

**MINUTES
CITY COUNCIL MEETING
MONDAY, AUGUST 4, 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 Senior Police Officer Lopez.

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, Community Development Director Hansen, Police Chief Copsey, Fire Chief Hubert, Parks and Recreation Director Petker, Fire Battalion Chief Heath, Public Works Superintendent Ford, and Planning Manager Gould were also present.

Also present were Parks, Recreation & Beautification Commission Vice-Chair Michele Knapp and Parks, Recreation & Beautification Commissioner Leah Greeley.

AGENDA REVIEW

Upon consensus of the City Council, the Order of the Day was amended to consider City Attorney's Reports and Comments, Agenda Item No. 13, immediately after Regular Business Item No. 9.

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

CEREMONIAL CALENDAR

- 1. Proclamation of the Parks, Recreation & Beautification Commission Expressing Appreciation for Beautification Efforts to Guy & Barbara Veness, 588 North 13th Street, Grover Beach.**

Mayor Shoals and Parks, Recreation & Beautification Commissioner Greeley read and presented the Proclamation to Guy and Barbara Veness.

- 2. Proclamation Honoring the Marine Corps League Detachment 680.**

Mayor Shoals and Council Member Bright presented the Proclamation to Mr. Tim Haley. Mr. Haley identified other members of the Detachment who were seated in the audience and described the Marine Corps League's various programs and activities.

Council Member Bright thanked Mr. and Mrs. Haley for attending the meeting on their 40th wedding anniversary.

- 3. Proclamation Declaring August 10-16, 2008 as "National Health Center Week".**

Mayor Shoals read and presented the Proclamation to Ron Castle, CEO of Community Health Centers of the Central Coast (CHCCC). Mr. Castle briefly described the various health care programs offered and the number of patients served throughout the centers located in San Luis Obispo and Santa Barbara Counties. He then introduced the other members of the local center who were seated in the audience.

PRESENTATIONS

4. Presentation on the American Red Cross Voluntary Organizations Active in Disaster (VOAD) Program.

Grace McIntosh, Executive Director of the San Luis Obispo County Chapter of the American Red Cross, provided an overview of a county-wide program, currently in its second year of development, to coordinate a systematic emergency response effort between government, non-profit, faith-based, and service club organizations.

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. The following persons expressed concerns regarding the departure of George Hansen as the City's Community Development Director:
- Linda McClure, Arroyo Grande resident and Grover Beach business owner, who read and presented a petition requesting the Council reconsider Mr. Hansen's resignation;
 - Mike DeBlauw, Grover Beach resident and business owner;
 - Liz Doukas, Grover Beach;
 - Vincenzo Vianucci, Grover Beach; and
 - Brenda Auer, Grover Beach.

Mayor Shoals stated the Council could not comment on personnel issues.

- B. Ven Zambo President of Narvacanian Association of Central California, commented on the sister-city relationship between the City and the community of Narvacan in the Phillipines, which dated back to October 1991, and invited members of the City Council and the public to attend the upcoming 17th Annual Sister-City Celebration to be held at the Santa Maria Inn on September 27, 2008.

There were no further public comments received.

PUBLIC HEARINGS

None at this time.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Pro Tem Nicolls requested discussion of Consent Agenda Item No. 7. Upon unanimous consensus, the Council approved Consent Agenda Item Nos. 5 and 6, as recommended.

5. Treasurer's Report for the Period July 21 - 29, 2008.

Action: Approved as submitted.

6. Minutes of the Regular City Council Meeting of April 7, 2008.

Action: Approved the minutes as submitted.

At this time, Mayor Shoals called for discussion of Item No. 7.

City Attorney Koczanowicz cautioned that, unless there was no direct effect to her property, Council Member Bright might have a potential conflict of interest regarding discussion of the street rehabilitation project. Council Member Bright stated that she did not believe there was a direct effect to her property and therefore did not believe she had a conflict of interest.

7. FY 08 Local Street Rehabilitation, Ramona Avenue, North 14th Street to North 16th Street, Final Acceptance of Project.

Mayor Pro Tem Nicolls expressed concerns regarding the condition of curbs at various locations along Ramona Avenue. Public Works Superintendent Ford responded to questions regarding the integrity of the curb and adequate street drainage. He stated that signs that indicated "parallel parking only" would be installed along the street.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Lieberman to adopt Resolution No. 08-62 accepting the construction work performed by Apodaca Paving for the Ramona Avenue, North 14th Street to North 16th Street, Street Rehabilitation and Water System Improvements Project. 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. 08-62: A Resolution of the City Council of the City of Grover Beach, California, Formally Accepting the Street Rehabilitation and Water System Improvements Project Ramona Avenue - North 14th Street to North 16th Street.

REGULAR BUSINESS

8. Quarterly Report by the Parks, Recreation & Beautification Commission.

Parks, Recreation & Beautification Commissioner Knapp reviewed the Commission's second quarter report for the period April 1 through June 30, 2008.

Action: The report was received and filed.

9. Consideration of a Grover Beach Farmers' Market.

Parks and Recreation Director Petker reviewed the opportunity for the City to offer a farmers' market in partnership with the Chamber of Commerce on Sunday afternoons from August through October 2008, in conjunction with the Sizzlin' Summer Concert series. She stated that management of the market would be handled by Julie Andrews Scott, manager of farmers' markets currently being held in Avila Beach and Shell Beach. Parks and Recreation Director Petker reviewed the potential benefits of hosting a local farmers' market, stated that the Chamber of Commerce would be the lead agency in coordinating the event, and that the Parks, Recreation & Beautification Commission had reviewed the proposal and recommended its approval and waiving the booth fee for vendors. She then responded to questions from the Council regarding parking, clean up, and the potential fiscal impacts for the food concession operated during the summer concert series.

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

The following people spoke in *support* of having a farmer's market in Grover Beach:

- Linda McClure, Arroyo Grande resident and Grover Beach business owner;
- Sue Hartman, Grover Beach;
- Liz Doukas, Grover Beach; and
- Lois Hughes, Grover Beach.

There were no further public comments received.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Ashton to: 1) authorize the use of Ramona Garden Park for a farmers' market event to be held August through October 2008 and then annually during the months of June through October; and 2) have the City be a co-sponsor of the market and waive the vendor booth fees. 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.

ORDER OF THE DAY: Pursuant to Council consensus during the review of the posted agenda, Mayor Shoals called for discussion of Agenda Item No. 13.

13. Discussion of Recent Developments in Mobile Home Park Conversion Ordinances.

City Attorney Koczanowicz stated the Council had requested staff to research mobile home park conversion ordinances of other jurisdictions. He presented a draft ordinance being considered by the City of San Luis Obispo and the adopted ordinance of the City of Seal Beach. He stated that state law established the manner in which a potential conversion of a mobile home park was to be processed, but that cities could establish additional regulations provided that process was in accordance with state law.

Brief Council discussion was held regarding the Council's support of providing the maximum amount of protection allowed by law to the residents of local mobile home parks and having staff work with the local representative, Jim Erickson, resident of Le Sage Mobile Home Park who was seated in the audience, to draft a mobile home park conversion ordinance for future Council consideration.

Action: Upon unanimous consensus, the Council directed staff to: 1) collaborate with Jim Erickson of Le Sage Mobile Home Park and proceed with drafting a mobile home park conversion ordinance based on the model ordinances of the Cities of Seal Beach, Huntington Beach, and the City of San Luis Obispo; and 2) include language in the draft ordinance to provide the maximum amount of protection allowed by law to mobile home owners.

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

10. Fire Development Impact Fee Update.

Mayor Shoals read the title to the foregoing item, and deferred to staff for a report. Fire Chief Hubert stated the department had reviewed the structure of Development Impact Fees approved in February 2006 and determined that the fees needed to be updated in order to adequately address fire protection needs in the future. The cost to update the fees with Tuckfield & Associates, the previous consultant, would not exceed \$6,000.

The Council commended Fire Chief Hubert for his proactive approach to this issue.

Action: It was m/s by Council Members Ashton/Lieberman to adopt Resolution No. 08-63 amending 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.

Resolution No. 08-63: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 1st Amendment to the FY 09 & FY 10 Biennial Budget Appropriation Resolution No. 08-50 by Appropriating \$6,000 to Fund Additional Expenditures for a Fire Development Impact Fee Update.

11. Status Report Regarding Update of the City of Grover Beach Housing Element.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Planning Manager Gould stated the Housing Element was one of seven state-mandated elements of the City's General Plan. It was also the only element statutorily required to be periodically updated and subject to certification by the California Department of Housing and Community Development (HCD). She stated that in March 2008, the Council had approved the draft update and authorized its submission to the State. She then reviewed the minor revisions suggested by HCD that were received in June 2008, clarified by conference call between City staff and HCD staff, and subsequently incorporated into the draft document. She added that the next update to the Housing Element was scheduled for June 2009.

Brief discussion was held regarding the benefits of having a certified Housing Element, local officials contacting state legislators to request assistance with processing the document, and possibly hand-delivering the document to Sacramento later that same month.

Action: Upon unanimous consensus, the Council directed staff: 1) to submit the revised Housing Element to the Department of Housing and Community Development (HCD) for certification; and 2) to coordinate hand-delivery of the document to the State on August 18, 2008 via the City Manager.

COUNCIL COMMITTEE REPORTS

Council Member Ashton announced the next meeting of Neighborhood Watch would be held on Tuesday, August 12, 2008, with a guest speaker from San Luis Obispo County Animal Control.

Council Member Bright reported on the meeting of the Economic Vitality Corporation and a proposed study regarding the economic impacts of having a regional airport.

Mayor Shoals stated that meetings later in the week for the San Luis Obispo Council of Governments (SLOCOG), San Luis Obispo Regional Transit Authority (SLORTA), and the South County Area Transit (SCAT) would focus on the State budget crisis and the potential negative impacts to local transportation programs and services. He announced that a press conference was scheduled to be held on the front steps of the County government building at 12 noon on Wednesday, August 6, 2008.

Mayor Pro Tem Nicolls stated he had nothing to report, but that a presentation by representatives of the South San Luis Obispo Sanitation District would be scheduled soon.

Council Member Lieberman announced that the next meeting of the Fire Oversight Committee would be held on August 15, 2008.

COUNCIL COMMUNICATIONS

- A. Council Member Lieberman requested that, at the suggestion of local business owner Vants Anseth of Grover Beach Barbers, the Council schedule discussion of removing the right-turn arrows recently painted on downtown cross streets located adjacent to West Grand Avenue.

Action: Upon unanimous consensus, staff was directed to provide further information at a future meeting regarding this matter.

CITY MANAGER'S REPORTS AND COMMENTS

12. Discussion Regarding State Budget Issues.

City Manager Perrault stated that current budget discussions at the State level could have significant negative impacts to the City, with the State effectively "borrowing" \$471,000 from the City's \$7,581,000 General Fund budget. He stated that since 1991, it was estimated that the State has taken an estimated cumulative total of \$5,000,000 from the City. He reviewed a proposed letter to be sent to legislators in Sacramento urging the State to adopt a balanced budget without taking local government revenues.

Brief discussion was held regarding contacting the local Chamber of Commerce and represented City employee groups to join the City Council in contacting State legislators.

Action: Upon unanimous consensus the Council voted to: 1) amend the letter to identify potential negative impacts to municipal service levels; 2) authorize the Mayor to execute the amended letter on behalf of the City; 3) contact the Chamber of Commerce to author a similar letter; and 4) inform represented City employee groups regarding this issue.

CITY ATTORNEY'S REPORTS AND COMMENTS

13. Discussion of Recent Developments in Mobile Home Park Conversion.

Note: this item was considered earlier in the meeting after Regular Business Item No. 9.)

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 8:14 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 2/17/09)