

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 19, 2005**

**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**: Mayor Shoals held a moment of silence in remembrance of the victims of Hurricane Katrina.

**FLAG SALUTE** The flag salute was led by Justin and Chad Cestaro, 4<sup>th</sup> and 5<sup>th</sup> graders respectively at Grover Heights Elementary School, who raised \$718.00 for the victims of Hurricane Katrina.

**ROLL CALL**

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

City Staff: Interim City Manager Warne, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, and Police Chief Copsey were also present.

**PUBLIC COMMUNICATIONS**

The Mayor invited public comment on any items which were within the jurisdiction of the City Council but were not listed on the agenda.

- A. Michelle Hix, Grover Beach, thanked the City Council and staff for the photos of various street segments and intersections mailed to her while staff was researching how to address concerns she had raised at previous Council meetings under the public comment period regarding wheelchair accessibility.

There were no further public comments received at this time.

**CONSENT AGENDA**

Prior to consideration of the Consent Agenda, Item No. 3 was pulled pursuant to the request of Mayor Pro Tem Versaw.

Upon unanimous consensus, the City Council approved Consent Agenda Item Nos. 1 and 2 as recommended.

1. **Treasurer's Report for the Period August 31 - September 15, 2005.**  
**Action**: Approved as submitted.
2. **Minutes of the Special Joint City Council/Improvement Agency Meeting of Thursday, June 2, 2005; and the Regular City Council Meeting of Tuesday, July 5, 2005.** **Action**: Approved the minutes as submitted.

Mayor Shoals called for discussion of Consent Agenda Item No. 3.

3. **City Council's Response to the 2005 Grand Jury Report.**

Mayor Pro Tem Versaw stated he had previously spoken with the Police Chief regarding the Grand Jury Report, and commended the Police Department for its current process in handling citizen complaints. He then requested that Police Chief Copsey give a verbal overview of that process for the benefit of members of the audience in the Council Chambers this evening and those watching tonight's broadcast and re-broadcasts of the meeting on the City's government cable access Channel 20.

Police Chief Copsey gave an overview of the procedure for responding to citizen inquiries regarding department procedures or specific law enforcement activities, how staff responded to complaints against the department or an individual officer, and the various methods available to submit a complaint to the department. He then outlined the department's actions to meet additional recommendations from the 2005 Grand Jury report.

**Action:** Upon unanimous consensus, the City Council approved the draft letter to the Grand Jury, and authorized the Mayor to sign it on behalf of the City.

### **REGULAR BUSINESS**

None at this time.

### **PUBLIC HEARING**

None at this time.

### **COUNCIL COMMITTEE REPORTS**

Council Member Ashton gave a report on the Housing Trust Fund Commission meeting. Council Member Lieberman stated he had nothing to report at this time. Council Member Ekbon praised the South San Luis Obispo County Sanitation District for its efficient management of resources in order to better serve the community. He then noted he would miss the next meeting, but that Council Member Ashton would be attending in his place. Mayor Pro Tem Versaw gave reports on meetings of the San Luis Obispo County Water Resources Advisory Board and the various plan documents being completed, the Zone Three Advisory Committee, and the Economic Vitality Commission. Mayor Shoals gave a report on the San Luis Obispo Council of Governments meeting, and stated a first-time joint meeting of the Councils of Government from San Luis Obispo and Santa Barbara Counties would be held on Thursday, September 29, 2005 in Santa Maria.

### **CITY MANAGER'S AGENDA**

None at this time.

### **CITY ATTORNEY'S AGENDA**

None at this time.

### **CITY COUNCIL AGENDA**

None at this time.

### **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 public comments were received.

### **COUNCIL COMMUNICATIONS**

- A. Council Member Ekbon stated that each Council Member had received plan documents for proposed projects at 105 West Grand Avenue and 401 West Grand Avenue. He then inquired whether a date had been scheduled for Council discussion on these projects.

Interim City Manager Warne requested Council Members to submit their comments on the project plans directly to Interim Community Development Director Hansen or Planner III Hetherington.

- B. Mayor Shoals suggested scheduling Council discussion on acceptable development incentives and maximum allowable building heights.

Brief discussion was held regarding the project review process, concessions for affordable housing for projects such as the four-story development approved at the last Council meeting for South 4<sup>th</sup> Street and Rockaway Avenue for Cobalt Construction, issues to be resolved during discussion of a Planned Development (P-D) Overlay Zone, and further discussion needed regarding project mass and scale.

Upon consensus, staff was directed to schedule this matter for future discussion and amending the Municipal Code as needed.

Mayor Shoals then announced that Chris Clark from the planning consultant firm Crawford, Multari & Clark had agreed to give a joint City Council/Planning Commission training session on general planning concepts, land use, and the environmental review process.

**CLOSED SESSION** At 7:20 p.m., the Council met in Closed Session to consider the following items:

1. **Conference with Legal Counsel – Pending Litigation**  
Pursuant to Government Code Section 54956.9 (a)  
Diamond v. City of Grover Beach -  
U.S. District Court, Central District, Southern Div., Case No. SACV 04-558 CJC (MANx)
2. **Conference with Real Property Negotiators**  
Pursuant to Government Code Section 54956.8  
Property: APN 060-242-039 (1206 West Grand Avenue "flag lot")  
Agency Negotiator: Interim City Manager and City Attorney  
Negotiating Party: Larache Land Corp.  
Under Negotiations: Acquisition of property
3. **Public Employment**  
Pursuant to Government Code Section 54957  
Title: City Manager

**Closed Session Announcements:** At 8:25 p.m., the Mayor 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 8:25 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest: /s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg November 7, 2005)