

**MINUTES
CITY COUNCIL MEETING
MONDAY, MARCH 4, 2013**

CALL TO ORDER Mayor Peterson 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

FLAG SALUTE The flag salute was led by Tyler Mock, an 8-year-old, 3rd grade student at Fairgrove Elementary School.

ROLL CALL

City Council: Council Members Lee, Nicolls, and Mayor Peterson were present. Council Member Marshall and Mayor Pro Tem Bright were absent.

City Staff: Acting City Manager/Police Chief Copsey, City Attorney Koczanowicz, City Clerk McMahon, and Parks & Recreation Program Director Petker were also present.

Also present was City Engineer (Sewer/Water) Garing.

AGENDA REVIEW

Regarding Agenda Item No. 6 (San Luis Obispo County Flood Control District Zone 3 Annual Budget), Council Member Lee stated that he had a conflict of interest due to his employment with the County of San Luis Obispo, Department of Public Works. City Attorney Koczanowicz noted that, as Council Member Marshall and Mayor Pro Tem Bright were absent from this meeting, with Council Member Lee recused there would no longer be a quorum of the Council present in order to take action on that agenda item. He therefore recommended that it be continued to the next regularly scheduled meeting.

He also suggested continuing Agenda Item No. 7 (Goal Setting for Development of the FY 14 Budget) to the next regularly scheduled meeting when all members of the City Council were anticipated to be present.

Action: Upon consensus of the Council (Council Member Marshall and Mayor Pro Tem Bright absent), Agenda Item Nos. 6 and 7 were continued to the next regularly scheduled City Council meeting of Monday, March 18, 2013, and the agenda was adopted as amended.

CEREMONIAL CALENDAR

1. Mayor's Commendation Honoring Jim Garing.

Mayor Peterson briefly reviewed background information and major public works projects accomplished under the guidance of Jim Garing, City Engineer (Sewer/Water). She then presented him with a Mayor's Commendation for providing engineering services to the City for almost 50 years, and for serving as the City Engineer for 31 years.

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. Brad Snook, Chair, Surfrider Foundation, described the success of a recent storm drain stenciling project sponsored by the Surfrider Foundation that included high school and college student volunteers. He thanked City staff and California Fine Wire for their contributions and assistance with the project.
- B. Linda McClure, Grover Beach business owner, announced details of an upcoming meeting of Grover Beach businesses to discuss potential beautification projects.
- C. John Wysong, Grover Beach, expressed concerns regarding pedestrians crossing North Oak Park Boulevard, his residential water meter, and parking at the local grocery store for the disabled or handicapped.

PUBLIC HEARING

None at this time.

CONSENT AGENDA

Upon unanimous consensus (Council Member Marshall and Mayor Pro Tem Bright absent), the Council approved Consent Agenda Item Nos. 2 and 3 as recommended.

2. Treasurer's Report for the Period January 29, 2013 - February 26, 2013.

Action: Approved as submitted.

3. Minutes of the City Council Meeting of February 4, 2013.

Action: Approved the minutes as submitted.

REGULAR BUSINESS

4. Discussion of Request to Increase the Number of Card Tables, Increase Hours of Operation, and Remove Hard Liquor Sales Requirement by Central Coast Casino.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, Acting City Manager/Police Chief Copsey provided an overview of the request from David Stearns, owner/operator of Central Coast Casino, 359 W. Grand Avenue, to modify the City's card table regulations regarding the maximum number of card tables authorized per location, the requirement for a liquor license, and restrictions regarding hours of operation.

City Attorney Koczanowicz clarified that if the Council chose to consider amending the City's card table regulations, it would be scheduled for a future meeting, but that the merits of the request were not scheduled for discussion this evening. Staff then responded to questions from the Council.

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

Sharon Brown, Grover Beach resident, requested further clarification regarding the request and questioned whether a card room business was compatible with the City's long-term vision for that area.

The following persons spoke in support of the Applicant's request:

- Steve Gonzalez, Grover Beach resident;
- David Stearns, Applicant, who responded to questions from the Council regarding anticipated future needs for additional tables during tournaments and fundraising events. He also noted that the adjoining restaurant was licensed to serve liquor and patrons were allowed to bring alcohol to the card tables; and
- Bob Lytle, gaming consultant and former Director of the Division of Gambling Control.

Further Council discussion was held regarding the application and approval process to operate a card table, historical information regarding the City's card table regulations and other card table applicants, the administrative review process for business tax certificates and use permits, and other local businesses that were open 24 hours per day.

City Attorney Koczanowicz noted that, as the proposed Ordinance amendment would not be a land use matter, it would not be subject to Planning Commission review.

Action: Upon consensus of the Council (Council Member Marshall and Mayor Pro Tem Bright absent), the Council authorized staff to return the item for Council's discussion as a draft amendment to the City's card table regulations to:

- 1) Increase the maximum number of card tables allowed at any single location; therefore, increasing the maximum limit from four (4) tables to six (6) tables,
- 2) Increase the maximum number of card tables allowed citywide; therefore, increasing the maximum limit from seven (7) tables to nine (9) tables;

- 3) Remove the requirement that alcohol be served at the same location; and
- 4) Increase the allowable hours of operation to 24 hours per day.

The Council further directed that discussions regarding the draft amendment also include a review of the City's licensing fees for card table operations.

5. Discussion Regarding the Interpretation of Grover Beach Municipal Code Chapter 12, Section 3993, Regarding Fireworks Stand Permits.

Mayor Peterson read the title to the foregoing item and deferred to staff for a report. For the information of those present, Acting City Manager/Police Chief Copsey provided a brief overview of current regulations regarding fireworks booth permits. He noted that staff was requesting a determination regarding whether the newly merged Arroyo Grande & Grover Beach Chamber of Commerce was deemed an eligible organization to receive a permit.

City Attorney Koczanowicz provided additional details regarding the City's regulations and eligibility requirements. He then responded to questions from the Council.

Mayor Peterson invited comments from those in the audience who wished to be heard on this matter. No public comments were received at this time.

Further Council discussion was held regarding the City's requirements.

Action: Upon consensus (Council Member Marshall and Mayor Pro Tem Bright absent), the Council determined that the Arroyo Grande & Grover Beach Chamber of Commerce was eligible to operate a fireworks booth within City limits and had first right of refusal for one (1) permit.

6. Review of the San Luis Obispo County Flood Control District Zone 3 Annual Budget.

Action: As previously described under "Agenda Review", this item was continued to the next regularly scheduled City Council meeting.

7. City Council Goal Setting for Development of the FY 14 Budget.

Action: As previously described under "Agenda Review", this item was continued to the next regularly scheduled City Council meeting.

COUNCIL COMMITTEE REPORTS

Council Member Lee reported on the meeting of the San Luis Obispo County Visitors and Conference Bureau, and noted a name change to "Visit SLO County".

Council Member Nicolls stated that he had nothing to report at this time.

Mayor Peterson reported on meetings of the Economic Vitality Corporation and the South San Luis Obispo County Sanitation District.

Brief discussion was held regarding an available Council representative to attend the next meeting of the San Luis Obispo County Water Resources Advisory Committee that was scheduled for later in the week.

Council Member Marshall and Mayor Pro Tem Bright were absent.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Lee described a recent clean-up effort at the South County Skate Park and noted that the Skate Park would be open to the general public later in the month.

CITY MANAGER'S REPORTS AND COMMENTS

Acting City Manager/Police Chief Copsey stated that, in response to a request from Council Member Lee, he would be providing the Council with a status update later in the week regarding planned improvements for North Oak Park Boulevard.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 8:22 p.m., the Council met in Closed Session regarding the following items:

1. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator(s): City Manager, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Chief and/or Commander (may include some or all of the above)
Employee Group: All employee groups (represented and unrepresented)

2. **Conference with Legal Counsel - Pending Litigation**
Pursuant to Government Code Section 54956.9(c)
Initiation of Litigation: One (1) potential case

Closed Session Announcements: At 8:43 p.m., Mayor Peterson reconvened the meeting in open session with all Council Members present (except for Council Member Marshall and Mayor Pro Tem Bright who were absent from this meeting), and announced there were no reportable actions taken during Closed Session.

ADJOURNMENT There being no further business to come before the City Council, Mayor Peterson adjourned the meeting at 8:44 p.m.

/s/ DEBBIE PETERSON, MAYOR

Attest:
/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 04/15/2013)