

**MINUTES
CITY COUNCIL MEETING
MONDAY, JUNE 16, 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 Police Chief Copsey.

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, Parks and Recreation Director Petker, Public Works Superintendent Ford, Planning Manager Gould-Wells, Human Resources Coordinator Barrett, and Parks and Recreation Coordinator Manuele were also present.

Also present were City Engineer Garing and Labor Negotiator Katen.

CLOSED SESSION ANNOUNCEMENTS:

None at this time.

AGENDA REVIEW

Upon unanimous consensus of the City Council, the Order of the Day was amended as follows: the Council would consider Ceremonial Calendar Item No. 2 first, followed by Ceremonial Calendar Item No. 1; and Agenda Items No. 13 (City Manager's Report and Comments) and Agenda Item No. 11 (Cleaver Park Master Plan) would be considered prior to the Consent Agenda.

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

CEREMONIAL CALENDAR

2. Letter of Appreciation to Former Parks, Recreation & Beautification Commissioner Mina Vaughn for Receipt of a \$10,000 Donation Towards the Parks and Recreation Department.

Mayor Shoals and Parks and Recreation Director Petker read and presented a Letter of Appreciation to Mina Vaughn for her recent generous donation to the Parks and Recreation Department. Ms. Vaughn thanked the Council and publicly acknowledged her son who had established the foundation, enabling her to make such a donation.

1. Proclamations of Appreciation to 2008 Spring Garden Participants.

Mayor Shoals and Recreation Coordinator Manuele thanked all those who participated in this year's successful and well-attended event. They presented Proclamations of Appreciation to the following residents for opening their respective gardens to the public:

- 280 Saratoga Avenue – Lisa Hamm;
- 1190 Rose Court – Caroline Blewitt; and
- 850 Atlantic City Avenue – Plant Exchange, hosted by Dee Santos.

Recreation Coordinator Manuele thanked and acknowledged the following residents who were not available to attend tonight's meeting:

- 869 North 5th Street – Leah and Sam Greeley;
- 1508 Nice Avenue – Sandra Sansoni; and
- 1220 San Sorrento Court – Dennis Nulman.

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

PRESENTATIONS

3. Presentation from Representatives of the South County Family Educational and Cultural Center, also known as "The Exploration Station".

Location: 867 Ramona Avenue, Grover Beach

Danielle Nalley, Chair of the New Construction Task Force for "The Exploration Station", provided an overview of recent facility improvements. She stated that the facility focused primarily on providing a hands-on, interactive science experience for children with age-appropriate, self-guided, and "parent-free" modules. In addition, adult health seminars and art classes were being offered through partnership opportunities with the Arroyo Grande Community Hospital and the Lucia Mar Unified School District, respectively. Ms. Nalley thanked City Manager Perrault and City staff for their assistance with acquiring the necessary permits to remodel the facility, and announced the tentative date for the facility's grand re-opening event during the same weekend as the Stone Soup Ethnic Music Faire.

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. Liz Doukas, Grover Beach, stated that she had attended a recent meeting of local business owners and expressed concerns regarding the economic future of local businesses.
- B. Linda McClure, Grover Beach, requested that the City redesign its website to include information advertising local businesses.
- C. Larry Kyle, Grover Beach, spoke in support of City efforts to advertise/promote Grover Beach.
- D. Betty Perez, Arroyo Grande, spoke in support of combining the efforts of local businesses, the Chamber of Commerce, and City Hall in order to promote Grover Beach.
- E. Margo Mason, Grover Beach Chamber of Commerce, praised the recent efforts of the business community and the leadership at City Hall to promote the community.
- F. Dee Santos, Grover Beach, spoke in support of small business owners and praised the efforts of Grover Beach Chamber of Commerce Executive Director Margo Mason to promote local businesses.
- G. Fred Gaalswyk, Grover Beach business owner, spoke in support of designating bike paths to connect South County communities.

Upon request by the Council, City Manager Perrault reviewed the issues raised under Public Communications and the steps already underway by the City which addressed those concerns:

- *Signage* - A way-finding/gateway signage program will be included in the City's economic development strategy and incorporated into the next budget cycle. The Council already authorized installation of directional signage at key entryways to the City: at Highway One/West Grand Avenue and at Oak Park Boulevard/West Grand Avenue. It was also noted that City staff had been in contact with Caltrans staff, requesting installation of additional signage along Highway 101 to direct traffic into Grover Beach.
- *Downtown Businesses* - A traffic engineer will be reviewing the proposed concept for diagonal parking in the West Grand Avenue downtown corridor. It was noted that a Cal Poly Master's degree student would be scheduled to present his master's thesis to the Council regarding a proposed bicycle master plan. Also the Grover Beach Lodge and Conference Center Project and infrastructure improvements at the South County Transit Hub on Ramona Avenue would further stimulate economic activity in the downtown area.
- *City Website* - An initial \$10,000 was set aside in the budget to update and redesign the City website. A general discussion would be scheduled regarding the Council's expectations for

a website redesign before selecting a professional design firm. It was also noted that the Chamber of Commerce would be including further information regarding local businesses on its website.

PUBLIC HEARINGS

4. Request to Vacate a Portion of Right-of-way along Nice Avenue (between 12th Street and 13th Street) and along 12th Street (between Nice Avenue and Baden Avenue).

Applicant: Eric Briggs, property owner; Kim Hatch, representative.

Project Location: 1210 Nice Street (APN 060-357-007).

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Planning Manager Gould-Wells summarized the request to vacate a portion of right-of-way located at the southwest corner of Nice Avenue and 12th Street for a three-story, three-unit residential air space condominium with one common lot. The additional land would allow the applicant to meet the 35% lot coverage requirements for the R-3 zoning district. Vacating the southerly six feet of the City's right-of-way along Nice Avenue between 12th Street and 13th Street and the easterly six feet of South 12th Street between Nice Avenue and Baden Avenue would then result in 64 feet remaining for the right-of-way, which exceeded the minimum width requirement of 52 feet.

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

Kim Hatch, project architect, confirmed that his client was not proposing to change the street, curb or sidewalk configuration surrounding the project site, merely to vacate six feet of the area in order to meet lot coverage requirements.

There were no further public comments received.

Council Member Ashton objected to R-3 lots being used for development projects that were better suited in R-1 zones, and expressed a preference for apartment buildings in R-3 zones to provide more affordable housing opportunities. He also objected to the proposed three-story design of the project, stating it was not compatible with the surrounding neighborhood of single-story buildings.

Brief discussion was held regarding the need to focus discussion on the applicant's request to vacate a portion of right-of-way. It was noted that R-3 zoning districts allowed three-story structures, fewer apartment buildings were being developed, and that other affordable housing opportunities would become available through the City's partnership efforts with Habitat for Humanity.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Lieberman to adopt Resolution No. 08-44 approving the vacation of the southerly six (6) feet of Nice Avenue for the entire block face, including the frontage of the property, and the easterly six (6) feet of South 12th Street for the entire block face, including the frontage of the property. The motion carried on the following roll call vote:

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

Resolution No. 08-44: A Resolution of the City Council of the City of Grover Beach, California, to Vacate an Unused Portion of the Easterly Side of 12th Street Between Nice Avenue and Baden Avenue, Including the Frontage of the Property and the Southerly Side of Nice Avenue Between 12th Street and 13th Street, Including the Frontage of the Property, Reducing the Total Width From 70 Feet to 64 Feet.

ORDER OF THE DAY: As announced earlier in the meeting under "Agenda Review", the next item considered was Agenda Item No. 13, followed by Agenda Item No. 11.

CITY MANAGER'S REPORTS AND COMMENTS

13. Consideration of Two (2) Requests to Place Items on a Future Agenda.

City Manager Perrault stated that he had received two requests from Linda McClure, a member of a group identified as the "Business Professionals of Grover Beach", for the Council to discuss signage and website improvements. He reviewed the normal procedure and estimated time frame for an item to be scheduled on a City Council agenda.

Brief discussion was held regarding scheduling discussion of the City website on a future meeting agenda, receiving input on this matter from staff and the business community, and receiving presentations from website design professionals, including the firm that recently redesigned the website for the City of Pismo Beach. It was noted that it was not necessary to schedule Council discussion regarding signage at this time.

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

Linda McClure, business owner, American Properties, Grover Beach, commended the City for recent actions taken to improve signage in the City and suggested installing an additional sign near the intersection of Oak Park Boulevard and El Camino Real.

There were no further public comments received.

Action: Upon consensus of the Council, staff was directed to schedule presentations by professional website design firms.

Recess: Upon consensus of the City Council, the meeting recessed at 7:36 p.m.

Reconvene: At 7:43 p.m., the meeting reconvened with all Council Members present.

11. Cleaver Property Master Plan - Potential interim use of the "Cleaver Property" for an interim dog park. 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 reviewed previous Council direction at the May 19, 2008 meeting to provide additional cost information for an interim dog park at the Cleaver property. She outlined initial cost estimates of approximately \$62,000 - \$74,000 for labor, materials, and maintenance in the first year, with reduced costs in subsequent years for maintenance and administration. She then outlined proposed commitments from the Five Cities Dog Park Association for volunteer labor, monitoring, and fund-raising efforts to assist with this project.

She stated that development of a long-term master plan for the property, regardless of future use, would improve the City's position when applying for grant funds. Council direction would also be needed regarding removal or preservation of an existing large oak tree, and the location of a future community center, if desired. She then introduced landscape architect David Foote to review the proposed design concept for an interim dog park.

David Foote, landscape architect, *firma*, provided an overview of the design concept for an interim dog park and responded to Council questions regarding proposed materials, parking, and cost estimates of approximately \$30,000 to provide minimal improvements such as access, parking, fencing, signage, and water. He confirmed that an arborist had evaluated the existing oak tree. Mr. Foote stated that he believed the tree should be stabilized and saved.

Upon question, Parks and Recreation Director Petker stated that development of a dog park at Elm Street Park in Arroyo Grande had been suspended due to a recent court order and that project funding was below the target goal. She confirmed that the City of Grover Beach had set aside funds for Cleaver property improvements, however, a more beneficial use of the funds would be for the development of a long-term recreation use.

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

Ray Quintana, Vice President, Five Cities Dog Park Association, confirmed the Association's financial commitment towards developing a permanent dog park in Arroyo Grande, reviewed legal issues which have delayed that project, and stated that further information would be needed before any financial commitment could be made towards an interim dog park in Grover Beach. In reference to the interim park proposal, he spoke in favor of installing irrigation for dust control and maintenance of decomposed granite, and spoke against the suggestion to install wood chips, as he had previously suggested. In reference to the previous use of Costa Bella Park as an interim dog park, he confirmed that specific location presented challenges regarding parking, noise, odors, and neighborhood concerns.

Anita Shower, Grover Beach, questioned the proposed hours of operation for the dog park.

There were no further public comments received.

Council discussion was held regarding:

- whether to sell the property and designate the funds for other recreation purposes;
- deed restrictions regarding use of the property and contacting the Veterans of Foreign Wars to determine their interest in the property;
- costs incurred to date on the property;
- whether to plant trees elsewhere instead of saving an existing oak tree or designating it as a landmark tree;
- the preferred long-term use of the property for a community center and/or senior center and changing the placement of a proposed community center closer to the street;
- previous concerns raised regarding use of Costa Bella Park as an unofficial dog park and whether fencing along Oak Park Boulevard would resolve those concerns, establishing a buffer zone, and an alternative parking plan for that location;
- obtaining a financial commitment from the Five Cities Dog Park Association if the City established the "interim period" for the dog park as three to five years; and
- whether public restroom facilities were necessary for an interim facility.

Action: Upon consensus of the City Council, staff was directed to: 1) obtain a financial commitment from the Five Cities Dog Park Association for a period of three to five years for the City to develop an interim dog park; 2) continue to explore options for developing Costa Bella Park as an interim dog park to include a buffer area, alternative parking, and fencing at Oak Park Boulevard, but without restroom facilities; 3) proceed with the Park Master Plan Alternative #3 concept, but reverse the location of the building to place it closer towards the street, pursue funding opportunities, and reassess whether to save the existing oak tree; and 4) contact the Veterans of Foreign Wars to discuss options for selling the property.

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

CONSENT AGENDA

Council Member Lieberman stated that he would abstain from voting on the Minutes of March 3, 2008 in Agenda Item No. 6, as he was absent from that meeting. Council Member Lieberman also declared a conflict of interest regarding Item No. 7 due to his employer being a major shareholder of Clearwire, the applicant/appellant.

Prior to consideration of the Consent Agenda, Mayor Pro Tem Nicolls requested that the Council consider Consent Agenda Item No. 9 separately.

It was m/s by Council Members to approve Consent Agenda Item Nos. 5, 6, 7, 8 and 10, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Lieberman (*except* for Agenda Item Nos. 6 and 7), Mayor Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Member Lieberman (*only* for Agenda Item No. 6).
RECUSED: Council Member Lieberman (*only* for Agenda Item No. 7 due to a conflict of interest).

5. **Treasurer's Report for the Period May 28, 2008 - June 11, 2008.**

Action: Approved as submitted.

6. **Minutes of the City Council Meeting of March 3, 2008.**

Action: Approved the minutes as submitted.

7. **Approval of Resolution Denying an Appeal of the Planning Commission Decision for a Use Permit for Application No. 07-012 (750 Charles Street)** - On June 2, 2008, the City Council denied an appeal filed by Clearwire, LLC, of the Planning Commission's decision to deny a Use Permit to construct a monopine communications pole and antennas at 750 Charles Street and outlined the grounds for staff to prepare a Resolution denying the appeal. Appellant: Tricia Knight, Clearwire, LLC.

Action: Adopted Resolution No. 08-45 denying the appeal.

Resolution No. 08-45: A Resolution of the City Council of the City of Grover Beach, California, Denying an Appeal of the Planning Commission Decision for a Use Permit for Application No. 07-012 (750 Charles Street).

8. **Proposed Three-year Memorandum of Understanding (MOU) with Service Employees International Union, Local 620 (SEIU)** - Consideration of adopting a multi-year successor contract agreement with employees represented by SEIU, Local 620, for the period July 1, 2008 - June 30, 2011.

Action: 1) Adopted Resolution No. 08-46 approving the proposed multi-year MOU with SEIU Local 620; and 2) adopted Resolution No. 08-47 amending the Classification and Compensation Plan Resolution No. 02-73, as amended, for job classes represented by SEIU Local 620.

Resolution No. 08-46: A Resolution of the City Council of the City of Grover Beach, California, Approving a Memorandum of Understanding with Service Employees International Union, Local 620 (SEIU) from July 1, 2008, to June 30, 2011.

Resolution No. 08-47: A Resolution of the City Council of the City of Grover Beach, California, Amending Resolution No. 02-73 to Adjust Salary Ranges Consistent with the City's Agreement with SEIU for Fiscal Years 2009, 2010 and 2011.

10. **Consideration of Automatic Renewal of a Cooperation Agreement for Joint Participation in the Community Development Block Grant Program and the HOME Investment Partnerships Program for Fiscal Years 2009-2011** - Extending the existing agreement with the County of San Luis Obispo for joint participation in the Urban County Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) Program for FY 2009-2011.

Action: Directed the City Manager to draft a letter to the County advising them of the City's intent to continue its involvement in the Urban County program for FY 2009-2011, provided the City's Housing Element was not certified by the State Department of Housing and Community Development (HCD) on or before July 7, 2008.

Mayor Shoals read the title to the following item, which was pulled for separate Council discussion.

9. **Proposed Agreement for the City to Participate in the San Luis Obispo Regional Special Weapons and Tactics Team (Regional SWAT Team).**

Mayor Pro Tem Nicolls requested further information regarding the anticipated fiscal impacts of the proposed agreement.

Police Chief Copsey explained that only one officer has participated in the training and training for an additional officer would require purchasing additional personal protective equipment. He stated that any necessary overtime costs would be monitored and kept to a minimum, and that other staff schedules would be adjusted as necessary.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Lieberman to adopt Resolution No. 08-48, authorizing the Chief of Police to enter into an agreement to

participate in the San Luis Obispo Regional Special Weapons and Tactics Team. 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. 08-48: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Chief of Police to Enter into an Agreement to Participate in the San Luis Obispo Regional Special Weapons and Tactics Team.

REGULAR BUSINESS

11. Cleaver Property Master Plan.

Location: 164 South 13th Street. (*Note: this item was considered earlier in the meeting, immediately after City Manager's Reports and Comments, Agenda Item No. 13.*)

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

12. Consideration of Agreement for Polling Services with The Lew Edwards Group Related to a Potential Bond Measure for Street Improvements in the City.

Mayor Shoals read the title to the foregoing item, and deferred to staff for a report. City Manager Perrault reviewed previous Council direction for staff to obtain proposals from a polling professional regarding: 1) timing for placement of a ballot measure to raise additional funds for street rehabilitation on the November 2008 ballot versus waiting until the election cycle of November 2010, and 2) which of the two proposed bond amounts, \$18 million for a major rehabilitation or \$30 million for a complete rehabilitation, would most likely be approved. He then reviewed the proposal received from The Lew Edwards Group.

Brief discussion was held regarding the estimated costs to conduct a survey and the estimated costs to rehabilitate all streets within the City.

Mayor Pro Tem Nicolls objected to polling residents regarding a dollar amount of the bond, stating that the ballot measure should only be for a bond to fund the complete rehabilitation of all City streets.

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

Liz Doukas, Grover Beach, questioned whether it was feasible to proceed with a bond measure until the issue of undergrounding utilities had been resolved.

John Laferriere, Grover Beach, stated that he was speaking as a private citizen and not in his official capacity as a member of the Parks, Recreation & Beautification Commission, suggested conducting the survey in-house with City staff and offered to assist with that process.

Anita Shower, Grover Beach, inquired whether the survey questions would be pre-approved.

Louis Hughes, Grover Beach, suggested including a survey in the City utility bills.

There were no further public comments received.

Further Council discussion was held regarding the timing of a bond measure during a downturn in the economy, whether there was sufficient time to thoroughly inform residents of this issue when they would already be receiving an increased amount of campaign literature during a presidential election year, and whether the data gathered from a poll conducted this year would be of value in determining placement of a measure on the 2010 ballot.

Action: It was m/s by Council Members Lieberman/Ashton to postpone a decision on whether to conduct a poll to the next general election year of 2010. The motion carried on the following roll call vote:

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

PULLED CONSENT AGENDA ITEMS

Agenda Item No. 10 was pulled from the Consent Calendar, but was considered earlier in the meeting.

COUNCIL COMMITTEE REPORTS

Upon Council consensus, Council Committee Reports were deferred to the next meeting.

CITY COUNCIL AGENDA

None at this time.

COUNCIL COMMUNICATIONS

None at this time.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Perrault reminded the Council of the General Plan Land Use Element update, EIR scoping meeting scheduled for Tuesday, June 24, 2008 at 6:30 p.m. in the Council Chambers.

- 13. Consideration of Two (2) Requests to Place Items on a Future Agenda.**
(Note: this item was considered earlier in the meeting, immediately after Public Hearing Item No. 4.)

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 9:25 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:
/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 12/15/08)