

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, DECEMBER 18, 2006**

**CALL TO ORDER** Mayor Lieberman 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 held in memory of Othell Krisell, a 45-year Grover Beach Fire Department volunteer who had recently passed away.

**FLAG SALUTE** The flag salute was led by Chris Hagerty, a representative of the Boy Scouts of America, who was seated in the audience.

**ROLL CALL**

City Council: Council Members Ashton, Nicolls, Versaw, 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 Fibich, Parks and Recreation Director Petker, Public Works Supervisor Barclay, Planner III Hetherington, Police Lieutenant Bewick, Maintenance Worker II Solis, and Firefighter Castillo were also present.

Also present was City Engineer Garing.

**CLOSED SESSION ANNOUNCEMENTS**

None at this time.

**CEREMONIAL CALENDAR**

**1. Recognition of 2006 Employees of the Year in the Following Categories.**

Mayor Lieberman read the title to the foregoing item and invited the honorees and their respective department directors to step forward. The following employees were recognized as the 2006 Employees of the Year:

City Hall:	Janet Reese, Planner I
Public Works:	Marty Solis, Maintenance Worker II
Police Department:	John Bewick, Lieutenant
Fire Department:	Allen Castillo, Firefighter

They were introduced by Police Chief Copsey, Fire Chief Fibich, and Community Development Director Hansen, who announced Planner I Reese was unable to attend due to the recent birth of her daughter.

The City Council congratulated and praised the honorees for their dedication to the City.

**2. Introduction of New Police Department Employee - Communications/Records Technician Megan Dietz.**

Police Chief Copsey introduced new Communications/Records Technician Megan Dietz to the City Council and members of the audience. Mr. Al Nath participated in the badge pinning ceremony.

**3. Introduction and Oaths of Allegiance to Reserve Officer Joseph McGlinchy and Police Officer Rebecca Bohlander.**

Police Chief Copsey introduced and administered the Oath of Allegiance to Reserve Officer McGlinchy and Police Officer Bohlander. The following family members participated in the badge pinning ceremony: Reserve Officer McGlinchy's mother, and Police Officer Bohlander's godchild, Summer.

## **PRESENTATIONS**

### **4. Affordable Housing Presentation from Habitat for Humanity.**

Mayor Lieberman read the title to the foregoing item and invited Penny Rappa, Executive Director of Habitat for Humanity for San Luis Obispo County to give the presentation. Ms. Rappa distributed informational materials, briefly described the organization and the role of the local affiliate in San Luis Obispo County, reported on affordable housing projects currently being completed in partnership with other local municipal agencies, and invited the City of Grover Beach to also consider partnering with Habitat of Humanity to provide affordable housing units. She then described the organization's facility located in Templeton that focused on retail recycling of building materials, and announced that the organization was looking for space to open a second facility in the South County area.

The Council thanked Ms. Rappa for her presentation and commended Habitat for Humanity for its contributions to increasing the availability of affordable housing units. Brief discussion was held regarding the availability of grant funds for land acquisition, deed restrictions, and equity sharing agreements.

**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. John A. Wysong, Grover Beach, spoke on information he had received from Assembly Member Blakeslee's Office regarding state guidelines for multi-story buildings in residential areas, and then expressed his objection to a multi-story commercial building in the City that did not have an elevator.
- B. Chris Hagerty, Arroyo Grande, with the Boy Scouts of America, described a new Venture Crew Program designed for older youth, age 14-21, and requested that the City consider: 1) waiving fees for the program's use of the South County Skate Park; 2) use of the Skate Park for a weekly evening activity; 3) use of the park for skating competitions; and 4) exclusive use, with Venture Crew supervision, during those periods when the park was closed to the public. He then described a community service exchange program and introduced a local Scout executive named "Emily".

City Manager Perrault offered to meet with Mr. Hagerty and Parks and Recreation Director Petker to review the specifics of the organization's request.

There were no further 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, the following abstentions regarding Consent Agenda Item No. 6 were announced by members of the City Council as follows:

Council Member:	Meeting Date:	Reason for abstention:
Council Member Nicolls	November 6, 2006	Not yet a Council Member.
Council Member Versaw	November 6, 2006	Absence from the meeting.
Council Member Ashton	November 16, 2006 November 17, 2006	Absence from both meetings.
Mayor Lieberman	November 17, 2006	Absence from the meeting.

It was m/s by Mayor Pro Tem Shoals/Council Member Nicolls to approve Consent Agenda Item Nos. 5, 6, and 7 as recommended. The motion carried on the following roll call vote:

AYES: Council Members Ashton (*except* for the minutes of November 16 and November 17, 2006 in Consent Agenda Item No. 6), Nicolls (*except* for the minutes of November 6, 2006 in Consent Agenda Item No. 6), Versaw (*except* for the minutes of November 6, 2006 in Consent Agenda Item No. 6), Mayor Pro Tem Shoals, and Mayor Lieberman (*except* for the minutes of November 17, 2006 in Consent Agenda Item No. 6).  
NOES: Council Members - None.  
ABSENT: Council Members - None.  
ABSTAIN: Council Members - Ashton (*only* for the minutes of November 16 and November 17, 2006 in Consent Agenda Item No. 6), Nicolls and Versaw (*only* for the minutes of November 6, 2006 in Consent Agenda Item No. 6), and Mayor Lieberman (*only* for the minutes of November 17, 2006 in Consent Agenda Item No. 6).

**5. Treasurer's Report for the Period November 29 - December 13, 2006.**

**Action:** Approved as submitted.

**6. Minutes of the Following Meetings:**

- Regular City Council Meeting of Monday, November 6, 2006;
- Workshop on Economic Development, Thursday, November 16, 2006; and
- Workshop on Economic Development, Friday, November 17, 2006.

**Action:** Approved the minutes as submitted.

**7. Traffic Committee Report and Recommendations Regarding Requests for Passenger Loading and Unloading Zones at Grover Beach Elementary School and Red Curbing on the East Curb of North 12<sup>th</sup> Street at West Grand Avenue.**

**Action:** 1) Adopted Resolution No. 06-97 and 2) adopted Resolution No. 06-97A.

**Resolution No. 06-97:** A Resolution of the City Council of the City of Grover Beach, California, Accepting the Traffic Committee Report and the Following Recommendation that a 20-Foot Red Zone Be Painted on the East Curb of North 12<sup>th</sup> Street just North of the Northern Curb of West Grand Avenue.

**Resolution No. 06-97A:** A Resolution of the City Council of the City of Grover Beach, California, Authorizing that "No Parking – Loading Only from 7:30 a.m. to 3:30 p.m. Monday through Friday" Signs and the Painting of 123 Feet of the Curb White Along the South Curb of Longbranch Avenue just East of South 10<sup>th</sup> Street between the Existing Red Curb Zones Adjacent to Grover Beach Elementary School.

**REGULAR BUSINESS**

**8. Draft Cooperative Agreement Prepared by San Luis Obispo Council of Governments (SLOCOG) for the Expenditure of Funds for West Grand Avenue / Meadow Creek Bridge and Other Projects.**

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 the Cooperative Agreement, which combined the West Grand Avenue Storm Drain Project and the Meadow Creek Bridge Project to assist in expediting these two projects.

City Manager Perrault noted a correction to the staff report regarding the total cost of the combined projects, which was estimated at \$2,500,000, rather than the \$2,200,000 figure in the report, with funding coming from the San Luis Obispo Council of Governments and the Grover Beach Improvement Agency. He stated that the environmental review and preliminary design had been completed, geo-technical work was underway, and that the project was expected to go out to bid by late spring 2007.

City Manager Perrault stated that the agreement also included funding for Americans with Disability Act (ADA) improvements at the Grover Beach Train Station, and that staff would review the concerns by Council and residents regarding relocating the pick-up

location for rail-bus passengers from the east side of the facility to the west side of the facility during the Capital Improvement Plan presentation at an upcoming Council meeting. City Engineer Garing, SLOCOG Planner Philip Chu, and staff then responded to questions from the Council.

Brief discussion was held regarding funding sources, fiscal impacts, and project phases that were estimated to span a two-year period beginning with the replacement of the bridge at West Grand Avenue as it crossed Meadow Creek, and then construction of storm drain improvements along West Grand Avenue from the bridge to Fourth Street. Further discussion was held regarding the time frame for the bridge design and the Council's interest in an aesthetically unique bridge design, a proposed traffic control plan, project coordination, and Conditions of Approval that would apply to the proposed mixed-use hotel development planned near the intersection of Highway One and West Grand Avenue to participate in these infrastructure improvements.

Upon question regarding the separate follow-up project for street enhancements along West Grand Avenue, SLOCOG Planner Philip Chu stated that the deadline to commit the federal funds secured by Congresswoman Capps toward those improvements was June 2008, with the requirement of a 20 percent local match. City Engineer Garing responded that the design for street enhancements could begin at any time.

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

The Council commended SLOCOG and City staff for their work on the Cooperative Agreement.

**Action:** Upon consensus, staff was directed to review and report back to the City Council on potential design aesthetics for the Meadow Creek Bridge. It was m/s by Council Member Versaw/Mayor Pro Tem Shoals to adopt Resolution No. 06-98, authorizing the City to enter into an agreement with the San Luis Obispo Council of Governments for use of State Highway Account/Surface Transportation Funds for local projects. The motion carried on the following roll call vote:

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

**Resolution No. 06-98: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the Mayor to Execute the San Luis Obispo Council of Governments SHA/STP Cooperative Agreement No. GB STL-01.**

## 9. Affordable Housing Strategy.

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 the three major components of a proposed affordable housing strategy: 1) a City Council-approved Housing Element, 2) an Affordable Housing Ordinance, and 3) an Affordable Housing Resource Group.

In reference to the Housing Element, he reviewed the certification status of the document and suggested scheduling a Special City Council Workshop for late January or early February.

In reference to a proposed Affordable Housing / Density Bonus Ordinance, City Manager Perrault stated that staff was drafting an ordinance for review by the Planning Commission and City Council that would comply with state law for housing projects of five (5) or more units with an affordable housing component, but which would also encourage development of smaller projects of four (4) units or less with affordable housing components, as this was more compatible for infill developments for smaller communities such as Grover Beach.

In reference to the Affordable Housing Resource Group, he stated that a group comprised of City officials and affordable housing representatives had been meeting informally since the housing presentation by Dean Tom Jones from the College of Architecture and Environmental Design at California Polytechnic State University, to review and discuss various approaches to affordable housing. City Manager Perrault recommended using this resource group to further develop an affordable housing strategy and assist with the development of projects.

Brief discussion was held regarding other organizations that could participate in the Housing Resource Group, the potential role of the group, identification of potential sites, challenges regarding certification of the Housing Element, an overview of housing unit quotas assigned by the State to each local jurisdiction, objections that were raised throughout the County in response to those quotas, and potential future impacts among cities.

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

Further discussion was held regarding affordable housing incentives, tentative workshop meeting dates, and inviting representatives from the home building industry to be included in the Housing Resource Group, such as John Campanella or Gary Young.

**Action:** Upon unanimous consensus, the Council: 1) tentatively scheduled a Special Workshop regarding the Housing Element for Monday, January 29, 2007; 2) directed staff to proceed with the development of an Affordable Housing or Density Bonus Ordinance; and 3) directed staff to continue working with the Affordable Housing Resource Group, with possible expansion to include representatives from the home building industry.

**Recess:** Upon consensus of the City Council, the meeting was recessed at 8:14 p.m.

**Reconvene:** At 8:22 p.m., the meeting reconvened with all Council Members present.

## **PUBLIC HEARINGS**

### **10. Request to Approve a Tentative Tract Map for the Beach Place Commercial / Residential Mixed-Use Development.**

**Location:** 260 West Grand Avenue (APN 060-206-028). **Application No.:** 06-020

**Applicant:** John Koepf (Beach Place Enterprises).

Mayor Lieberman read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Hansen gave an overview of the report regarding the proposed subdivision of an existing 38,697 square foot parcel into twenty-two (22) condominium units and one common lot to allow for individual sale or conveyance of all or a portion of the units.

He stated that the project site was currently occupied by a 27,088 square foot commercial/residential mixed use development, commonly referred to as the "Beach Place", which was comprised of two three-story buildings, with retail commercial, five (5) vacation rental units, and ten (10) residential apartment units. He noted that the Planning Commission had reviewed the proposed request on November 14, 2006 and had recommended approval. He noted several clerical corrections needed in the proposed Resolution attached to the staff report, and then responded to questions.

Brief discussion was held regarding parking provisions, access to the commercial units, fiscal impacts from property tax, merits of a homeowners association, and the favorable response from current tenants to the proposed conversion. It was noted that Coastal Commission staff had reviewed and approved the Tentative Tract Map and had no additional comments regarding the current proposal.

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

John Koepf, Arroyo Grande, Applicant and owner of Beach Place, gave a brief overview of the Beach Place development, stated that it was not financially viable on a long-term basis as rental property, and confirmed that several current tenants had responded favorably to the proposed condominium conversion. He also noted that no physical

changes were being proposed to the project location.

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

Further Council discussion followed regarding the absence of a homeowners association in the Conditions of Approval.

Council Member Ashton objected to the lack of provision for a homeowners association.

**Action:** It was m/s by Mayor Pro Tem Shoals/Council Member Nicolls to adopt Resolution No. 06-99, as amended by staff, approving the Tentative Tract Map for Development Permit Application Number 06-020 pursuant to Planning Commission recommended Conditions of Approval and City Council adopted findings. The motion carried on the following roll call vote:

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

**Resolution No. 06-99: A Resolution of the City Council of the City of Grover Beach, California, Approving a Tentative Tract Map for Development Permit Application No. 06-020, Filed by Beach Place Enterprises, LLC, Located at 260 West Grand Avenue.**

**Prior to discussion of Agenda Item No. 11, Mayor Pro Tem Shoals declared a conflict of interest due to the project location being within 500 feet of his primary residence, stepped down from the dais, and left the room.**

**11. Request to Approve Site and Architectural Plans to Construct a 425 Square Foot Patio Enclosure on an Existing Single Family Residence.**

Location: 1178 Loreto Court (APN 060-567-009). Application No.: 06-035

Applicants: Tam and Thao Ngo (William Ferraro, Representative, of Four Seasons Sunrooms).

Mayor Lieberman read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. For the information of those present, Community Development Director Hansen gave an overview of the report regarding a proposed 425 square foot patio enclosure on an existing 1,320 square foot single-family residence. He stated that the project had been reviewed by the Planning Commission on November 14, 2006 and had recommended approval.

Upon question, City Attorney Koczanowicz stated that this item was before the Council for consideration as a condition imposed on the entire subdivision by the original map.

There was no Council discussion held.

Mayor Lieberman invited comments from those in the audience who wished to be heard on this matter. It was noted that neither the Applicants nor their representative was present. There were no public comments received, and the Mayor closed the Public Hearing.

**Action:** It was m/s by Council Members Versaw/Ashton to adopt Resolution No. 06-100, approving the Site and Architectural Plans, subject to Planning Commission findings and Conditions of Approval. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Nicolls, Versaw, and Mayor Lieberman.  
NOES: Council Members - None.  
ABSENT: Council Members - None.  
ABSTAIN: Council Members - None.  
RECUSED: Mayor Pro Tem Shoals (due to a conflict of interest).

**Resolution No. 06-100: A Resolution of the City Council of the City of Grover Beach, California, Approving Architectural Plans for Application No. 06-035, Project Location - 1178 Loreto Court, Applicant - William Ferraro.**

**At this time, Mayor Pro Tem Shoals returned to the dais.**

### **COUNCIL COMMITTEE REPORTS**

Council Member Ashton stated that he had nothing to report. Mayor Pro Tem Shoals stated that he had nothing to report. Council Member Versaw stated that he had nothing to report. Mayor Lieberman gave a report on the meeting of the Arroyo Grande/Grover Beach Fire & Emergency Services Oversight Committee.

### **CITY COUNCIL AGENDA**

None at this time.

### **COUNCIL COMMUNICATIONS**

- A. Mayor Lieberman spoke about restoring civility to City Council meetings and referred to an article from the League of California Cities magazine, recently distributed to Council Members by City Manager Perrault, regarding public speakers in open meetings and First Amendment protection. He requested Council consensus to direct staff to gather examples from other cities regarding alternatives or policies and to prepare a staff report on the information gathered.

**Action:** Upon unanimous consensus, staff was directed to return to Council with a report on establishing a policy for public communications during Council meetings.

### **CITY MANAGER'S REPORTS AND COMMENTS**

City Manager Perrault extended wishes for a happy holiday.

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

None at this time.

**Recess:** Upon consensus of the City Council, the meeting recessed at 9:03 p.m. to convene the Joint City Council / Improvement Agency meeting, which was also scheduled for this same evening.

**Reconvene:** At 9:22 p.m., the meeting reconvened with all Council Members present.

### **CLOSED SESSION**

At 9:23 p.m., the Council met in Closed Session regarding the following item(s):

- 1. Conference with Real Property Negotiators**  
Pursuant to Government Code Section 54956.8  
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

**Closed Session Announcements:** At 9:35 p.m., Mayor Lieberman reconvened 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 Lieberman adjourned the meeting at 9:35 p.m.

/s/ STEPHEN C. LIEBERMAN, MAYOR

Attest: /s/ DONNA L. McMAHON, CITY CLERK

(Approved at CC Mtg 1/22/07)