

- 6. **Request from Digital West to Comment on AT&T's Plans for Fiber Cable Installation.**

City Manager Perrault stated that Digital West had initially requested that the City review participation in a County-wide effort to comment on making fiber optic infrastructure available to the various cities. However, that request had since been withdrawn.

He suggested that he and Mayor Shoals contact AT&T to discuss fiber optic infrastructure improvements in the City and recent issues related to underground utilities on Oak Park Boulevard.

### **CITY ATTORNEY'S REPORTS AND COMMENTS**

None at this time.

### **CLOSED SESSION**

None at this time.

**ADJOURNMENT**

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 6:57 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg. 6/8/09)