

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, MARCH 15, 2010, 6:30 PM

*Next Resolution No. 10-15
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

None at this time.

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 April 2010 as "Autism Awareness Month".**

PRESENTATIONS

2. **Grover Beach Chamber of Commerce Fourth Quarter Report** - The Chamber of Commerce will provide a report of Chamber activities for the period October 2009 - December 2009.

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

None at this time.

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Items withdrawn from the Consent Agenda will be placed and heard at the end of the items previously scheduled on the Regular Business schedule.

3. Treasurer's Report for the Period February 23 - March 10, 2010.

(Recommended Action: Approve as submitted.)

VOICE VOTE

4. Minutes of the City Council Meeting of October 19, 2009.

(Recommended Action: Approve the minutes as submitted or revised.)

VOICE VOTE

5. Approve the Agreement Securing the Performance Under the Deferral of the Utility Undergrounding Requirement for Development Permit Application No. 06-005.

Project Site: 1547 Brighton Avenue, APN 060-175-047. **Applicant:** Paul Bischoff - Community Development Director Buckingham and City Attorney Koczanowicz. The City Council will consider approval of an agreement between the City of Grover Beach and Paul Bischoff, securing performance of a deferred condition of approval on a project with regard to the requirement to underground utility lines running along the property line.

(Recommended Action: Authorize the City Manager to sign the agreement securing the deferral of the utility undergrounding requirement.)

ROLL CALL VOTE

REGULAR BUSINESS

6. Appointment to the Planning Commission - Community Development Director Buckingham. The City Council will consider recommendations from the Advisory Body Screening Committee regarding interviews held Thursday, March 4, 2010 with candidates interested in being appointed to the Planning Commission.

Recommended Action: 1) Accept the Screening Committee's recommendations; 2) adopt the Resolution appointing Mr. Brad Evans to fill an *unexpired* term on the Planning Commission, expiring on May 31, 2013; and 3) upon appointment, introduce Planning Commissioner Evans to the City Council and members of the audience.

ROLL CALL VOTE

7. **Approval of the Preferred Alignment Contained in the Beach Cities Multi-Purpose Trail Feasibility Study** - Parks and Recreation Director Petker. The City Council will receive a presentation from RRM Design Group regarding the results of the Beach Cities Multi-Purpose Trail Feasibility Study.

Recommended Action: Approve the preferred alignment contained in the Beach Cities Multi-Purpose Trail Feasibility Study.

8. **Review of Proposed Zoning Code Amendments on Streamlining** - Community Development Director Buckingham. The City Council will consider proposed amendments to the Zoning Code to expedite the development review process (i.e., streamlining). This will be the first in a series of proposed Zoning Code amendments to implement streamlining consistent with the goals of the City's Economic Development Strategy.

Recommended Action: Direct staff to prepare a Zoning Code Amendment eliminating the General Development Permit and revising the Commercial Use Table.

VOICE 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

None at this time.

COUNCIL COMMUNICATIONS

CITY MANAGER’S REPORTS AND COMMENTS

9. **Discussion Regarding the Air Pollution Control District’s South County Phase 2 Particulate Study** - City Manager Perrault. The Air Pollution Control District has issued the South County Phase 2 Particulate Study, which contains findings regarding the relationship between off-highway vehicle use in the Oceano Dunes and airborne particulate matter experienced at certain locations on the Nipomo Mesa. The Study will be presented to the Air Pollution Control District Board on March 24, 2010. The Council is being requested to discuss the report and provide direction as necessary.

Recommended Action: Provide direction to staff and Council Member Bright, the City’s representative to the Air Pollution Control District Board, as may be appropriate.

CITY ATTORNEY’S REPORTS AND COMMENTS

CLOSED SESSION

None at this time.

ADJOURNMENT

* * * * *

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 4/5ths 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 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 8th 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.

* * * * *

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.

* * * * *

The agenda and staff reports are also available on the City’s website: www.grover.org

AGENDA
JOINT CITY COUNCIL / IMPROVEMENT AGENCY
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA
MONDAY, MARCH 15, 2010

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

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.

CALL TO ORDER

ROLL CALL City 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 of the Joint City Council/Improvement Agency Meeting of October 19, 2009.

(Recommended Action: Approve the minutes as submitted or revised.)

VOICE VOTE

IMPROVEMENT AGENCY - BUSINESS

IA-1. South County Transit Hub Phase III Concept - City Engineer Garing. The Agency Board will receive a presentation regarding engineering concept options for that portion of the South County Transit Hub located on North 9th Street between West Grand Avenue and Ramona Avenue, and a concept design for cul-de-sacing a portion of North 9th Street between Ramona Avenue and Brighton Avenue.

Recommended Action: Direct staff to prepare plans for striping associated with "Plan 1" on North 9th Street from West Grand Avenue to Ramona Avenue.

VOICE VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-2. State of the City Report - City Manager/Executive Director Perrault. The Council/Agency will receive and review a report on the City's work effort, financial status, and future trends in preparation for development of the FY 11 - FY 12 Budget.

Recommended Action: Accept the State of the City Report.

ADJOURNMENT

* * * * *

Copies of staff reports or other written materials relating to each item of business referred to on this agenda are available on the City website 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 8th 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.

* * * * *

Note: 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 473-4567 for more information.

* * * * *

The agenda and staff reports are also available at the City's website: www.grover.org



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.¹

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.

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