

**MINUTES
CITY COUNCIL MEETING
MONDAY, MAY 2, 2005**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:31 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 Adair Gomez, an 11-year old, 6th grade student attending Grover Beach Elementary School.

ROLL CALL

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

City Staff: City Manager Anderson, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Community Development Director Raper, Police Chief Copsey, Fire Chief Fibich, Public Works Superintendent Ford, Public Works Supervisor Barclay, and Maintenance Worker II Thompson were also present.

Also present were City Engineer Garing and James Worthley from the San Luis Obispo Council of Governments.

CLOSED SESSION ANNOUNCEMENTS Mayor Shoals read the following announcements:

On Monday, April 18, 2005, after meeting in Closed Session regarding:

1. Conference with Real Property Negotiators
Property: APN 060-031-005
Agency negotiator: City Manager
Negotiating party: Margaret M. Tanner and Sharon Tanner
Under negotiation: Location of Fence
2. Conference with Labor Negotiator
Agency Negotiator: City Manager, Administrative Services Director, Human Resources Coordinator
Represented Employee Group: General Employees - (SEIU) Service Employees International Union Local 620
3. Conference with Legal Counsel - Pending Litigation
Diamond v. City of Grover Beach CV04-2631

the Council reconvened into open session. The following announcements were provided: in reference to Closed Session Item Nos. 1 and 3, no reportable actions were taken; in reference to Closed Session Item No. 2, staff was directed to revise the list of negotiators authorized to represent the City in labor negotiations. The meeting was then adjourned.

CEREMONIAL CALENDAR

None at this time.

PRESENTATIONS

1. Presentation of the 2005 Mosquito Abatement Program in Grover Beach.

Public Works Supervisor Barclay gave an overview of mosquito abatement procedures conducted to date, and cited locations along Meadow Creek and City drainage basins that were planted with Gambusia, called "mosquito fish", to eat mosquito larvae. Public Works Supervisor Barclay was joined in the presentation by Maintenance Worker II Thompson as they displayed photos of abatement procedures conducted by City staff. Public Works Supervisor Barclay then responded to questions from the Council.

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 objection to new interpretations of the City's Zoning Ordinance regarding density restrictions for lots in the R-2 zoning district:
- Mike Amenta, Grover Beach, who also distributed a letter to the Council from the law firm of Ogden & Fricks regarding his objection;
 - Erin McLaughlin, Grover Beach;
 - Henry Mancini, realtor and Grover Beach property owner; and
 - Carmen Greene, realtor and Grover Beach resident and property owner.
- B. Jessie Lemus, Grover Beach, read information regarding negative impacts from excessive noise levels, and raised concerns regarding the issue of parking for proposed multiple residential unit projects.

There were no further public comments received at this time.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item No. 2 was pulled pursuant to the request of Council Member Ashton.

Upon consensus of the City Council, Agenda Item No. 3 was approved as recommended.

3. Designating City Teams for Labor Negotiations.

<u>Represented Groups</u>	<u>City's Negotiator</u>
Grover Beach Police Officers' Association	City Manager, Administrative Svs. Director, Assistant Administrative Svs. Director, Human Resources Coordinator, Police Lieutenant, & Police Chief.
Grover Beach Career Firefighters (GBCF)	City Manager, Administrative Svs. Director, Assistant Administrative Svs. Director, Human Resources Coordinator, & Fire Chief.
Service Employees International Union (SEIU)	City Manager, James K. Katen, Administrative Svs. Director, Assistant Administrative Svs. Director, & Human Resources Coordinator

Action: Approved the list of the City's negotiating teams as submitted.

Mayor Shoals then called for discussion of Consent Agenda Item No. 2.

2. Treasurer's Report for the Period April 13 - April 28, 2005.

Administrative Services Director Chapman and Public Works Superintendent Ford responded to questions regarding payment to the City of Arroyo Grande for the City of Grover Beach's share of retrofitting the traffic signal at the intersection of Oak Park Boulevard and El Camino Real.

City Attorney Koczanowicz responded to questions regarding litigation expenses.

Action: Upon unanimous consensus, the Treasurer's Report was approved as submitted.

REGULAR BUSINESS

4. Water and Sewer Atlas Mapping Completion.

City Engineer Garing gave an overview of the report regarding completion of the City-wide topographic digital mapping system used to illustrate City water and sewer

facilities, which the Council had authorized in October 2003 in order to have consolidated information in two separate indexed atlas maps, rather than the previous more cumbersome method of having the information spread across individual subdivision and development plans. He then responded to questions from the Council.

Action: Upon unanimous consensus of the City Council, the Council accepted the information on the water atlas and sewer system atlas and directed staff to make updates to the atlases from time to time, as deemed appropriate.

5. Transmittal of the Ramona Specific Plan from the Planning Commission with Council Approval Recommended.

Prior to discussion of this item, Mayor Shoals clarified that no Council direction would be taken on this matter other than providing staff with direction on the format of this document. He then stated no public comment would be taken on this Business Item.

Community Development Director Raper gave an overview of the report regarding a proposal for the Ramona Specific Plan, a comprehensive educational, recreational, civic, and social complex located in the downtown area on the north side of Ramona Avenue between 9th and 10th Streets, and the on the west side of 10th Street from Ramona Avenue to Brighton Avenue.

Brief discussion was held regarding information published in the local newspaper after the Planning Commission meeting of April 12, 2005 that indicated a different time frame for review and approval of this project.

Mayor Shoals stated he had specifically requested delaying Council action on this item to further ensure an opportunity for public input. He then outlined the proposed process as follows: 1) scheduling a Public Hearing with an informational overview of the Specific Plan process, providing highlights of the Ramona Specific Plan, and gathering public comment; and then 2) conducting a second Public Hearing thereafter for formal action by the Council.

Community Development Director Raper confirmed the Public Hearing on updating the Circulation Element would also be conducted at the same meeting as the Ramona Specific Plan.

City Manager Anderson also noted that special meetings were already targeted to occur towards the end of May or beginning of June for FY 06 Budget workshops.

Council Member Ekbohm stated he would be absent from the meeting of June 6. Council Member Lieberman stated he would be absent from the meeting of July 5.

At this time, and in response to an inquiry from a member of the public, Mayor Shoals reiterated his decision to defer public comment on the Ramona Specific Plan to the Public Hearing specifically scheduled to consider this matter.

Action: Upon consensus of the City Council, staff was directed to schedule two separate Public Hearings on the Ramona Specific Plan as follows: 1) a Public Hearing date of Monday, June 6, 2005 to provide the community with general information regarding the City's authority to adopt a Specific Plan, and to provide information regarding the Ramona Specific Plan; and 2) to schedule a second Public Hearing date for Council action after the conclusion of the FY 06 Budget workshops.

6. Transportation Enhancement Grant Application.

City Engineer Garing gave an overview of the report regarding submitting an application to the San Luis Obispo Council of Governments (SLOCOG) for \$600,000 in grant funds to be used for transportation and pedestrian improvements at the proposed Ramona Avenue project area to include pedestrian and bike facilities, enhanced bus transfer operations, back-in diagonal on-street parking, and bus shelters.

Staff and the City Engineer then responded to questions from the Council, providing further detail on public transportation improvements proposed for the Central Business District. Staff confirmed the proposed transportation improvements would benefit the

City regardless of whether the Council decided to adopt or reject the Ramona Specific Plan, identified other potential funding options that could be used to leverage these grant funds to maximize proposed transportation improvements, and then restated the necessity to file the grant application by the May 6, 2005 deadline.

James Worthley of the San Luis Obispo Council of Governments (SLOCOG) gave an overview of the highly competitive Transportation Enhancement (TE) grant application process and the six-year funding cycle for those funds, and stated the funds could not be used for rehabilitating or maintaining local streets. He then cited other TE funded projects such as the three phases of the Boardwalk Promenade, three phases of the Creekside Walk along Arroyo Grande Creek, and paver crosswalks installed in the downtown area at 9th and 10th Streets as part of the West Grand Avenue Traffic Mitigation Program. Mr. Worthley then summarized other possible funding sources which could be applied for at a later date.

Mayor Shoals invited public comments on this matter.

The following persons spoke in support of the grant application:

- Robert Hayes, Grover Beach, who stated he was also speaking on behalf of his Homeowners Association;
- Lois Hughes, Grover Beach; and
- Tom Murray, Grover Beach property owner.

The following persons spoke against proposed bus transfer enhancements in the Ramona Park area:

- Elizabeth Doukas, Grover Beach;
- Loretta Doukas, Grover Beach;
- Helen McIver, Grover Beach; and
- Dr. Ron Arnoldsen, former Council Member, Grover Beach.

There were no further public comments received at this time.

Mayor Shoals stated he had specifically requested the manner in which this request was being considered by the Council, and again stated he wanted to ensure sufficient opportunity for public input.

Council Member Ashton objected to committing General Fund monies to complete proposed transportation enhancements in the event construction costs exceeded grant funds received, disagreed that enhancing the bus transfer station would better serve the downtown area, and suggested installing an alternate parking design to accommodate perpendicular parking along North 10th Street, similar to the parking design at the 16th Street Park.

Further discussion was held regarding various design aspects of proposed transportation enhancements; leveraging private funds from organizations such as the Exploration Station towards transportation enhancements around the Ramona Park area; the bus transfer station location in San Luis Obispo which is adjacent to the downtown area, City Hall, and the County government center; and the suggestion to use any remaining grant funds from the West Grand Avenue Traffic Mitigation Project towards further improvements along West Grand Avenue only.

Action: Upon m/s of Council Member Ekbom/Mayor Pro Tem Versaw, the City Council adopted Resolution No. 05-36. The motion carried on the following roll call vote:

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

Resolution No. 05-36: A Resolution of the City Council of the City of Grover Beach Directing Staff to Apply for the 2005 Transportation Enhancement Grant for Transportation and Pedestrian Improvements in the Ramona Avenue to Brighton Avenue and 8th Street to 10th Street Area.

Recess: Upon consensus of the City Council, the meeting recessed at 8:18 p.m.

Reconvene: At 8:29 p.m., the meeting reconvened with all members present.

ORDER OF DAY: At this time, Mayor Shoals changed the Order of the Day to consider Regular Business Item Nos. 8, 9, and 10 next, and to consider Business Items 7 and 11 thereafter.

8. Proposed Lease Agreement Between the Cities of Grover Beach and Pismo Beach to Construct a Radio Tower at the Hillcrest Drive Water Reservoir Site.

Referencing several photos of the site, Police Chief Copsey gave an overview of the proposal to enter into an agreement to authorize the City of Pismo Beach to install and maintain a radio tower on City-owned property to enhance radio communication service for public safety personnel in the South County. He then introduced Police Chief Cortez and Commander Norton of the Pismo Beach Police Department, who also were available to respond to questions. Police Chief Copsey, Fire Chief Fibich, Community Development Director Raper, and Public Works Superintendent Ford then responded to questions from the Council.

Discussion was held regarding anticipated benefits from the proposal, potential visual impacts from the additional tower, and the intended use of the radio tower was exclusively for public safety communication.

Mayor Shoals invited public comments on this matter.

The following persons spoke in support of the proposed agreement:

- Pismo Beach Police Chief Cortez; and
- Robert Hayes, Grover Beach.

There were no further public comments received.

Action: Upon m/s by Council Member Ashton/Mayor Shoals, the City Council directed staff to: 1) require the applicants to submit the minimum paperwork, 2) waive the standard fees, and then 3) authorized the Mayor to execute the Facilities Sharing Agreement on behalf of the City of Grover Beach. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Ekbom, Lieberman, Mayor Pro Tem Versaw, and Mayor Shoals.

NOES: Council Members - None.

ABSENT: Council Members - None.

ABSTAIN: Council Members - None.

9. Reserve Fire Apparatus Replacement.

Fire Chief Fibich gave an overview of the request to replace a 1987 Van Pelt Fire Engine that is no longer in compliance with many basic safety requirements with a used Hi-Tech Fire Apparatus owned by the Fire Department of Sparks, Nevada that will become available for sale in September 2005. He then responded to questions from the Council regarding financing, maintenance, and safety issues of the 1987 Van Pelt Engine, and the readily available replacement parts for the used Hi-Tech Engine.

Council Member Ekbom questioned whether a fire engine stationed in a City that had significant changes in weather could be considered reliable.

City Manager Anderson gave an overview of the next steps necessary to proceed with a lease-purchase if the used Hi-Tech Engine was determined to be superior to the City's existing Van Pelt Fire Engine.

Action: It was m/s by Council Members Ashton/Lieberman to: 1) authorize the City Manager to execute a non-binding letter of interest to the City of Sparks, Nevada; 2) authorize staff to travel to determine the mechanical and safety condition of the apparatus; and 3) direct staff to return to the City Council with a report on the viability of this alternative. The motion carried on the following roll call vote.

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

10. Authorization to Enter Into an Agreement with the City of Inglewood for Parking Citation Processing and Collection Services.

Police Chief Copsey gave an overview of the proposed agreement to enhance parking citation processing and collection services, which were currently being processed in-house. Chief Copsey gave an overview of parking citation processing conducted by other jurisdictions, cited the anticipated benefits of the proposed agreement, and pointed out that the proposal would increase the City's revenue through more efficient citation collection without adding City staff. Police Chief Copsey and Administrative Services Director Chapman then responded to questions from the Council. It was noted that initial courtesy notices for parking citations would include an 800 number for the City of Inglewood.

Action: It was m/s by Council Members Ekbom/Ashton to authorize the Mayor to execute the agreement with the City of Inglewood for parking citation processing and collection services on behalf of the City. The motion carried on the following roll call vote.

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

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

7. Draft Five-Year Capital Improvement Plan for Public Utilities Infrastructure Projects.

Referencing a PowerPoint presentation, City Engineer Garing gave an overview of proposed major capital improvements and assets planned over the next five-year period, and specifically focused on the public utilities of water, sewer, and storm water. Throughout his presentation he responded to Council questions.

City Manager Anderson confirmed that once the Council was satisfied with information in the draft Five-Year Capital Improvement Plan, that information would be provided to Tuckfield and Associates to determine impacts on user fees. He then responded to questions regarding the replacement of water meters and tiered water rates as one of the strategies being considered.

ORDER OF THE DAY: At 10:13 p.m., Mayor Shoals suspended further discussion of Business Item No. 7 to consider Public Hearing Item No. 12 and Regular Business Item No. 11 next.

PUBLIC HEARING

12. Weed Abatement Protest Hearing.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Fire Chief Fibich gave an overview of the report for the information of those present. He then responded to questions from the Council.

Mayor Shoals opened the floor to public comments. No public comments were received and Mayor Shoals closed the Public Hearing on this matter.

Action: Upon m/s by Council Members Ashton/Lieberman, the City Council made the finding that there were no defensible protests, and ordered the abatement of noticed lots and properties. The motion carried on the following roll call vote:

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

Mayor Shoals called for discussion of Business Item No. 11.

REGULAR BUSINESS

11. Initiation of an Amendment of the General Plan Land Use Element.

Community Development Director Raper gave an overview of the report regarding initiating an amendment to the Land Use Element of the City's General Plan to implement high density residential uses in conjunction with mixed-use projects along West Grand Avenue. He then responded to questions from the Council.

Action: Upon m/s by Council Members Lieberman/Ashton, the City Council adopted Resolution No. 05-37. The motion carried on the following roll call vote:

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

Resolution No. 05- 37: A Resolution of the City of Grover Beach Initiating the Amendment of the General Plan Land Use Element Text Land Use Maps and Diagrams Which Identify and Authorize Residential Uses in Mixed-Use Development Within the Grand Avenue Corridor Neighborhood Plan as Identified in the Visioning Project Accepted by the City Council on November 8, 2004.

ORDER OF THE DAY: At this time, Mayor Shoals called for continued discussion on Business Item No. 7, the presentation for which the Mayor had suspended earlier in the meeting in order to consider other items scheduled on the agenda.

7. Draft Five-Year Capital Improvement Plan for Public Utilities Infrastructure Projects (continued presentation from earlier this same evening).

Council discussion continued on various items contained in the draft Plan.

Council Member Ekbom objected to the proposal for a tiered water rate system.

Upon consensus of the City Council, discussion on funding would be held at a separate meeting.

Water Enterprise Fund - Fund 06

The City Council continued its review of this portion of the draft Plan, with staff responding to questions.

Action: Upon consensus, no changes were recommended for this section of the Plan.

Wastewater Enterprise Fund - Fund 05

Brief discussion was held regarding the necessity and process of slip lining portions of the trunk main before the South San Luis Obispo Sanitation District would agree to take over maintenance, the location and schedule for lift stations to be rehabilitated, and that the proposal for a South Grover Sewer Study was not included in this Plan because the Study was anticipated to be funded through the Industrial Area Improvement Agency.

Action: Upon consensus, no changes were recommended for this section of the Plan.

Brief discussion was then held whether to continue review of Fund 07 and Fund 08 in the draft Plan at tonight's meeting or to continue this matter to another meeting.

Action: Upon consensus of the City Council, staff was directed to agendaize the Council's continued review of the Draft Five-Year Capital Improvement Plan for the next City Council meeting.

COUNCIL COMMITTEE REPORTS

Council Member Ashton gave a report on the meeting of the Housing Trust Fund Commission. He then distributed a handout with information on a successful 60-unit cooperative housing development in Davis, California. Mayor Pro Tem Versaw stated, due to the lateness of the hour, he had nothing to report at this time. Council Member Lieberman stated he had nothing to report. Mayor Shoals stated he had nothing to report.

CITY MANAGER'S AGENDA

None at this time.

CITY ATTORNEY'S AGENDA

None at this time.

CITY COUNCIL AGENDA

13. Consider Rescheduling the Joint City Council/Planning Commission Meeting.

Mayor Shoals suggested postponing this joint meeting due to two existing vacancies and the potential for a third vacancy on the Planning Commission.

Action: Upon consensus, staff was directed to cancel the Joint City Council/Planning Commission meeting that had tentatively been scheduled for Monday, May 9, 2005.

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. No one responded and the Mayor closed the Public Communications segment for this portion of the meeting.

COUNCIL COMMUNICATIONS

- A. Council Member Ashton requested scheduling discussion on broadcast times of City Council meetings.

Mayor Shoals stated the City Council had previously had the opportunity to comment on rebroadcast times of Council meetings and had no objection to the current schedule.

It was also noted that broadcast times were listed on the first page of all agendas for Regular City Council meetings.

Action: Upon consensus, staff was directed to agendaize this matter for the next meeting.

CLOSED SESSION At 10:53 p.m., the City Council met in Closed Session to consider the following matter:

1. **Conference with Labor Negotiator**
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager, James K. Katen, Administrative Services Director, and Human Resources Coordinator.
Represented Employee Group: General Employees - (SEIU) Service Employees International Union Local 620
2. **Conference with Legal Counsel - Anticipated Litigation**
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case

Closed Session Announcements: At 12:15 a.m., Mayor Shoals convened the meeting in open session with all Council Members present, and announced there were no reportable actions taken during Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 12:15 a.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 6/20/05)