

**MINUTES
CITY COUNCIL MEETING
MONDAY, APRIL 7, 2008**

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 Alyssa Lozano, a 6th grade student from Fairgrove Elementary School in Grover Beach.

ROLL CALL

City Council: Council Members Ashton, Bright, Lieberman, Mayor Pro Tem Nicolls, and Mayor Shoals were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Community Development Director Hansen, Police Chief Copsey, Fire Chief Hubert, Parks and Recreation Director Petker, Fire Department Administrative Secretary Pearson, Fire Engineer Searby, and Human Resources Coordinator Barrett were also present.

Also present was Labor Negotiator Jim Katen.

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

On Monday, March 17, 2008, after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Pending Litigation
Pursuant to Government Code Section 54956.9(a)
Mireya Jaimes-Freyre v. City of Grover Beach CV 070478
2. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of
Section 54956.9: One (1) potential case

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

AGENDA REVIEW Upon consensus of the City Council, the Order of the Day was amended to consider Ceremonial Calendar Item No. 2 first, followed by Ceremonial Calendar Item No. 1, and then City Council Agenda Item No. 10 to be heard prior to the scheduled Public Hearing items.

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

CEREMONIAL CALENDAR

2. Proclamation Declaring April as "Month of the Child".

Mayor Shoals and Parks & Recreation Director Petker read and presented the proclamation to Tiny Tots instructor Sandy Mershon and her students. Ms. Mershon described the Tiny Tots Program, followed by a selection of song performances.

Nicole Shaadat, a YMCA leader at Grover Beach Elementary School, described the YMCA before- and after-school program and introduced 6th grade student Joel Braun. Joel recited a prepared speech, praising the YMCA after-school program, program staff, and staff members and faculty at Grover Beach Elementary School.

1. President's Volunteer Service Award to Members of the Grover Beach Police Department Citizens Assistance Team (CATs).

Mayor Shoals introduced Police Chief Copsey and Senior Police Officer/Corporal

Locarnini who presented Presidential Awards to Police Department Citizen Assistance Team (CATs) members for having collectively served over 5,000 volunteer hours for the community. Awards were presented to the following individuals:

In recognition of over 100 hours of volunteer service in one year -

Coy Daffren, Della Anderson, Dennis Adams, Gene Gates, Imelda Lowe, Jeff Olsen, Phyllis Evans, and Richard Simpson.

In recognition of over 250 hours of service in one year -

Bob Flagel and Rose Lindgren.

In recognition of over 500 hours of volunteer service in one year -

Pat Martin.

Special recognition was also given to Kathleen ("Kat") Duley.

The Council thanked and praised the volunteers for their dedication to the Grover Beach community.

PRESENTATIONS

3. Multi-dwelling Property Fire and Life Safety Annual Inspection Program.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Fire Chief Hubert provided an overview of the Fire Department program to inspect apartment buildings with three or more units, motels, hotels, and bed and breakfast establishments. He stated that the program would pro-actively identify substandard and unsafe units. He then responded to questions from the Council and confirmed that the inspection service was available to single family residences upon request.

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. Ralph Wright, Grover Beach, praised the Police Department, and specifically Lieutenant John Peters, for successfully negotiating recent equipment purchases to improve officer safety at significantly reduced prices.
- B. Liz Doukas, Grover Beach, thanked the Fire Department for resolving a long-standing code enforcement issue, specifically praising Fire Chief Hubert and members of his staff, as well as members of the Community Development Department and the City Attorney's Office. She then praised the recent study completed regarding the West Grand Avenue Corridor by Council Member Ashton.
- C. Phyllis Mollnar, Grover Beach, in reference to the design concept of medians on Newport Avenue, suggested planting drought-tolerant landscaping and installing speed bumps, and expressed concern with the potential loss of on-street parking. She also spoke against designating Newport Avenue as a public transportation bus route.
- D. Jim Erickson, Grover Beach, spoke in support of the City adopting a mobile home conversion ordinance, as currently under consideration by the City and County of San Luis Obispo. *(Note, this subject is listed as Item No. 10 on the agenda.)*
- E. Dave Mullinax, League of California Cities Channel Counties Division Representative, provided an overview of Proposition 98 as scheduled to appear on the June ballot, which included a provision to eliminate rent control. He stated that the proposition was funded by organizations primarily consisting of mobile home park and apartment owners. However, the proposition also included language which would render all local land use decisions moot and was therefore being opposed by the League of California Cities, as well as many cities and counties in California. He cited a similar measure approved in Oregon that resulted in significant unintended consequences to local agencies.

He then reviewed the merits of Proposition 99, which was sponsored by the League of

California Cities, stating it included a provision that prevented eminent domain of an owner-occupied home.

There were no further public comments received.

ORDER OF THE DAY: As announced earlier in the meeting under "Agenda Review", Item No. 10 was considered next.

10. Request to Schedule an Item on a Future Agenda Regarding Rent Control in Mobile Home Parks and a Mobile Home Park Conversion Ordinance.

Mayor Shoals read the title to this item, and acknowledging that both he and Council Member Ashton had requested this matter to be scheduled for discussion on a future agenda. The Council thanked Jim Erickson, Dick Giles, and other members of the Le Sage Mobile Home Park for keeping the Council informed on this issue.

Brief discussion was held regarding whether to defer Council discussion on this matter until the outcome of Propositions 98 and 99 at the June primary had been determined.

Action: Upon consensus, staff was directed to schedule this issue on a future agenda after the June primary.

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

PUBLIC HEARING

4. Proposed Amendment to the Grover Beach Municipal Code, Article III, Chapter 4, Section 3406, Increasing the Applicable Public Liability Insurance Limits to \$1 Million.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. City Attorney Koczanowicz stated that the proposed Ordinance would update applicable insurance policy limits required for taxicabs operating within the City. He stated that previous limits were found to be outdated. The amendment would increase the limits to \$100,000 property damage and a combined limit of \$1 million for bodily injury.

There was no Council discussion held.

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 Mayor Pro Tem Nicolls/Council Member Ashton to introduce and conduct first reading of Ordinance No. 08-04, 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 Ashton, Bright, Lieberman, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Ordinance No. 08-04: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article III, Chapter 4, Section 3406 of the Grover Beach Municipal Code Increasing the Minimum Public Liability Insurance Limits for Taxicab Operations in the City. (First Reading only.)

5. First Reading of Ordinance Amending Grover Beach Municipal Code Section 2304 with Regard to Term Limits for Council Members and Elected Mayor.

Mayor Shoals 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 stated that the draft Ordinance would amend the Grover Beach Municipal Code to separate the terms of a directly-elected Mayor from terms of City Council Members, which was consistent with state law. He stated that, in accordance with term limits approved by Grover Beach voters in 1996, the same individual could serve two consecutive terms as a Council Member and then two consecutive terms as the Mayor. In then responded to questions from the 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 on this matter.

Action: It was m/s by Council Member Lieberman/Mayor Pro Tem Nicolls to conduct first reading of Ordinance No. 08-05, 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 Ashton, Bright, Lieberman, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Ordinance No. 08-05: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article II, Chapter 3, Section 2304 of the Grover Beach Municipal Code Regarding City Council Term Limits. (First Reading only.)

CONSENT AGENDA

It was m/s by Council Members Lieberman/Bright to approve Consent Agenda Item Nos. 6 and 7, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Lieberman, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

6. Treasurer's Report for the Period March 11 - April 1, 2008.

Action: Approved as submitted.

7. 2008 Weed Abatement Program - Annual program to ensure that properties within the City are maintained free from weeds, rubbish, and other flammable materials.

Action: Adopted Resolution No. 08-26 for weed and rubbish abatement.

Resolution No. 08-26: Resolution of the City Council of the City of Grover Beach, California, Declaring Weeds to be a Nuisance and Providing for Weed Abatement Pursuant to Government Code Sections 39560 Through 39588; Article 2 - Alternative Procedures for Weed and Rubbish Abatement.

REGULAR BUSINESS

8. Goals and Work Program for the FY 09 - FY 10 Budget.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault stated that the Goals and Work Program for the upcoming two-year budget cycle had been revised over the course of two previous Council sessions held on March 3, 2008 and March 17, 2008. Revised drafts of both documents were being presented this evening for final review and adoption.

Brief discussion was held regarding further refinements to the draft Work Program:

- *6A(3) Housing* - developing a model home conversion ordinance.
- *1A(d) Economic Development* - including new website technology in the City's marketing strategy for a well-designed and intuitive website. Additional comments

included adding information to the City website regarding the West Grand Avenue downtown corridor.

Action: It was m/s by Council Member Lieberman/Mayor Pro Tem Nicolls to adopt the Goals and Work Program, as amended, for the FY 09 & FY 10 Biennial Budget. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Lieberman, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

9. Department of Homeland Security FY 07 Assistance to Firefighters Grant Program.

Mayor Shoals read the title to the foregoing item, and deferred to staff for a report. Fire Chief Hubert provided background information regarding the City's grant request to the Department of Homeland Security (DHS) for the FY 2007 Assistance to Firefighters Grant Program, which included various items including a fire station alerting system in the total amount of \$64,933. He stated that the grant's share of cost was 95% (\$64,537) and the remaining 5% would need to be paid by the City (\$3,396). He then reviewed benefits to be gained with the new alerting system that would enhance firefighter safety. Upon question, Fire Chief Hubert identified other agencies within San Luis Obispo County, including the City of Arroyo Grande, which already had this system in place.

City Attorney Koczanocwicz suggested amending the draft Resolution after the paragraph that reads "Now, therefore, be it resolved..." to read as follows: "Accept the Department of Homeland Security Assistance to Firefighters Grant and the inclusion of 5% matching funds in the amount of \$3,396 in the proposed FY 09 Budget" (double underline denotes added text).

Action: It was m/s by Council Members Ashton/Lieberman to adopt Resolution No. 08-27, as amended, formally accepting the grant and authorizing matching funds in the proposed FY 09 Budget. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Lieberman, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 08-27: A Resolution of the City Council of the City of Grover Beach, California, Accepting the Department of Homeland Security Assistance to Firefighters Grant Funds, and Providing City Matching Funds.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright stated she had nothing to report.

Council Member Ashton reported on meetings of the Zone Three Advisory Committee and the San Luis Obispo County Water Resources Advisory Board (WRAC) committee, and discussions held at both meetings regarding negative impacts to recreational activities in local area lakes and waterways from the threat of infestation by quagga and zebra mussels.

Mayor Pro Tem Nicolls stated that no meetings were held by the Housing Trust Fund; however, the agency was still seeking to assist housing projects with funding needs. He also reported on the meeting of the South San Luis Obispo County Sanitation District.

Council Member Lieberman stated that he had nothing to report.

Mayor Shoals reported on the meeting of the San Luis Obispo Council of Governments (SLOCOG) regarding adoption of housing allocations for the regional housing needs assessment; and the meeting of the San Luis Obispo Regional Transit Authority (SLORTA) regarding recent bus route changes and funding approved for the City's pedestrian demonstration project on Longbranch Avenue.

CITY COUNCIL AGENDA

10. **Request to Schedule an Item on a Future Agenda Regarding Rent Control in Mobile Home Parks and a Mobile Home Park Conversion Ordinance.** *(Note: this item was considered earlier in the meeting, immediately after the Presentations and Public Communications period.)*

COUNCIL COMMUNICATIONS

- A. Mayor Shoals announced that there would be an unveiling ceremony of the Harold Hatley Memorial Monument on Saturday, April 19, 2008 at 10:00 a.m. at Grover Heights Park, and he encouraged all residents to attend.
- B. Council Member Ashton announced the next Neighborhood Watch meeting was scheduled for Tuesday, April 8, 2008 at 6:30 p.m. at the Ramona Garden Park Center, and would consist of part one of a two-part CPR training course, with the second session scheduled for Tuesday, May 13, 2008.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 7:50 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, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator.
Represented Employee Group:	General Employees - (SEIU) Service Employees International Union, Local 620

Closed Session Announcements: At 8:05 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 8:05 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 8/4/08)