

**AGENDA**  
**GROVER BEACH CITY COUNCIL**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET**  
**GROVER BEACH, CALIFORNIA**  
**TUESDAY, FEBRUARY 16, 2010, 6:30 PM**

Next Resolution No. **10-08**  
Next Ordinance No. **10-02**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting, please contact the City Clerk's Office (473-4567) at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting.*

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL *PRIOR***  
**TO THE MEETING WITH A COPY TO THE CITY CLERK**

*This meeting will be broadcast live on Charter Cable Television's Government Access Channel 20.  
Re-broadcasts are daily at 1:00 a.m., 9:00 a.m., and 6:00 p.m. the week of the meeting,  
and Thursdays and Sundays at 1:00 a.m., 9:00 a.m., and 6:00 p.m. the week following the meeting.*

**CALL TO ORDER**

**MOMENT OF SILENCE**

**FLAG SALUTE**

**ROLL CALL** Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.

**CLOSED SESSION ANNOUNCEMENTS**

On Monday, February 1, 2010 after meeting in Closed Session regarding:

1. PUBLIC EMPLOYEE APPOINTMENT  
Pursuant to Government Code Section 54957  
Title: Community Development Director

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

**AGENDA REVIEW**

At this time the City Council will review the order of business to be conducted and receive requests for, or make announcements regarding, any change(s) in the order of the day. The Council should by motion adopt the agenda as presented or as revised.

### **CEREMONIAL CALENDAR**

1. **Proclamation Declaring February 23, 2010 as “Spay Day USA”.**
2. **Recognition of Parks and Recreation Department “Volunteers of the Year”:**

<b>Business of the Year</b>	<b>Marshall-Spoo Sunset Funeral Chapel</b>
<b>Service Group of the Year</b>	<b>The Five Cities Men’s Club</b>
<b>Volunteer of the Year</b>	<b>Bob Vaughn</b>
<b>Youth Volunteer of the Year</b>	<b>Trevin Marlett</b>
3. **Proclamation Honoring Patricia Beck for Her Service to the City of Grover Beach as Interim Community Development Director - Mayor Shoals and City Manager Perrault.**

### **PRESENTATIONS**

4. **Presentation by Deputy Director of County Parks Curtis Black.**

### **PUBLIC COMMUNICATIONS**

Any member of the public may address the Council for a period not to exceed three minutes total on any item of interest within the jurisdiction of this Council. The Council will listen to all communications; however, in compliance with the Brown Act, the Council cannot act on items not on the agenda.

### **PUBLIC HEARINGS**

5. **Adoption of City of Grover Beach Land Use Element Update** - Interim Community Development Director Beck. The City Council will continue the Public Hearing and consider adoption of the proposed 2009 Land Use Element Update and the Final Master Environmental Impact Report (MEIR). *(Continued Public Hearing from January 19, 2010.)*

**Recommended Action:** Open the public hearing, receive testimony, review the revisions to the 2009 Land Use Element update and take final action to: 1) adopt the Resolution certifying the Final Master Environmental Impact Report (MEIR) and adopting the Findings and Statement of Overriding Considerations as reflected in Exhibit 1; and 2) adopt the Resolution adopting the 2009 Land Use Element Update with changes to the Land Use Diagram to designate the area west of Front Street from Ramona Avenue to Newport Avenue as Industrial and associated text changes as discussed above; and 3) that this Land Use Element Update shall become effective in 30 days

ROLL CALL VOTE

6. **Request for Waiver of Underground Utilities Requirement for Development Permit Application No. 06-005 Based on Financial Hardship** - Interim Community Development Director Beck and Planner II Reese. The City Council will consider a request for waiver of the underground utilities requirement to underground overhead utility lines along the property boundary line. Applicant: Paul Bischoff; Project Location: 1547 Brighton Avenue (APN 060-175-047) *(Continued Public Hearing from February 1, 2010.)*

**Recommended Action:** Open the public hearing, receive testimony, and adopt the Resolution denying the waiver request.

ROLL CALL VOTE

## **CONSENT AGENDA**

The following routine items listed below are scheduled for consideration as a group. The recommendations for each item are noted in parentheses. Members of the audience may speak on any item(s) listed on the Consent Agenda. Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Items withdrawn from the Consent Agenda will be placed and heard at the end of the items previously scheduled on the Regular Business schedule.

7. **Treasurer's Report for the Period January 28 - February 10, 2010.**  
**(Recommended Action:** Approve as submitted.)  
VOICE VOTE
8. **Minutes of the City Council Meeting of Tuesday, September 8, 2009.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE
9. **Authorization to Enter Into an Agreement with Rick Engineering Company for Professional Services Associated with the West Grand Avenue Enhancement Project -** City Manager Perrault. The Council will consider entering into an agreement for certain construction-related services for the West Grand Avenue Enhancement Project, located between the railroad right of way and 4<sup>th</sup> Street. **(Recommended Action:** 1) Adopt the Resolution authorizing the City to enter into a Professional Services Agreement with Rick Engineering for construction management and staking services, and 2) authorize the City Manager to execute the agreement on behalf of the City.)  
ROLL CALL VOTE

## **REGULAR BUSINESS**

10. **Consideration of an Application for a Grant for the State of California Statewide Park Development and Community Revitalization Program for the Design and Construction of Cleaver Park Community Center -** Parks and Recreation Director Petker. The City Council will consider authorizing the submission of an application for Proposition 84 grant funds for the design and construction of a new community center to be located on City-owned property referred to as "Cleaver Park". **Project Location:** South 13<sup>th</sup> Street.  
  
**Recommended Action:** Adopt the Resolution authorizing staff to apply for a grant for the State of California Statewide Park Development and Community Revitalization Program for the design and construction of Cleaver Park Community Center by the March 1, 2010 round one deadline.  
ROLL CALL VOTE
11. **Review of the AB 811 Legislation and Consideration of Participation in the CaliforniaFIRST Program -** City Manager Perrault. The City Council will consider collaborating with Sacramento County to act as the lead agency for purposes of receiving State Energy Program (SEP) grant funding. The CaliforniaFIRST program will allow owners of property in participating cities and counties to finance renewable energy, energy efficiency, and water efficiency improvements on their property.  
  
**Recommended Action:** Adopt the Resolution authorizing Sacramento County to apply for State Energy Program (SEP) grant funding on behalf of the City of Grover Beach.  
ROLL CALL VOTE

- 12. Consideration of a Resolution to Adopt a Gift Ticket Policy Consistent with FPPC Regulations Sec. 18944.1** - City Attorney Koczanowicz. The City Council will consider establishing a policy regarding the distribution of passes or tickets given to the City.

**Recommended Action:** Adopt the Resolution creating a policy for distribution of tickets and passes consistent with regulations of the Fair Political Practices Commission.  
ROLL CALL VOTE

### **PULLED CONSENT AGENDA ITEMS**

Items withdrawn from the Consent portion of the agenda for discussion will be heard at this point in the meeting.

### **COUNCIL COMMITTEE REPORTS**

This item gives the Mayor and Council Members the opportunity to present reports to the other members regarding committees, commissions, boards, or special projects on which they may be participating.

Air Pollution Control District (APCD)	Karen Bright (Alt: N/A)
Audit Committee	Karen Bright (Alt: Debbie Peterson)
International Council for Local Environmental Initiatives (ICLEI)	Karen Bright (Alt: N/A)
SLO County Economic Vitality Corporation (EVC)	Karen Bright (Alt: Debbie Peterson)
Integrated Waste Management Authority (IWMA)	Robert Mires (Alt: Bill Nicolls)
SLO County Water Resources Advisory Board (WRAC)	Robert Mires (Alt: Debbie Peterson)
Zone Three Advisory Committee	Robert Mires (Alt: Debbie Peterson)
South SLO County Sanitation District	Bill Nicolls (Alt: Robert Mires)
SLO Countywide 10-Year Plan to End Chronic Homelessness	Bill Nicolls
Klaproad Initiative Task Team	Bill Nicolls
Housing Trust Fund	Debbie Peterson (Alt: N/A)
SLO County Visitors & Conference Bureau (VCB)	Debbie Peterson
SLO Council of Governments & SLO Regional Transit Authority (SLOCOG / SLORTA)	John Shoals (Alt: Bill Nicolls)
South County Area Transit (SCAT)	John Shoals (Alt: Bill Nicolls)
Fire and Emergency Services Oversight Committee	John Shoals (Alt: Bill Nicolls)

### **CITY COUNCIL MEMBER ITEMS**

### **COUNCIL COMMUNICATIONS**

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

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

**CLOSED SESSION**

It is the intention of the City Council to meet in Closed Session concerning the following item:

1. **PUBLIC EMPLOYEE APPOINTMENT**  
Pursuant to Government Code Section 54957  
Title: Public Works Director

Closed Session announcement(s): Please note, announcement(s) of any reportable action(s) taken in Closed Session will be made in open session, and repeated at the beginning of the next Regular City Council meeting as this portion of the meeting is not recorded or videotaped.

**ADJOURNMENT**

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Per Resolution No. 03-53, the public portion of City Council meetings will be scheduled to start at 6:30 p.m. and conclude no later than 11:00 p.m. Any open session items remaining on the agenda at 11:00 p.m. that have not been discussed or considered by the City Council will be continued to an adjourned meeting of the City Council (scheduled before the next regular meeting). However, the City Council may choose to continue the meeting past 11:00 p.m. upon a proper motion and a 4/5<sup>ths</sup> vote in favor of such an action.

\* \* \* \* \*

Staff reports or other written materials relating to each item of business referred to on this agenda are available from the City website [www.grover.org](http://www.grover.org) and on file in the City Clerk's Office. A public counter copy is available for public inspection and reproduction during normal business hours at City Hall, 154 South 8<sup>th</sup> Street, Grover Beach, CA. Related materials submitted after distribution of the agenda packet are available in the City Clerk's Office during normal business hours. If you have questions regarding any agenda item, please contact the appropriate City Department.

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Note: This agenda was prepared and posted pursuant to Government Code Section 54954.2. This agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the agenda posted at City Hall for any revisions or call the City Clerk's Office at (805) 473-4567 for more information.

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The agenda and staff reports are also available on the City's website: [www.grover.org](http://www.grover.org)

**AGENDA  
GROVER BEACH  
JOINT CITY COUNCIL / IMPROVEMENT AGENCY  
GROVER BEACH CITY HALL - COUNCIL CHAMBERS  
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA  
TUESDAY, FEBRUARY 16, 2010**

*(Meeting begins immediately following the  
Regular City Council Meeting scheduled at 6:30 p.m. on this date.)*

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**CALL TO ORDER**

**ROLL CALL** Council/Board Members Bright, Mires, Peterson, Mayor Pro Tem/Vice Chair Nicolls, and Mayor/Chair Shoals.

**PUBLIC COMMUNICATIONS**

Any member of the public may address the City Council / Improvement Agency for a period not to exceed three minutes total on any item of interest within the jurisdiction of this Council / Agency. The City Council / Improvement Agency will listen to all communications; however, in compliance with the Brown Act, the Council / Agency cannot act on items not on the agenda.

**JOINT CITY COUNCIL / IMPROVEMENT AGENCY - CONSENT AGENDA**

**CC/IA-1. Minutes - Joint City Council / Improvement Agency Meeting of September 8, 2009.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE

**IMPROVEMENT AGENCY - PUBLIC HEARING**

**IA-1. Redevelopment Agency Education Revenue Augmentation Fund (ERAF) Payments**  
- The Agency will consider authorizing ERAF payments to the County Auditor-Controller from the Agency's Housing Funds.

**Recommended Action:** Open the Public Hearing, receive testimony, and 1) adopt the Resolution finding that the Grover Beach Improvement Agency will use Low- and Moderate-Income Housing Funds for the ERAF payment due to the County Auditor-Controller on May 10, 2010 and May 10, 2011; and 2) adopt the Resolution amending the Annual Appropriation Resolution in the amount of \$378,764.  
ROLL CALL VOTE

**JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS**

**CC/IA-2. Consideration of Approval of the Technology Master Plan** - City Manager/Executive Director Perrault and Community Development Director/Deputy Director Buckingham. The Council/Agency will be requested to review and approve a Technology Master Plan that was prepared to assess and identify technology opportunities and implement a plan for improving technology access citywide.

**Recommended Action:** Approve the Technology Master Plan.  
VOICE VOTE

**CC/IA-3. Authorization to Enter into an Agreement for Professional Services for City Branding and Signage Program-** Community Development Director/Deputy Director Buckingham. The City Council/Improvement Agency will consider awarding a contract for professional consultant services to prepare a branding and signage program that will create a unique identifying brand for the City and provide a common theme for all City signage. The Council/Agency will also receive information on appointees to a stakeholder group who will provide initial feedback to the consultant.

**Recommended Actions:**

**City Council:** No formal action required by the Council.

**Agency:** Adopt the Resolution authorizing the Executive Director to enter into an agreement with Graphic Solutions for professional services to prepare a City Branding and Signage Program.  
ROLL CALL VOTE

**ADJOURNMENT**

\* \* \* \* \*

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## **CITY OF GROVER BEACH POLICIES AND PROCEDURES FOR CONDUCT AND DECORUM AT COUNCIL MEETINGS**

*(Pursuant to Resolution No. 07-44, adopted 04-16-07)*

### **1.0 DECORUM AND ORDER – COUNCIL MEMBERS**

Council Members shall accord the utmost courtesy to each other, to administrative staff and to the public appearing before the City Council and shall refrain at all times from rude, abusive, and/or derogatory remarks or those that reflect upon a person's integrity, motives or personality.

### **2.0 DECORUM AND ORDER – STAFF**

#### **2.1 City Manager Responsibilities**

The City Manager is responsible for ensuring that members of the administrative staff observe the rules of decorum and order set forth in this Policy.

#### **2.2 Addressing the City Council**

Any administrative staff member desiring to address the City Council or members of the public shall first be recognized by the Mayor/Presiding Officer. All remarks shall be addressed to the Mayor/Presiding Officer and not to any individual Council Member or member of the public. Administrative staff members shall accord the utmost courtesy to the City Council, other administrative staff members and the public.

### **3.0 DECORUM AND ORDER – MEMBERS OF THE PUBLIC**

#### **3.1 Addressing the City Council**

Any member of the public desiring to address the City Council or members of the public shall first be recognized by the Mayor/Presiding Officer at the appropriate place on the agenda. All remarks shall be addressed to the Mayor/Presiding Officer and not to any individual Council Member, member of the administrative staff or member of the public.

#### **3.2 Time limitation for addressing the City Council**

Public comment when addressing the City Council shall be generally limited to three (3) minutes per speaker. Depending on the extent of the agenda and the number of persons desiring to speak on an issue, the Mayor/Presiding Officer may, at the beginning of the hearing, set a different time limit for each speaker. Any person may speak for a longer period of time upon approval from the Mayor/Presiding Officer, when deemed necessary, for instance when a person is speaking on behalf of a group, or has a graphic or slide presentation requiring more time.

#### **3.3 Removal**

Any member of the public making personal, impertinent, and slanderous or profane remarks or who becomes boisterous while addressing the City Council, staff or general public or while attending the City Council meeting and refuses to come to order at the direction of the Mayor/Presiding Officer, shall be removed from the Council Chambers by the sergeant-at-arms and may be barred from further attendance before the Council during that meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Mayor/Presiding Officer. The Mayor/Presiding Officer may direct the sergeant-at-arms to remove such offenders from the room.<sup>1</sup>

#### **3.4 Prosecution**

Aggravated cases shall be prosecuted on appropriate complaint signed by the Mayor/Presiding Officer.

### **4.0 ENFORCEMENT OF DECORUM**

In extreme cases, such as when a meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals as provided for in this Policy, the Mayor/Presiding Officer may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section. Nothing in this Section shall prohibit the City Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

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<sup>1</sup> Govt. Code § 36813, 54957.9 (Council may establish rules of conduct; removal of disorderly persons from public meetings)