

**MINUTES
CITY COUNCIL MEETING
MONDAY, OCTOBER 6, 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 Ryan Brown, a 10-year-old, 5th grade student from Fairgrove Elementary School.

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, Interim Community Development Director Beck, Police Chief Copsey, Fire Chief Hubert, Parks and Recreation Director Petker, Public Works Superintendent Ford, Planning Manager Gould, and Economic Development Specialist Buckingham were also present.

Also present was City Engineer Garing.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz announced that on Monday, September 15, 2008, after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Pending Litigation
Pursuant to Government Code Section 54956.9(a)
Northwest Grover Beach Neighborhood Alliance v. City of Grover Beach, et al.,
San Luis Obispo Superior Court Case No. CV 010660.
2. Public Employee Appointment
Pursuant to Government Code Section 54957
Title: Economic Development Specialist

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

AGENDA REVIEW

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

Recess: Upon consensus of the City Council, the meeting recessed at 6:37 p.m. to the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 6:59 p.m., the meeting reconvened with all Council Members present.

CEREMONIAL CALENDAR

None at this time.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public for comment on any items of interest which were within the jurisdiction of the City Council but were not listed on the agenda.

- A. Linda McClure, Arroyo Grande resident and Grover Beach business owner, invited interested persons to attend a local business organization meeting for "Business Professionals United".

- B. Derrick Sprague, Arroyo Grande, inquired regarding progress on the request to allow use of the skate park by BMX bike riders.

Upon request, Parks and Recreation Director Petker provided a brief update of her research regarding facility requirements for BMX bicycles and the risks associated with allowing bicycles at skate park facilities. She confirmed that the information would be scheduled for presentation to the Council and that she had been in contact with Mr. Sprague regarding this matter.

PUBLIC HEARINGS

Prior to discussion of the Public Hearing Item No. 1, Council Member Bright declared a conflict of interest, due to her residence being within 500 feet of the project site. She then stepped down from the dais and left the Council Chambers.

1. **Approval of Tentative Tract Map No. 2849 for Development Permit Application No. 08-017 Located at 1510 Brighton Avenue.** Applicant: Gabe Ramirez;
Location: 1510 Brighton Avenue

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Planning Manager Gould provided an overview of the proposed project which had been amended by the applicant to a five-unit Planned Unit Development (PUD), retaining an existing seven-unit apartment building and deed-restricting three of the units for moderate-income households, and including one common lot for a parking lot and common open space "pocket park" for residents.

The previous project approved by the Council in February 2007 included conversion of the apartment building to condominiums, which was now being omitted. Some minor modifications had been approved administratively by the former Community Development Director. However, retention of the rental units was not in substantial compliance with the original approved Tentative Tract Map. She stated that the applicant was therefore required to prepare a new Tentative Tract Map, which had been reviewed and approved by the Planning Commission on September 9, 2008. Planning Manager Gould then responded to Council questions regarding the deed-restricted units for moderate-income households.

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.

Brief discussion was held regarding the types of project modifications to be handled administratively.

Action: It was m/s by Council Member Lieberman/Mayor Pro Tem Nicolls to adopt Resolution No. 08-75 approving Tentative Tract Map No. 2849 for Development Permit Application No. 08-017, subject to the recommended findings and conditions. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Lieberman, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.
RECUSED: Council Member Bright (due to a conflict of interest).

Resolution No. 08-75: A Resolution of the City Council of the City of Grover Beach, California, Approving Tentative Tract Map No. 2849 for Development Permit Application No. 08-017.

At this time, Council Member Bright returned to the dais.

2. Approval of Tentative Tract (Condominium) Map No. 2953 to Allow Commercial and Live-Work Airspace Condominiums in the Coastal Industrial (C-I) Zone.

Applicant: Ron McKenna; Location: 200 S. 4th Street.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Planning Manager Gould provided an overview of the proposed project to subdivide a three-story, commercial live/work building into seven airspace condominiums and three common area lots. No physical changes were being proposed to the building; therefore, a new coastal development permit was not necessary.

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.

There was no Council discussion held.

Action: It was m/s by Council Member Lieberman/Mayor Pro Tem Nicolls to adopt Resolution No. 08-76 approving Tentative Tract Map No. 2953 for Development Permit Application No. 07-029, subject to the recommended findings and conditions. 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. 08-76: A Resolution of the City Council of the City of Grover Beach, California, Approving Tentative Tract Map No. 2953 for Development Permit Application No. 07-029 (200 South 4th Street).

CONSENT AGENDA

It was m/s by Council Members Ashton/Bright to approve Consent Agenda Item Nos. 3, 4, 5, and 6, 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.

3. Treasurer's Report for the Period September 10 - October 1, 2008.

Action: Approved as submitted.

4. Minutes of the Following City Council Meetings:

- Regular City Council Meeting of Monday, May 5, 2008; and
- Joint City Council/Improvement Agency Meeting of May 5, 2008.

Action: Approved the minutes as submitted.

5. Award of Bid - Sewer Cleaning and Video Inspection, Newport Avenue and North of Newport Avenue. Consideration of bids received on September 4, 2008 for sewer cleaning and video inspection services.

Action: 1) Adopted Resolution No. 08-77 awarding the Sewer Cleaning and Video Inspection Project to the lowest responsive bidder, Video Inspection Specialists; 2) authorized the City Manager to sign and affirm change orders to the project in amounts of up to \$6,380 to be deducted from contingency funds; and 3) authorized the Mayor to execute the contract on behalf of the City.

Resolution No. 08-77: Resolution of the City Council of the City of Grover Beach, California, Awarding Sewer Cleaning and Video Inspection, Newport Avenue and North of Newport Avenue.

6. **Request by Pacific Gas and Electric Company to Establish an Easement to Relocate a Guy Wire Outside of the Public Right of Way.** Consideration of authorizing a utility easement to relocate an existing guy wire attached to a PG&E pole in the 900 block of Ramona Avenue in order to complete Ramona Transit Hub Project sidewalk improvements.

Action: Adopted Resolution No. 08-78 and authorized the City Manager to execute the Easement Deed on behalf of the City.

Resolution No. 08-78: A Resolution of the City Council of the City of Grover Beach, California, Granting Pacific Gas and Electric Company a Three Foot Wide by Ten Foot Long Access Easement to Relocate an Existing Guy Wire and to Perform Routine Maintenance on Their Infrastructure.

REGULAR BUSINESS

7. **Appointment to Parks, Recreation & Beautification Commission.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Parks & Recreation Director Petker reviewed the recommendation of the Advisory Body Screening Committee to appoint Arthur Giumini to fill the unexpired four-year term on the Commission, expiring on March 31, 2009, and to extend the appointment for an additional four-year term, expiring in 2013. She stated that one of the applicants, Mina Vaughn, had been unable to attend the scheduled interview time due to illness, but expressed her continued interest in being considered for re-appointment to the Commission in the future.

Action: It was m/s by Council Members Bright/Ashton to: 1) accept the Screening Committee's recommendations; and 2) adopt Resolution No. 08-79 authorizing the appointment of Arthur Giumini to an unexpired four-year term, scheduled to expire on March 31, 2009, and extending his appointment for an additional four-year term, scheduled to expire on March 31, 2013. 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. 08-79: A Resolution of the City Council of the City of Grover Beach, California, Appointing Arthur Giumini to Serve an Unexpired Four-Year Term and a Full Four-Year Term on the Parks, Recreation & Beautification Commission.

The Council commended former Commissioner Vaughn for her many years of service as a member of the Parks, Recreation & Beautification Commission.

Mayor Shoals then introduced Commissioner Giumini to the City Council and members of the audience.

8. **Consideration of Alternative Consolidation Concepts for the Delivery of Long-term Fire Services.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided an overview of collaborative efforts with the City of Arroyo Grande and the Oceano Community Services District to maximize the use of fire services personnel and resources to increase the delivery of services to the respective communities in a cost effective manner. In August 2007, the Fire Oversight Committee received a report regarding options for full consolidation of fire services:

- 1) *Contract for Services* - one existing partner would become the lead agency and deliver all services to the remaining partners with a contract. Staff members would become employees of the lead agency;

- 2) *Joint Powers Authority (JPA)* - creating a legally separate entity with all staff members being employees of the JPA and equipment becoming the property of the JPA; and
- 3) *Fire District* - formation of an independent government agency, requiring two-thirds voter approval and approval by the Local Agency Formation Commission.

City Manager Perrault reviewed the advantages and disadvantages of each option, and summarized a preliminary allocation of costs for each agency.

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

The following persons spoke in support of full consolidation of fire services:

- Tom Hughey, Grover Beach Fire Captain and Vice President of the International Association of Fire Fighters (IAFF), Local 4403; and
- Linda McClure, property and business owner.

There were no further public comments received.

Council discussion was held regarding the alternatives presented, a preference for local control of the fire service provided to the community, preferred options of either forming a Joint Powers Authority or Fire District, and the successful and cost effective results of the existing contract for fire services. The Council thanked and praised Council Member Lieberman for representing the City at the Fire Oversight Committee meetings.

Action: Upon unanimous consensus, the Council directed the Fire Oversight Committee representative to recommend the formation of a Joint Powers Authority (JPA) as the preferred alternative for consolidation of fire services.

COUNCIL COMMITTEE REPORTS

Council Member Ashton stated he had nothing to report at this time.

Council Member Bright stated she had nothing to report at this time.

Mayor Pro Tem Nicolls reported that the South San Luis Obispo County Sanitation District would be taking over the maintenance of the main sewer trunk line.

Council Member Lieberman stated his report was provided earlier in the meeting under Agenda Item No. 8.

Mayor Shoals stated he had nothing to report at this time.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Mayor Shoals stated that the San Luis Obispo Council of Governments (SLOCOG) recently held its 40th Anniversary celebration, which included a presentation regarding the challenges of meeting increased demand for transportation improvements with decreasing resources.
- B. Council Member Ashton inquired when the right-hand turn arrows painted on adjoining streets in the downtown area would be removed, as discussed at the previous Council meeting.

City Manager Perrault responded that estimated removal would occur within a week.

- C. Council Member Lieberman commended the Fire Department and the community for the recent memorial celebration held in honor of former Firefighter Rueben Palamaris, and thanked Police Chief Copsy for having the Police Department's Citizens Assistance Team (CATs) volunteers assist with the procession from the fire station to the memorial service.

- D. Council Member Bright suggested developing an ordinance to protect heritage trees in the City and requested information regarding how to start the process.

Action: Upon unanimous consensus, staff was directed to schedule this topic for Council discussion at a future meeting.

CITY MANAGER'S REPORTS AND COMMENTS

Prior to discussion of the following item, City Manager Perrault announced that the City was still accepting applications for a citizen appointment to the Citizens Transportation Advisory Committee, an advisory body to the San Luis Obispo Council of Governments.

9. Discussion Regarding Improvements / Upgrading the City Website.

City Manager Perrault stated that the City had requested the assistance of a local government agency webmaster to critique the City website and review his findings with the Council. He then introduced Mark van de Kamp, Management Analyst II and webmaster for the City of Santa Maria, to the City Council and members of the audience.

Mr. van de Kamp provided an overview of his critique, commented on specific areas of the website that needed attention, and recommended that the City seek modestly priced professional assistance from a company with municipal government experience to enhance the website in the areas of content, usability, graphics, and responsiveness to residents. He recommended querying other cities to request samples of Request for Proposals. He cited, as an example, the City of Santa Maria's successful contract with a vendor to launch an updated website in June 2007 at a cost of \$7,000, with several spinoff websites to promote specific City programs at costs ranging from \$500 to \$5,000. He summarized the three most critical components to focus on for a good website design, in order of priority, would be: 1) content, 2) ease of navigation, and 3) graphics to showcase the beach community.

Brief discussion was held regarding the advantages and disadvantages of recruiting from the local university for short-term website assistance, and estimated costs for ongoing maintenance consulting services. The Council thanked and praised Mr. van de Kamp for his assistance and recommendations.

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

Stephen Hughes, Grover Beach resident and a professor at California Polytechnic State University, stated that he teaches website design at the college, maintains one of the college websites, and has his own web development company in Grover Beach. He agreed with Mr. van de Kamp's assessment of the City website and suggested the Request for Proposal include requirements for Americans with Disabilities Act (ADA) compliance.

Action: Upon unanimous consensus, the Council received the report from Mr. van de Kamp and directed staff to: 1) research development of a Request for Proposal based on the recommendations received from Mr. van de Kamp, and 2) include the requirement for a website design to be ADA compliant.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 8:25 p.m., the Council met in Closed Session regarding the following item:

- 1. Conference with Legal Counsel - Pending Litigation**
Pursuant to Government Code Section 54956.9(a)
Northwest Grover Beach Neighborhood Alliance v. City of Grover Beach, et al.,
San Luis Obispo Superior Court Case No. CV 010660.

Closed Session Announcements: At 8:40 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, and announced the City Council approved settlement for this case on a 5-0 vote.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 8:40 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 3/2/09)