

**MINUTES
CITY COUNCIL MEETING
MONDAY, NOVEMBER 21, 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 A moment of silence was observed for United States military personnel serving in Iraq.

FLAG SALUTE The flag salute was led by Erubey Ponce, 11-year-old, 6th grade student from Grover Beach Elementary School.

ROLL CALL

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

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

Also present were Jeff Stava of the law firm Nossaman, Guthner, Knox & Elliott, and Eric Scriven of the financial consulting firm Piper Jaffray & Company.

CLOSED SESSION ANNOUNCEMENTS: City Attorney Koczanowicz read the following Closed Session Announcements:

1. Conference with Labor Negotiator
Agency Negotiator: City Manager, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator.
Represented Employee Group: General Employees - Service Employees International Union (SEIU), Local 620.
2. 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.
3. Conference with Real Property Negotiators
Property: Public right-of-way located at Grand View Avenue and North 6th Street.
Agency negotiator: Interim City Manager and City Attorney.
Negotiating party: Grayson & Friedman.
Under negotiation: Sale and Acquisition.
4. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case.

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

On Monday, November 10, 2005, after meeting in Closed Session regarding:

1. Public Employment
Title: City Manager

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

On Monday, November 14, 2005, after meeting in Closed Session regarding:

1. Conference with Real Property Negotiators
Property: Public right-of-way located at Grand View Avenue and North 6th Street.
Agency negotiator: Interim City Manager and City Attorney.
Negotiating party: Grayson & Friedman.
Under negotiation: Sale and Acquisition.
2. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case.

the City Council reconvened into open session, and announced the following reportable action regarding Closed Session Item No. 2: the Council authorized staff to initiate litigation.

CEREMONIAL CALENDAR

1. **Grover Beach Student Representative to the Annual League of California Cities Conference, October 5-8, 2005 - Arroyo Grande High School Student Noel Peralta.**

Mayor Shoals introduced Arroyo Grande High School student Noel Peralta and announced that it was Noel's 17th birthday.

Mr. Peralta gave a report on his experiences at the Annual League of California Cities Conference and thanked the City Council for sponsoring him. Mayor Shoals presented him with a Certificate of Appreciation.

2. **Proclamation Congratulating the Economic Opportunity Commission on its 40th Anniversary.**

Mayor Shoals read and presented a Proclamation to Economic Opportunity Commission representatives Lisa Delk and Paula Tripp.

Ms. Delk thanked the City Council for its continued support of the Commission.

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. Gary Edmunds, Grover Beach, spoke on behalf of a neighbor's situation regarding a recreational vehicle being parked on the street and requested that the City Council consider amending the City's current parking regulations.

Upon consensus of the City Council, staff was directed to research the issue and determine whether it was an appropriate matter to refer to the Traffic Committee for review and recommendation.

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

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item Nos. 6 and 7 were pulled pursuant to the requests of Mayor Shoals and Council Member Ekbohm respectively.

It was m/s by Council Member Ekbohm/Mayor Pro Tem Versaw 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, Ekbohm, Mayor Pro Tem Versaw, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Member Lieberman.
ABSTAIN: Council Members - None.

3. Treasurer's Report for the Period November 1 - 16, 2005.

Action: Approved as submitted.

4. Minutes of the City Council Meetings of October 3, 2005 and October 17, 2005.

Action: Approved as submitted.

5. Affirming the City of Grover Beach's Investment Policy.

Action: Adopted Resolution No. 05-91, affirming the investment policy as presented.

Resolution No. 05-91: A Resolution of the City Council of the City of Grover Beach, California, Affirming the Investment Policy for the City of Grover Beach.

ORDER OF THE DAY: Upon consensus of the City Council, at this time Mayor Shoals changed the Order of the Day to discuss Consent Agenda Item No. 7 next.

Mayor Shoals called for discussion of Consent Agenda Item No. 7.

7. Proposed Tow Service Agreement Between the City of Grover Beach and Prospective Tow Companies.

Police Chief Copsey responded to Council questions regarding tow company rate schedules and confirmed the proposed service agreement was similar to the one currently being used by the California Highway Patrol. There was no further Council discussion held and no public comments received on this matter.

Action: It was m/s by Council Member Ekbohm/Mayor Pro Tem Versaw to adopt Resolution No. 05-92, authorizing the City Manager to enter into an agreement with qualified tow companies for rotational tow services. The motion carried on the following roll call vote:

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

Resolution No. 05-92: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the City Manager to Enter into an Agreement with Qualified Tow Companies for Rotational Services.

ORDER OF THE DAY: At this time, the Order of the Day resumed as posted on the agenda.

6. Le Sage Riviera Mobile Home Park.

Mayor Shoals suggested minor modifications to the proposed draft letter regarding grievances from mobile home owners against the management company for Le Sage Riviera Mobile Home Park. He then invited comments from those in the audience who wished to be heard on this matter.

Linda Key, Le Sage Riviera Mobile Home Park resident, stated a quick resolution was needed regarding grievances raised by mobile home owners.

There were no further public comments received.

Further Council discussion was held with additional modifications made to the proposed letter.

Action: Upon consensus, the City Council approved the letter, as amended, to the management company and all of the owners of the Le Sage Riviera Mobile Home Park, and authorized the Mayor to sign it on behalf of the City.

REGULAR BUSINESS

None at this time.

PUBLIC HEARINGS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Ashton reported on meetings of the Integrated Waste Management Authority and the Housing Trust Fund Commission, and stated the Traffic and Noise Group was on a holiday break. Council Member Ekbohm gave a report on meetings of the Air Pollution Control District and the South San Luis Obispo County Sanitation District. Mayor Pro Tem Versaw reported on meetings of the Economic Vitality Corporation and the San Luis Obispo County Water Resources Advisory Board. Council Member Lieberman was absent. Mayor Shoals stated he had nothing to report.

CITY COUNCIL AGENDA

8. Recruitment for the Citizens' Transportation Advisory Committee.

Interim City Manager Warne gave an overview of the current vacancy on the Citizens' Transportation Advisory Committee due to the resignation of former Grover Beach resident Fred Munroe.

Brief discussion was held regarding the various options to appoint a representative or recruit applicants to fill the vacancy.

Action: Upon consensus, this matter was continued and the City Council was requested to provide Interim City Manager Warne with the names of potential candidates.

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Versaw stated previous Council discussion had been held regarding formation of a Blue Ribbon Committee to address parking issues. He expressed concern that the Blue Ribbon Committee process had not yet occurred but that the City had already received applications for two hotel/motel developments. He suggested the Council direct staff to proceed with updating parking guidelines for hotel/motel developments only, observing that the City's current requirements were higher than other communities.

Brief Council discussion was held regarding other areas of the City experiencing parking problems, and whether to move forward with bringing proposed amendments to the Planning Commission instead of waiting for the Blue Ribbon Committee process to be held.

Upon consensus, staff was directed to move forward with bringing proposed amendments for hotel/motel parking requirements to the Planning Commission for review and recommendation.

- B. Mayor Shoals announced that North Oceano Elementary School had been nominated as a California Distinguished School. He then stated a joint agencies workshop on the Fire Services Consolidation Study had recently been held and that findings and recommendations from the study would be scheduled for Council discussion at a future meeting.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S AGENDA:

None at this time.

Recess: Upon consensus of the City Council, the meeting recessed at 7:29 p.m. to conduct the meeting of the Joint City Council/Improvement Agency/Financing Authority, which was also scheduled for this same evening.

Reconvene: At 8:40 p.m., the meeting reconvened with all Council Members present, except for Council Member Lieberman.

CLOSED SESSION

At 8:40 p.m., the Council met in Closed Session to consider the following item:

1. **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 9:50 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, except for Council Member Lieberman, and announced there were no reportable actions taken during the Closed Session.

ADJOURNMENT There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 9:50 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest: /s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg January 17, 2006)