

**MINUTES
CITY COUNCIL MEETING
MONDAY, MARCH 6, 2006**

CALL TO ORDER Mayor Versaw 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 Caitlyn Cobb, a nine-year-old, fourth grade student at Grover Heights Elementary School.

ROLL CALL

City Council: Council Members Ashton, Shoals, and Mayor Versaw were present. Council Member Ekbohm and Mayor Pro Tem Lieberman were absent.

City Staff: Interim City Manager Dunn, Assistant City Attorney Donaldson, City Clerk McMahon, Administrative Services Director Chapman, Interim Community Development Director Hansen, Police Chief Copsey, Recreation Manager Petker, Planner III Hetherington, Planner I Nicholas, and Planner I Reese were also present.

Also present was City Engineer Garing.

Announcements: For the information of those present, Mayor Versaw announced the following items would be continued to the next regular City Council meeting of Monday, March 20, 2006, due to the absence of Council Member Ekbohm and Mayor Pro Tem Lieberman from this meeting:

- Agenda Item No. 7, regarding the Traffic Committee Report of February 9, 2006 and request to allocate funds for a traffic warrant study.
- Agenda Item No. 10, regarding Development Permit Application No. 05-053 for three detached, three-story residential condominiums in the Multiple Residential (R-3) District. Mayor Versaw stated that he would be recusing himself from the discussion at that time.
- Agenda Item No. 11, regarding the Request to Vacate a Portion of Right-of-Way on Grand View Drive. Mayor Versaw stated that Council Member Ashton would be recusing himself from the discussion at that time due to a conflict of interest.

CLOSED SESSION ANNOUNCEMENTS: Mayor Versaw read the following announcements:

On Tuesday, February 21, 2006, after the City Council met in Closed Session regarding:

1. Conference with Labor Negotiator
Agency Negotiator: City Manager, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, and Fire Chief.
Represented Employee Group: International Association of Fire Fighters (IAFF), Local 4403.

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

On Tuesday, February 21, 2006, after the City Council/Improvement Agency met in Closed Session regarding:

1. Conference with Real Property Negotiators
Property: APN 060-381-010-012
Agency negotiator: Interim City Manager and City Attorney.
Negotiating party: State of California Department of Parks & Recreation.
Under negotiation: Terms of payment.

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

CEREMONIAL CALENDAR

1. Proclamation Declaring March 2006 as "American Red Cross Month".

Mayor Versaw read and presented the Proclamation to Larry Womack, Chairman of the San Luis Obispo County Chapter of the American Red Cross. Mr. Womack spoke briefly on the significant number of California volunteers who had assisted in the relief efforts after Hurricanes Katrina and Rita. He then thanked and praised Mayor Versaw and Mayor Pro Tem Lieberman for their recent American Red Cross volunteer work in Louisiana.

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 spoke in support of Community Development Block Grant (CDBG) funding for the Mentone Storm Drain Project and expediting construction as soon as possible, Agenda Item No. 9:

- Danny Jones, Nice Avenue, Grover Beach;
- Greg Noe, South Seventh Street, Grover Beach;
- Sue Parent, Mentone Avenue, Grover Beach;
- Mike Irwin, Mentone Avenue, Grover Beach; and
- Tom Girard, Cabrillo Court, Grover Beach.

Upon request from the City Council, Interim City Manager Dunn gave a brief overview of progress to date on the Mentone Storm Drain Project. He stated that construction was anticipated to begin in late summer with an estimated project completion date to occur before the next winter storms.

B. Gary Edmunds, Grover Beach, expressed concern that five separate development projects were being proposed for three-story buildings.

C. The following persons spoke regarding grievances and pending legal action filed against the owners and management company of LeSage Riviera Mobile Home Park, and inquired if there had been any response to the City's letter sent to the management company regarding rent control:

- Jim Ericksen, LeSage Riviera Mobile Home Park;
- Phyllis Scholl, LeSage Riviera Mobile Home Park, who requested an explanation of a notice she had received from the property management company for a sewer rate increase; and distributed copies of an Incident Report outlining her complaint;
- Raymond Long, LeSage Riviera Mobile Home Park, who requested clarification if his mobile home qualified for rent control; and
- Dick Giles, LeSage Riviera Mobile Home Park, who referenced a letter provided earlier to Council Member Shoals regarding a dispute with another resident of the park.

Council Member Shoals confirmed he had received a copy of a letter from Mr. Giles and would forward it to the City Clerk and other members of the City Council.

D. Don Fielding, Grover Beach, objected to recent Council/Agency comments regarding eminent domain, objected that the Council would consider a Development and Disposition Agreement for the proposed Grand Paseo Hotel project prior to the project being reviewed by the Planning Commission, and requested a determination on whether a Blue Ribbon Committee would be formed to study the issue of parking.

There were no further public comments received, and the Mayor closed the Public Communications segment for this portion of the meeting.

CONSENT AGENDA

It was m/s by Council Members Ashton/Shoals to approve Consent Agenda Item Nos. 2, 3, and 4 as recommended. The motion carried on the following roll call vote:

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

2. **Treasurer's Report for the Period February 16, 2006 - March 1, 2006.**
Action: Approved as submitted.
3. **Minutes of the Following City Council Meetings:**
 - **Special Joint City Councils/Community Services District Meeting of January 30, 2006;**
 - **Regular City Council Meeting of February 6, 2006;**
 - **Joint City Council/Improvement Agency Meeting of February 6, 2006; and**
 - **Special City Council Meeting of February 15, 2006.****Action:** Approved the minutes as submitted.
4. **2005 Urban Water Management Plan.**
Action: Adopted Resolution No. 06-14, formalizing the approval and adoption of the 2005 Urban Water Management Plan.

Resolution No. 06-14: A Resolution of the City Council of the City of Grover Beach, California, Approving and Adopting an Urban Water Management Plan for the City of Grover Beach.

REGULAR BUSINESS

5. **Water Shortage Contingency Plan and Resolution.** Mayor Versaw read the title to the foregoing item and deferred to staff for a report. Referencing a PowerPoint presentation, City Engineer Garing gave an overview of the report regarding a proposed contingency plan in the event of a water shortage. He reviewed the various stages of action during a water shortage, methods to reduce water consumption, prohibitions on the use of potable water, fines and penalties if water reduction goals were not met, water shortage impacts on revenues and expenditures, and various water usage measuring mechanisms. He then responded to questions from the Council.

Mayor Versaw invited comments from those in the audience who wished to be heard on this matter. There were no public comments received.

Action: It was m/s by Council Members Shoals/Ashton to adopt Resolution No. 06-15 for a Water Shortage Contingency Plan. The motion carried on the following roll call vote:

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

Resolution No. 06-15: A Resolution of the City Council of the City of Grover Beach, California, Establishing A Water Shortage Contingency Plan.

6. **Proposed Ordinance Regarding Administrative Citations and Penalties.** Mayor Versaw read the title to the foregoing item and deferred to staff for a report. For the information of those present, Assistant City Attorney Donaldson gave an overview of the proposed Ordinance to establish an administrative citation and penalty process as a more efficient and effective mechanism to resolve violations of the Municipal Code. He then noted clerical corrections to section numbers in the proposed Ordinance. He and Police Chief Copsey then responded to questions from the Council.

Discussion ensued regarding the process and appointment of a hearing officer, authorizing code enforcement officers to determine whether a specific violation warranted a criminal or

administrative citation, and that an administrative citation process would be a more effective method to enforce certain zoning code regulations.

Mayor Versaw invited comments from those in the audience who wished to be heard on this matter. There were no public comments received.

Action: Upon consensus (Council Member Ekbom and Mayor Pro Tem Lieberman absent), the City Council directed staff to schedule this matter for Public Hearing in May 2006.

7. **Traffic Committee Report of February 9, 2006.** Citizen request to authorize funds for a \$4,000 warrant study to be conducted at the intersection of North 13th Street and Newport Avenue.

At this time, no public comment was taken on this matter.

Action: Mayor Versaw again announced that since this matter included a request to appropriate funding for a warrant study and two Council Members were absent from this meeting, it was being continued to the next regular City Council meeting of March 20, 2006.

PUBLIC HEARINGS

For the information of those present, Mayor Versaw again announced that Public Hearing Item Nos. 10 and 11 were both being continued to the regular City Council meeting of Monday, March 20, 2006.

8. **Development Impact Fee Study - Proposed Update to Impact Fees for Parks and Recreation Facilities.** *(Continued Public Hearing from City Council meeting of 2/6/06.)*

Mayor Versaw read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Referencing the updated study prepared by Tuckfield & Associates, Interim Community Development Director Hansen gave an overview of the report, and outlined how the calculations had been determined for proposed fees for parks and recreation facilities. He and Recreation Manager Petker then responded to questions from the Council.

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

Gary Edmunds, Grover Beach, suggested the City consider developing small neighborhood "pocket parks".

There were no further public comments received.

Further Council discussion was held regarding the list of potential parks and recreation facility projects in the Park and Recreation Element of the General Plan; revising the list into low-range and mid-range cost categories as well as adding additional projects; and continuing this matter to a future meeting when all members of the City Council were scheduled to be present.

Action: Upon consensus (Council Member Ekbom and Mayor Pro Tem Lieberman absent), the Council directed staff to prepare a Resolution for a park impact fee that would provide cost ranges for projects including four potential parks and facility projects - El Camino Oaks Trail, Cleaver Park, Senior Center, and Charles Street Path, and evaluate which of these projects would fit into the fee range identified. In addition, the Council continued the Public Hearing to the regular City Council meeting of June 3, 2006.

9. **2006-07 Community Development Block Grant Program and Recommendation for Final Allocation to the County of San Luis Obispo Board of Supervisors.**

Mayor Versaw read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Interim Community Development Director Hansen gave an overview of the report for allocation of the 2006 Action Plan by the San Luis Obispo County Board of Supervisors for construction of the Mentone Storm Drain from 8th Street to 14th Street and, if there were any funds remaining, to construct and reconstruct infrastructure improvements, including handicap ramps, curbs, gutters, sidewalks, public utilities, parks and streets to benefit low- and moderate-income residents in Census Tract 121. He also

noted a correction to the staff report and proposed Resolution to revise the word "draft" funding recommendations to "final" funding recommendations.

Discussion was held regarding an anticipated letter from the Los Angeles office of the Department of Housing and Urban Development making a determination as to whether the Mentone Storm Drain Project met federal funding guidelines, and meetings held earlier between staff and the City Engineer regarding project design alternatives to maximize all grant funds received.

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

The following persons spoke in support of allocating funds for the Mentone Storm Drain Project:

- David Dodson, Mentone Avenue, Grover Beach;
- Don Fielding, Grover Beach;
- Gary Edmunds, Grover Beach;
- Todd Dupray, Mentone Avenue, Grover Beach; and
- Richard Anderson, Mentone Avenue, Grover Beach.

There were no further public comments received and Mayor Versaw closed the Public Hearing.

Action: It was m/s by Council Members Shoals/Ashton to adopt Resolution No. 06-16, as amended, allocating Community Development Block Grant (CDBG) funds for the 2006 Annual Action Plan to the Mentone Avenue Storm Drain Project. The motion carried on the following roll call vote:

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

Resolution No. 06-16: A Resolution of the City Council of the City of Grover Beach, California, City Council Approving the 2006 Community Development Block Grant (CDBG) Program and Recommends Final Allocation by the County of San Luis Obispo Board of Supervisors.

10. **Development Permit Application No. 05-053, Approval of Architectural Plans, Use Permit, and Tentative Parcel Map to Construct Three Detached, Three-Story Residential Condominiums in the Multiple Residential (R-3) District and Request for a Partial Waiver of the Underground Utility Requirements** - Request for Architectural Plans, Use Permit, and Tentative Parcel Map to construct three (3) detached, three-story residential condominiums in the Multiple Residential (R-3) District; and a request for a waiver of the underground utility requirement for a portion of the existing overhead utilities along the property frontages due to a non-action by the Planning Commission. Property Owner/Applicant: Eric Ekdahl. Project Site Location: 506 Longbranch Avenue.

Action: As announced earlier, Mayor Versaw stated this Public Hearing item was continued to the regular City Council meeting of March 20, 2006. No public comments were received at this time.

11. **Request to Vacate a Portion of Right-of-Way on Grand View Drive** - Request to abandon a portion of the western edge of Grand View Drive right-of-way 13 ½ feet wide and 105 feet long. Property Owners: Bob Grayson and Martin Friedman. Project Site Location: 885 North 6th Street (APN 060-501-020).

Action: As announced earlier, Mayor Versaw stated this Public Hearing item was continued to the regular City Council meeting of March 20, 2006. No public comments were received at this time.

COUNCIL COMMITTEE REPORTS

Council Member Ashton reported on the meeting of the Parks, Recreation and Beautification Commission and upcoming Volunteer Night dinner; displayed photos from a recent tour with State Parks Superintendent Nick Franco of the San Simeon area during a recent one-day county-wide Parks and Recreation Commission workshop. He then gave a report on the meeting of the San Luis Obispo County Water Resources Advisory Board.

Council Member Shoals gave a report on meetings of the San Luis Obispo Council of Governments, Beach Lodge & Conference Center Ad Hoc Committee, and Coast Rails Committee. He then distributed copies of a brochure regarding Amtrak's Coast Daylight route.

Mayor Versaw reported on the meeting of the Economic Vitality Corporation and the League of California Cities Mayors and Council Members Academy Leadership Institute he had attended in mid-January. He stated two responses had been received from County officials as a result of the City's letter to the Board of Supervisors regarding potential negative impacts from the sewer plant project in Los Osos. He then reported on a meeting with Assembly Minority Leader Kevin McCarthy and Assembly Member Sam Blakeslee regarding the adverse consequences on local agencies as a result of legislative action on planning regulations.

CITY COUNCIL AGENDA

None at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Ashton objected to the removal of public telephones from the Grover Beach Train Station and the South County Skate Park, citing public safety concerns. Upon question, Police Chief Copsey stated a privately funded payphone was to be installed at the Train Station.

Council Member Ashton then distributed copies of a new Amtrak brochure for the Pacific Surfliner route that featured the Grover Beach Train Station on the front cover. He also noted an article in the newspaper regarding the sale of a hotel property on El Camino Real.

- B. Council Member Shoals stated he had received a citizen suggestion to have the City host a celebration event marking the tenth anniversary of the Grover Beach Train Station during the month of May 2006.

Upon consensus of the City Council, staff was directed to organize a Train Station tenth anniversary celebration and contact members of the Police Department's Citizens Assistance Team to assist with the event.

- C. Mayor Versaw inquired if there was any interest in conducting a public workshop on the development of three-story mixed-use projects in the City.

Discussion was held regarding the City's existing regulations, increasing property values in the real estate market, projects currently being reviewed in the Community Development Department, and the recently observed trend for proposed projects designed with the maximum building height of 40 feet.

Upon consensus of the City Council, staff was directed to provide the Council with a report on current development activities, general development trends, specifically identify those areas in the community that allowed multiple developments of three-story residential units, and to also provide information on insurance costs for condominiums and attached units.

CITY MANAGER'S REPORTS AND COMMENTS

12. Status Report on the Fire Consolidation Oversight Committee.

Due to the absence of two Council Members at this meeting, Interim City Manager Dunn suggested continuing this item to the next meeting.

Action: Upon consensus of the City Council, this matter was continued to the next regular City Council meeting of Monday, March 20, 2006.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Versaw adjourned the meeting at 9:28 p.m.

/s/ LARRY VERSAW, MAYOR

Attest: /s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 4/3/06)