

**MINUTES
CITY COUNCIL MEETING
MONDAY, APRIL 16, 2007**

CALL TO ORDER Mayor Lieberman called the meeting to order at 6:32 p.m. in the City Hall Council Chambers, 154 South Eighth Street, Grover Beach, California.

MOMENT OF SILENCE A moment of silence was held in remembrance of the victims of the recent school shooting at Virginia Polytechnic Institute and State University and their families.

FLAG SALUTE The flag salute was led by Ramie Castilleja, an 11-year-old sixth grade student from North Oceano Elementary School.

ROLL CALL

City Council: Council Members Ashton, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Community Development Director Hansen, Police Chief Copsey, Fire Chief Hubert, Public Works Superintendent Ford, Recreation Coordinator Manuele, and Human Resources Coordinator Barrett were also present.

Also present was City Engineer Garing.

CLOSED SESSION ANNOUNCEMENTS: Mayor Lieberman read the following announcement:

On Monday, April 2, 2007, after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
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
2. Conference with Real Property Negotiators
Property: APN 060-271-016
Agency negotiator: City Manager and City Attorney
Negotiating party: Eric Ekdahl, property owners' negotiator
Under negotiation: Property negotiations regarding price

the City Council reconvened into open session, with Council Member Versaw absent, and announced that Closed Session Item No. 1 was cancelled, and no reportable actions were taken on Closed Session Item No. 2.

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. **Proclamation Declaring April 27, 2007 as "Arbor Day".**

Mayor Lieberman read and presented the Proclamation to Recreation Coordinator Rachael Manuele.

2. **Proclamation Declaring May 2007 as "Bike Month" and May 14 - 18, 2007 as "Bike to Work and School Week".**

Mayor Lieberman read and presented the Proclamation to San Luis Obispo Regional Ride Share Coordinator Lisa Quinn.

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. Jim Rowland, Grover Beach, commended the City for the City Manager's recent letter mailed to all residents reporting on the progress of City activities and the informative citywide newsletter, which invited members of the public to attend the goal setting sessions. He suggested the following as top priorities: public safety and continuing to pursue collaborative efforts with other agencies to enhance the delivery of public services.
- B. John Wysong, Grover Beach, objected to commercial trucks driving on residential streets and a recent fire inspection of his backyard.
- C. Gary Edmunds, Grover Beach, thanked the Council for representing the community on the Oceano Dunes Task Force and spoke in support of continuing to allow off-highway vehicles on the dunes.

PUBLIC HEARINGS

None at this time.

CONSENT AGENDA

It was m/s by Council Members Ashton/Nicolls to approve Consent Agenda Item Nos. 3, 4, and 5, as recommended. The motion carried on the following roll call vote:

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

- 3. **Treasurer's Report for the Period March 27 - April 10, 2007.**
Action: Approved as submitted.
- 4. **Minutes of the Regular City Council Meeting of Tuesday, February 20, 2007.**
Action: Approved as submitted.
- 5. **2007 Weed Abatement Program.**
Action: Adopted Resolution 07-41 to ensure that properties throughout the City are cleared and maintained for fire prevention purposes, and that any abatement costs incurred by the City would be assessed to the property owner.

Resolution No. 07-41: A Resolution of the City Council of the City of Grover Beach Declaring Weeds to be a Nuisance and Providing for Weed Abatement Pursuant to Government Code Sections 39560 Through 39588; Article 2 - Alternative Procedures for Weed and Rubbish Abatement.

REGULAR BUSINESS

- 6. **Consideration of the Harold Hatley Memorial Design Concept at Grover Heights Park.**

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. On behalf of Parks and Recreation Director Petker, who was out on medical leave, City Manager Perrault gave an overview of the design concept for placement of a memorial plaque seating area at Grover Heights Park to honor former Grover Beach resident Harold Hatley. He stated that, working with members of the Hatley family, a trust account had been established for the community to donate funds towards a memorial project, which now totaled approximately \$3,300. In response to the City's request to rename the park after Mr. Hatley, the Lucia Mar Unified School District had approved only the placement of a dedicated memorial within the park. City Manager Perrault stated that the memorial design concept had been donated by David Foote of *firma* and the design concept was supported by members of the Hatley family and the Parks, Recreation & Beautification Commission.

Mayor Lieberman invited public comments on this matter.

Karl Bloom, Grover Beach, spoke in support of the project and requested that the City subsidize any project costs not covered by community donations.

David Foote, of *firma*, responded to questions regarding the proposed project. He estimated the project costs to be two to three times the amount of the donations received to date.

Brief Council discussion was held regarding the proposed inscription. The Council thanked Mr. Foote for donating his services on the project.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Ashton to approve the design concept as presented. The motion carried on the following roll call vote:

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

7. FY 08 Goals and Tasks.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. City Manager Perrault gave a brief overview of the goals and tasks for the next fiscal year, which had been ranked in priority order by each member of the City Council. He then responded to questions from the Council.

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

Adam Hill, Grover Beach, spoke in support of economic development as a top priority and development of the Beachfront Lodge and Conference Center Project.

There were no further public comments received.

Further Council discussion was held on combining some of the identified goals, eliminating those items which could not be accomplished within the next fiscal year, and scheduling one or more periodic progress reports on the goals over the next fiscal year.

Action: It was m/s by Mayor Pro Tem Shoals/Ashton to approve an amended list of FY 08 goals as follows, listed in priority order: 1) *Economic Development*, which tied for first place with *Streets*; 2) *Utilities and Infrastructure*, which tied for second place with *Water Supply*; 3) *Public Safety*; 4) *Planning/Land Use*; 5) *Finance*; 6) *Housing*; 7) *Transportation and Parking*; 8) *Policy / Administration*, which tied for eighth place with *City Employees*; and 9) *Parks*. The motion carried on the following roll call vote:

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

Council discussion was then held regarding the list of identified tasks to accomplish each goal, consolidating some tasks in each category, and refocusing the City's efforts in the area of economic development.

Mayor Lieberman 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 Mayor Pro Tem Shoals/Council Member Ashton to reorganize those tasks listed under the category of *Economic Development*, and eliminate all but the top three tasks in each category, except for those which had been combined into the top two goals of 1) *Economic Development* and 2) *Utilities and Infrastructure and Water Supply*. The motion carried on the following roll call vote:

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

Recess: Upon consensus of the City Council, the meeting recessed at 8:13 p.m.
Reconvene: At 8:23 p.m., the meeting reconvened with all Council Members present.

8. Discussion Regarding Sales Tax Measure.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Manager Perrault gave an overview of options for use of General Fund revenues resulting from the one-half percent sales tax increase approved at the November 7, 2006 General Municipal Election and the development of a Citizen Committee. Referencing a displayed pie chart, City Manager Perrault stated that increased sales tax revenues were estimated to be \$480,000 and that, pursuant to guidelines in the approved sales tax measure and recent Council direction, the suggested funding allocation would be designated primarily towards the Local Street Rehabilitation Program and equipment-related expenditures. He then gave an overview of options for creation of the Citizen Committee to review expenditures from the sales tax increase and responded to Council questions.

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

Adam Hill, Grover Beach, spoke in support of the proposed funding allocation as presented.

There were no further public comments received.

Brief discussion was held regarding when sales tax information would be received from the State, adjustments that would be made at mid-year if sales tax revenues did not meet estimated projections, the proposed structure and recruitment process for the Citizen Committee, and that the information to be reviewed by the committee at its first meeting would be available in approximately one year.

Action: Upon unanimous consensus, the Council approved:

1) The use of sales tax funds as recommended:

50% for street rehabilitation, 7% for police vehicle replacement, 6% for public works utility truck replacement, 15% for full payment of a fire apparatus lease purchase agreement, 2% for confined space equipment for the Fire Department, and 20% for elimination of use of Reserve Funds; and

2) Formation of a Citizen Committee as follows:

- (a) To consist of five (5) members;
- (b) To follow the same application and appointment process currently used to fill other Commission and Committee vacancies;
- (c) Committee terms of four (4) years;
- (d) Committee Members to be residents and registered voters within the City;
- (e) The Committee to meet at least once annually and all meetings to be subject to the Brown Act; and
- (f) The Committee shall review the annual report relative to the activities funded with the additional revenues generated from the adjustment in the sales tax, and to provide a report to the City Council no later than six (6) months following the end of the fiscal year.

9. Appointment to Fill a Vacancy on the City Council.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. City Manager Perrault stated that April 7, 2007 was the effective date of Council Member Versaw's resignation from the City Council. In accordance with state law, the Council had 30 days, or until May 7, 2007, to fill the vacancy either by appointment or by election.

At the last Council meeting, it was determined that each Council Member could nominate up to two candidates, with the nominees to submit a letter of interest to the City Clerk's Office by 5:00 p.m. on Wednesday, April 11, 2007.

City Manager Perrault stated that the City had received four letters of interest from qualified residents: Karen Bright, Elizabeth Doukas, Debra Peterson, and Ronald Arnoldsen. He then reviewed the Council's options for conducting the appointment process. He also noted that Ms. Bright was not able to attend tonight's meeting due to illness, but that she should be available to attend the next regular meeting of May 7, 2007, if the Council chose to defer its decision on the appointment until then.

Brief discussion was held regarding interviewing each candidate, with unanimous Council consensus on screening each applicant with two or three questions in the same manner used to interview applicants for a position on a City Commission or Committee.

The three nominees who were present, Elizabeth Doukas, Debra Peterson, and Ronald Arnoldsen, responded to questions regarding their vision for Grover Beach and whether each nominee was interested in running for a full four-year City Council term at the next election.

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

The following persons spoke in *support* of appointing the person who received the third highest number of votes at the last election:

- Jessie Lemus, Grover Beach; and
- Loretta Doukas, Grover Beach.

Lois Hughes, Grover Beach, objected to automatically appointing the person who received the third highest number of votes at the last election unless the number of votes received was from a majority of the community.

Gary Edmunds, Grover Beach, expressed concern that a majority of current Planning Commissioners were in the real estate profession.

Dave Ekbohm, Grover Beach, requested that the Council ask additional questions regarding each applicant's views on topics such as economic development, off-highway vehicles on the beach, staffing/salary levels, or joint agency fire service.

There were no further public comments received.

Action: Upon unanimous consensus, this matter was continued to the next regular meeting of May 7, 2007, to allow an opportunity for the Council to interview Karen Bright.

10. West Grand Avenue Bridge at Meadow Creek.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. Displaying several conceptual designs, City Engineer Garing reviewed design alternatives for the proposed reconstruction of the West Grand Avenue Bridge at Meadow Creek, the primary access point to the beach from West Grand Avenue located just west of the intersection of Highway One and West Grand Avenue. He then responded to Council questions.

Discussion was held regarding estimated costs and maintenance requirements for various materials, optional design elements, the aesthetically pleasing design of the meandering sidewalk near the pier at Avila Beach, and inclusion of a structural element to separate the pedestrian walkway from vehicular traffic.

Action: Upon consensus, staff was directed to:

- 1) prepare cost and maintenance estimates for two of the conceptual designs presented - Alternative No. 4 with stainless steel railings, and Alternative No. 5 with a plaster finish instead of stone; and
- 2) provide cost estimates for an added structural element to separate pedestrians from vehicular traffic.

11. FY 07 Local Street Rehabilitation and Water System Upgrades on South 6th Street, Longbranch Avenue to Rockaway Avenue and Trouville Avenue to Seabright Avenue, and Final Acceptance of Project.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. For the information of those present, Public Works Superintendent Ford gave an overview of the South 6th Street Rehabilitation and Water System Improvement Project. He stated that construction began in October 2006 and was completed in February 2007, and it included a new eight-inch water main between Trouville Avenue and Seabright Avenue. He then reviewed total project costs and responded to Council questions.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Ashton to adopt Resolution 07-42, accepting the construction work performed by Granite Construction Company. The motion carried on the following roll call vote:

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

Resolution No. 07-42: A Resolution of the City Council of the City of Grover Beach, California, Formally Accepting the Street Rehabilitation and Water System Improvements Project, South 6th Street, Longbranch Avenue to Rockaway Avenue and Trouville Avenue to Seabright Avenue.

12. Public Safety Equipment Sharing Agreement.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. City Manager Perrault gave an overview of the proposed Equipment Sharing Agreement with the City of Arroyo Grande and the Oceano Community Services District.

He stated that an inventory of each agency's apparatus had recently been conducted, and it was determined that the combined fleet should be reduced by one vehicle in order to increase operational and cost efficiencies without incurring risk as well as to enhance responsiveness given each agency's current personnel configurations. He confirmed that the proposed agreement had been reviewed and endorsed by both the Arroyo Grande and Grover Beach Fire Oversight Committee and the South County Fire Consolidation Oversight Committee. He stated that the vehicle to be sold would be one of the two Hi-Tech engines purchased two years ago from Sparks, Nevada. The remaining engine would be co-owned by the Cities of Grover Beach and Arroyo Grande, with maintenance costs shared between the two agencies. He also noted that deployment of engines between the three departments and backup protocol was outlined in the proposed agreement.

Council Member Ashton objected to the proposal to sell the Grover Beach Hi-Tech engine, expressing concerns regarding the fiscal impacts if the equipment sharing agreement was not renewed at a future point in time, requiring the City to then purchase its own engine. He suggested focusing cost saving efforts instead on combining dispatch centers.

Brief discussion was held regarding the scheduled arrival of a new fire engine at the City of Arroyo Grande, response times from each station to various locations in the community, equipment coverage during periods of mutual aid, and cost savings realized from the existing agreement between Grover Beach and Arroyo Grande for the management services of the Arroyo Grande Fire Chief.

Fire Chief Hubert responded to questions regarding the condition of existing fire engines at the Arroyo Grande and Grover Beach stations, and equipment coverage available at all times between the three agencies of Arroyo Grande, Grover Beach, and the Oceano Community Services District.

City Attorney Koczanowicz suggested amending the draft Resolution to specifically reference the proposed agreement by adding the words "attached as Exhibit A" in the

fourth paragraph of the Resolution.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Nicolls to adopt Resolution 07-43, as amended, authorizing the Mayor to execute the agreement on behalf of the City of Grover Beach. The motion carried on the following roll call vote:

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

Resolution No. 07-43: A Resolution of the City Council of the City of Grover Beach Authorizing the City to Enter into an Equipment Sharing Agreement with the City of Arroyo Grande and the Oceano Community Services District.

COUNCIL COMMITTEE REPORTS

Council Member Ashton reported on the meeting of the Parks, Recreation & Beautification Commission.

Council Member Nicolls reported on the meeting of the Housing Trust Fund.

Mayor Pro Tem Shoals deferred his committee reports due to the late hour.

Mayor Lieberman reported on meetings of the Arroyo Grande and Grover Beach Fire and Emergency Services Oversight Committee and the South County Fire Consolidation Oversight Committee.

11:00 p.m. Rule: At 10:40 p.m., it was m/s by Mayor Pro Tem Shoals/Council Member Nicolls to continue the meeting past 11:00 p.m. The motion carried on the following roll call vote:

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

CITY COUNCIL AGENDA

None.

COUNCIL COMMUNICATIONS

- A. Council Member Nicolls commended Mayor Lieberman for also sending a letter of support to the Board of Supervisors along with the Council's recently adopted Resolution in support of the sale of Oceano Dunes to the State of California.

Mayor Lieberman reminded all those present that the proposed sale of the dunes was scheduled for discussion by the San Luis Obispo County Board of Supervisors on Tuesday, April 17, 2007 at 2:00 p.m.

- B. Mayor Pro Tem Shoals thanked Mayor Lieberman for serving on the Oceano Dunes Task Force and stated that he had recently spoken with Supervisor Patterson on this same matter.

He then inquired when the issue of development standards in R-3 zoning districts was scheduled for Council discussion. Community Development Director Hansen confirmed that it was ready for Council consideration at the next meeting.

CITY MANAGER'S REPORTS AND COMMENTS

13. **League of California Cities-sponsored City Council - City Manager Workshop Proposal.**

City Manager Perrault announced that the Channel Counties Division of the League of California Cities was planning to offer a City Council-City Manager team building workshop in response to discussions held at previous county-wide Mayors meetings.

He stated that a similar workshop had been offered through the League of California Cities; however, this program would be held at a closer facility in either San Luis Obispo or Santa Barbara Counties near the end of summer or early fall in order to avoid scheduling conflicts with those cities going through budget workshops. He confirmed that additional information would be provided as it became available, and that the Council could determine at that time whether there was any interest in participating.

CITY ATTORNEY'S AGENDA

14. Adoption of Protocol For Decorum and Participant's Conduct at Council Meetings.

City Attorney Koczanowicz reviewed a proposed draft of rules governing the conduct of Council meetings, which was in compliance with the Grover Beach Municipal Code and incorporated Council direction provided at the March 19, 2007 meeting when various samples of ordinances, resolutions, and policy documents from other public agencies were reviewed. He then responded to questions from the Council.

Brief discussion was held regarding the section on enforcement and potential consequences that could be included for any Council Member who violated the policy. City Attorney Koczanowicz confirmed that the Council had the authority to amend the draft policy and could also require other City advisory bodies to adhere to the same policy.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Nicolls to adopt Resolution 07-44 as presented. The motion carried on the following roll call vote:

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

Resolution No. 07-44: A Resolution of the City Council of the City of Grover Beach, California, Adopting Rules Governing the Decorum and Procedures for City Council Meetings.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Lieberman adjourned the meeting at 10:51 p.m.

/s/STEPHEN C. LIEBERMAN, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 6/18/07)