

**MINUTES
CITY COUNCIL MEETING
MONDAY, JANUARY 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 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, Police Chief Copsey, Parks and Recreation Director Petker, Community Development Director Hansen, Planning Manager Gould-Wells, Human Resources Coordinator Barrett, and Recreation Coordinator O'Donnell were also present.

Also present were City Engineer Garing, and Parks, Recreation and Beautification Commissioners Greeley, Laferriere, and Vice Chair Knapp.

CLOSED SESSION ANNOUNCEMENTS: Mayor Shoals read the following announcement:

On December 4, 2007 after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Pending Litigation
Pursuant to Government Code Section 54956.9(a)
North Grover Beach Neighborhood Alliance v. City of Grover Beach CV 070957
2. Public Employee Performance Evaluation
Pursuant to Government Code Section 54957
Employee: City Manager

the City Council reconvened into open session and made the following announcements: regarding Closed Session Item No. 1 - there were no reportable actions taken; regarding Closed Session Item No. 2 - by unanimous vote of those present (4-0-1, Council Member Bright absent), the Council agreed that an adjustment to the City Manager's compensation was warranted in view of his performance.

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. Proclamations of Appreciation to 2007 Holiday of Lights Award Winners.

Mayor Shoals was joined in the presentation by Parks and Recreation Director Petker, Recreation Coordinator O'Donnell, and members of the Parks, Recreation and Beautification Commission – Vice Chair Michele Knapp and Commissioners John Laferriere and Leah Greeley. Mr. Sam Greeley, who was seated in the audience, was acknowledged and thanked for taking event photographs.

Proclamations of Appreciation were presented to the following Holiday of Lights winners who were in attendance at the meeting:

- **Mayor's Award:** Michelle Gray, 465 Rockaway Avenue
- **City Council Award:** Pam Spicer, 321 Rockaway Avenue
- **Commissioner's Award:** Linda Hurley, 667 Ramona Avenue
- **Simple Elegance Award:** The Sheller Family, 1407 Saratoga Avenue
- **Business Award:** Ellie & Darrell Ross (Ellie's Place), 1435 W. Grand Avenue

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

- **Best Religious Display:** Kay Ancona, 1740 Nice Avenue
- **Window Painting Award:** Rudy & Angie Lopez, (Rudy & Angie's Restaurant), 1572 W. Grand Avenue

2. Proclamation of Appreciation to Participants of the Traffic and Noise Group (TANG).

Mayor Shoals was joined in the presentation by Police Chief Copsey. The proclamation was read and presented to those volunteer members who were present at the meeting: Gary Edmunds, Howard Conroy, and Anita Shower. Liz Doukas, who was seated in the audience, was also recognized as a volunteer member. The Council thanked all those who had participated in the Traffic and Noise Group meetings and invited anyone who was interested in serving on a formal advisory body to submit a City application form to the City Clerk's Office.

3. Proclamation of Appreciation to Former Planning Commissioner Karen Luce.

It was announced that this item would be deferred until later in the meeting, pending the arrival of former Planning Commissioner Luce.

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. Michele Knapp, Vice Chair, Parks, Recreation and Beautification Commission, in reference to Agenda Item No. 11, stated that the Commission had unanimously voted in support of naming the ball field at 16th Street Park "Ekbom Field", to recognize the donations being offered by former Council Member David Ekbom for softball field improvements.
- B. Liz Doukas, Grover Beach, spoke against discontinuation of the Traffic and Noise Group as a City-sponsored volunteer group and read a list of recommended solutions to address parking congestion in residential areas. She then announced information regarding monthly meetings of Neighborhood Watch.
- C. Howard Conroy, Grover Beach, expressed concerns regarding recent actions by the County of San Luis Obispo regarding affordable housing units, and prices for those units being amended in the midst of the escrow process.
- D. Sue Hartman, Grover Beach, suggested that citizens contact City staff directly regarding traffic and noise issues.

PUBLIC HEARINGS

4. Second Reading of Ordinance No. 07-10 Adopting the 2007 California Building Code, the 2007 California Electrical Code, the 2007 California Mechanical Code, the 2007 California Plumbing Code, the 2007 Existing Building Code, and the 2006 International Property Maintenance Code and Related Appendices.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Hansen gave a brief overview of the staff report regarding the proposed Ordinance to implement recent changes in the California Building and Construction Codes. 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 Council Members Lieberman/Ashton to conduct second reading, by title only, and adopt Ordinance No. 07-10. 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. 07-10: An Ordinance of the City Council of the City of Grover Beach, California, Amending Sections 8100-8110 of Article VIII of the Grover Beach Municipal Code Related to the Adoption of the California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, California Existing Building Code and the International Property Maintenance Code, and Adopting by Reference those Certain Codes Known and Designated as the California Building Standards Codes and Related Appendices, and Repealing and Amending Provisions within Chapter 1 for Internal Consistency and Clarification. (Second Reading)

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Council Member Lieberman stated that he would abstain from voting on the Minutes of the Regular City Council Meeting of October 1, 2007 (Agenda Item No. 6), as he was absent from that meeting. It was noted that Council Member Bright was recused from Item No. 9 as she had previously declared a conflict of interest for having deliberated on that particular project as a member of the Planning Commission. It was m/s by Council Members Ashton/Bright to approve Consent Agenda Item Nos. 5, 6, 7, 8, 9, and 10, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright (*except* for Item No. 9), Lieberman (*except* for Item No. 6), Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Member Lieberman (for Item No. 6 *only*).
RECUSED: Council Member Bright (for Item No. 9 *only*, consistent with her prior position due to a conflict of interest).

5. **Treasurer's Report for the Period November 29, 2007 - January 2, 2008.**
Action: Approved as submitted.
6. **Minutes of the Following City Council Meetings:**
- Tuesday, September 25, 2007 Joint City Council / Planning Commission Meeting;
- Monday, October 1, 2007 Regular City Council Meeting.
Action: Approved the minutes as submitted.
7. **Increase in Hourly Wage Scale for One Part-time Job Class Due to an Increase in the California Minimum Wage.**
Action: Adopted Resolution No. 08-01, amending the Classification and Compensation Plan for the part-time salary schedule for the single job class of Recreation Specialist (P/T).

Resolution No. 08-01: A Resolution of the City Council of the City of Grover Beach, California, Amending the Classification and Compensation Plan Resolution No. 02-73 to Revise the Hourly Wage Scale for One Part-Time Job Class Due to the Recent Increase in the California Minimum Wage.
8. **Award of Bid for Oak Park Boulevard Sidewalk Project.** Award of bid for a sidewalk infill project on Oak Park Boulevard from West Grand Avenue to the northern City limits.

Action: 1) Adopted Resolution No. 08-02 awarding the Oak Park Boulevard Sidewalk Project to the lowest responsive bidder, Brinar Construction, Inc.; 2) authorized the City Manager to sign and affirm project change orders in amounts totaling up to \$7,031 to be deducted from said contingency; and 3) authorized the Mayor to execute the contract on behalf of the City.

Resolution No. 08-02: Resolution of the City Council of the City of Grover Beach, California, Awarding the Oak Park Boulevard Sidewalk Project.

9. **Approval of Final Tract Map for Tract 2820 for 385 South 8th Street (APN 060-281-008), Development Permit Application No. 05-071.** Final Tract Map for a common lot subdivision with five residential condominium units, one of which was designated as an affordable housing unit for moderate-income households.
Action: Adopted Resolution No. 08-03.

Resolution No. 08-03: A Resolution of the City Council of the City of Grover Beach, California, Approving Final Tract Map No. 2820, Authorizing the City Clerk to Record Final Tract Map No. 2820 (385 South 8th Street).

10. **Amendments to Agreement for Professional Services Between the City Manager and the City of Grover Beach.**
Action: Approved the agreement between the City and Mr. Robert Perrault, and authorized the Mayor to execute the agreement on behalf of the City.

REGULAR BUSINESS

11. **Consideration of Accepting Donations for Recreation Equipment at 16th Street Park.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Parks and Recreation Director Petker gave a brief overview of the proposal from former Council Member David Ekbohm to donate direct costs related to improvements to the 16th Street Park ball field and for a new sign. Proposed improvements included a new backstop, bleachers, base line fencing, and a sign for the ball field. The donations were contingent upon the ball field being named "Ekbohm Field" in perpetuity, and were estimated to be valued at approximately \$13,000.

Parks and Recreation Director Petker confirmed that at the November 14, 2007 meeting, the Parks, Recreation and Beautification Commission had unanimously voted to support the proposed project and recommended that the Council accept the donations. She then responded to questions regarding cost and labor estimates to install the proposed improvements. It was noted that government project pricing would be in effect if the City were to fund the project. It was further noted that opening day for local softball groups was scheduled for March 1st.

Brief discussion was held regarding the absence of a naming policy for City facilities, the Commission's recommendation that determinations regarding naming facilities be conducted on a case-by-case basis to allow more flexibility, and various options available to the Council if it chose to reverse a decision at some point in the future regarding a named facility.

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

The following persons spoke in support of the proposal and accepting the donations:

- Parks, Recreation and Beautification Commissioner Laferriere and Vice Chair Knapp;
- Five Cities Girls Softball Board Members:
Greg Underwood, Arroyo Grande, Fields Director;
Thomas Collins, Grover Beach, Game Scheduler;
Butch Lemos, City of Pismo Beach Parks and Recreation Commissioner; and
Lorraine Donegan, Grover Beach.

The following person spoke against accepting the donations or naming a City-facility after a living individual:

- Liz Doukas, Grover Beach.

The following person also spoke under the public comment period:

Gary Edmonds, Grover Beach, who suggested naming the ball field after a donor until such time when the donated equipment was replaced.

There were no further public comments received.

Further Council discussion was held regarding naming policies/practices in other jurisdictions, whether to first establish a naming policy, the Council's ability to reverse its decision at some future point in time, and the possibility of soliciting donations from other jurisdictions towards improvements for regionally-utilized ball field facilities. Additional discussion was held regarding whether to amend the draft resolution to either include verbiage regarding actions required in the event of project funding shortfalls or to delete the reference regarding the estimated monetary value of the donations.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Bright to: 1) follow the recommendation of the Parks, Recreation and Beautification Commission and accept the donations for improvements at the 16th Street Park ball field; 2) amend the draft Resolution to delete any reference to a specific monetary value of the donations; and 3) adopt Resolution No. 08-04, as amended, accepting the donations and naming the ball field "Ekbon Field", in perpetuity. 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. 08-04: A Resolution of the City Council of the City of Grover Beach, California, Accepting the Donation of a New Backstop, Benches, Sideline Fencing and a Sign at 16th Street Park, and Naming the Ball Field Area "Ekbon Field" in Perpetuity.

Upon request from the Council, Parks and Recreation Director Petker provided a verbal update on the five foot tall sand stone slabs that had been special ordered for the Harold Hatley Memorial. It was noted that the memorial design work had been donated to the City by the consultant; and that the Five Cities Men's Club, under the lead of former Council Member David Ekbon, had volunteered to assist City crews with the installation.

Recess: Upon consensus of the City Council, the meeting recessed at 8:00 p.m.
Reconvene: At 8:12 p.m., the meeting reconvened with all Council Members present.

12. Consideration of Request to Vacate a Portion of Right-of-way Along Brighton Avenue Between Front Street and North 4th Street.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Engineer Garing stated that a letter had been received from Susan Silva-Treadwell, on behalf of her mother, Albertina Silva, to vacate a 15-foot portion of City street right-of-way in front of the residence located at 248 Brighton Avenue. The request was to help meet lot coverage requirements necessary to construct a new single-level home for her elderly mother, who had owned the property since the 1970s.

City Engineer Garing stated that Brighton Avenue was historically a 100 foot right-of-way, but it later was determined that only a 70 foot right-of-way was necessary to meet the needs of the public. To date, Brighton Avenue has already been reduced between 4th Street and Oak Park Boulevard. After reviewing the request, it was concluded that the entire Brighton Avenue frontage, from Front Street to North 4th Street, could be reduced to a 70-foot right-of-way. He stated that engineering and processing costs were estimated to be between \$1,500 to \$2,000.

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

Susan Silva-Treadwell, Grover Beach, spoke in support of the vacation request.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Lieberman to direct the City Clerk to set, post, and notice a Public Hearing for Monday, February 4, 2008 to consider vacation of right-of-way along Brighton Avenue, from Front Street to North 4th Street. 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.

13. Status Report - Proposed Zoning Ordinance Amendment Revising Residential Development Standards as Contained in Article IX (Planning and Zoning Regulations) of the Grover Beach Municipal Code.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Community Development Director Hansen summarized Council direction provided over the course of three previous meetings on revising residential development standards in R-1, R-2, and R-3 zoning districts, and proposed revisions to base residential zoning district development standards and Part 40 development standards. He and City Manager Perrault then responded to questions.

Mayor Shoals invited public comments on this matter.

Gary Edmunds, Grover Beach, spoke in support of lowering building heights, but objected to tandem parking.

Liz Doukas, Grover Beach, expressed concerns that a five foot setback was insufficient and that parking requirements were inadequate.

There were no further public comments received.

Brief Council discussion was held regarding:

- potential negative impacts from the proposed parking requirements;
- defining "side yard" and "front yard", and providing greater separation between structures;
- in R-1 zones: additions and detached garages to have setbacks of less than 10 feet;
- in R-3 zones: 2,200 square feet being the minimum lot size for 20 dwelling units/acre; and
- Part 40: establishing the minimum lot size for a residential common area development to be consistent with the General Plan density of up to 20 units/acre.

Upon question, staff provided an overview of the review process to amend residential development standards that would include input from the public, Planning Commission, and City Council.

The Council commended staff for bringing the draft zoning Ordinance amendment so quickly to the Council for review and comment.

Action: Upon unanimous consensus, the Council directed staff to proceed with drafting an amendment to the Grover Beach Municipal Code to revise Residential Development Standards.

Recess: Upon consensus of the City Council, the meeting recessed at 8:59 p.m. to the Joint City Council/Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 9:53 p.m., the meeting reconvened with all Council Members present.

COUNCIL COMMITTEE REPORTS

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

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

Mayor Pro Tem Nicolls stated that he had nothing to report at this time.

Council Member Lieberman reported on the meeting of the Fire and Emergency Services Oversight Committee.

Mayor Shoals reported on recent changes to South County Area Transit (SCAT) regarding transfer fees and the transfer station located at the Pismo Beach Prime Outlets. He then reported on the meeting of the South San Luis Obispo County Sanitation District and steps being taken to transfer the sewer trunk line on Highway One.

CITY COUNCIL AGENDA

None at this time.

COUNCIL COMMUNICATIONS

None at this time.

CITY MANAGER'S REPORTS AND COMMENTS

14. Request to Schedule an Item on a Future Agenda Regarding the Formation of a Lodging Business Improvement District.

City Manager Perrault stated that the City had received a letter from the Steering Committee of the San Luis Obispo County Visitors and Conference Bureau (VCB) regarding proposed formation of a county-wide Lodging Business Improvement District (BID) to fund a tourism marketing program. He then reviewed the necessary steps, if the City was interested in participating, for formation of the District. He also noted that not all cities would be participating in the county-wide effort. He and City Attorney Koczanowicz responded to questions regarding potential impacts from a BID to the proposed Grover Beach Lodge and Conference Center Project and existing City resources.

Action: Upon unanimous consensus, it was determined *not* to schedule the request on a future Council agenda.

15. Report on the Beachfront Lodge Executive Committee.

City Manager Perrault gave a verbal report on recent activities of the Executive Committee in preparation for receipt of proposals for the Grover Beach Lodge and Conference Center, and reviewed the formation process for a five-member Awards Board.

16. Next Regular City Council Meeting.

City Manager Perrault reminded all those present that the next regular City Council meeting would be held on Tuesday, January 22, 2008, as City offices would be closed on Monday, January 21 in observance of Martin Luther King, Jr., Day.

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 10:08 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 3/17/08)