

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, JUNE 7, 2010, 6:30 PM

*Next Resolution No. 10-28
Next Ordinance No. 10-04*

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.

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. **Drawing to Select Monthly Winners of the Local Economic Stimulus Program Shop Local, Shop Loyal Campaign - "Shop & Dine Grover Beach"** - Administrative Services Director Chapman.
2. **Proclamation Declaring June 7 & 8, 2010 as "Special Olympics Law Enforcement Torch Run Days"** - Police Chief Copsey.

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

3. **Consideration of an Amendment to the Zoning Regulations to Eliminate the Requirement for General Development Plans in Certain Zoning Districts and Revise the Commercial Use Table - Zoning Code Amendment 10-001** - Community Development Director Buckingham. The City Council will consider amending the Zoning Code to eliminate the requirement for General Development Plans in the Coastal Planned Single Family Residential (C-P-R-1), Mixed Use Development (M-U), Planned Commercial (P-C), Coastal Planned Commercial (C-P-C), and Planned Community Development (P-D) Zoning Districts, and revise the Commercial Use Table to streamline the application process for certain types of uses. The proposed amendments would expedite the development review process and are consistent with the goals of the City's Economic Development Strategy.

Recommended Action: Introduce the Ordinance, by title only, and schedule second reading and adoption at the next regular City Council meeting.
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.

4. **Treasurer's Report for the Period May 11 - June 2, 2010.**
(Recommended Action: Approve as submitted.)
VOICE VOTE
5. **Minutes of the City Council Meeting of December 7, 2009 and December 21, 2009.**
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE
6. **Second Reading of Ordinance No. 10-03 to Amend Section 3900, Chapter 9, Article III of the Grover Beach Municipal Code Regarding Massage Establishments and Massage Technicians** - Assistant City Attorney Larry Donaldson and Chief of Police Jim Copey. The City Council will consider adopting proposed amendments to City regulations regarding massage establishments and technicians, which include adding a procedure to obtain an Off-Site Special Event Permit, further requirements regarding health and safety, attire, and physical hygiene, as well as other non-substantive changes.
(Recommended Action: Conduct second reading, by title only, and adopt Ordinance No. 10-03.)
ROLL CALL VOTE

7. **Undergrounding Utilities Appropriation** - Administrative Services Director Chapman. The City Council will consider amending the FY 10 Budget to appropriate in-lieu fees collected for the purpose of undergrounding utilities for the remainder of the fiscal year.
(**Recommended Action:** Adopt the Resolution Amending the Annual Appropriation Resolution for the undergrounding of utilities.)
ROLL CALL VOTE

REGULAR BUSINESS

8. **Consideration of Actions Authorizing the City to Participate in the Five Cities Fire Joint Powers Authority** - City Manager Perrault. The City Council will consider entering into a proposed Joint Powers Authority (JPA) for the delivery of fire protection services to the Cities of Arroyo Grande and Grover Beach, and the Oceano Community Services District. Approval of the JPA agreement will create the Five Cities Fire Authority. The Council will also review a proposed budget and Memorandum of Understanding for employees of the JPA and other related documents.

Recommended Action: 1) Adopt a Resolution authorizing the City to enter into a Joint Powers Agreement with the City of Arroyo Grande and the Oceano Community Services District (OCSD) to form the Five Cities Fire Joint Powers Authority; 2) by motion recommend approval of the annual budget to the JPA Authority Board; 3) by motion recommend approval of the Memorandum for Understanding to the JPA Authority Board; 4) appoint a Council Member to serve as a representative and a Council Member to serve as an alternate on the JPA Board; 5) direct staff to continue to work on recommendations for joint dispatch operations for the Cities of Arroyo Grande and Grover Beach and the Oceano Community Services District and request a proposal from the City of San Luis Obispo for contract police and fire dispatch services.
ROLL CALL VOTE

9. **Award of Contract to Prepare the Environmental Impact Report for the Grover Beach Lodge and Conference Center** - Community Development Director Buckingham. The City Council will consider awarding a contract for professional consultant services to prepare the Grover Beach Lodge and Conference Center Environmental Impact Report (EIR).

Recommended Action: 1) Adopt the Resolution authorizing the City Manager to enter into an agreement with SWCA for professional services to prepare the Environmental Impact Report for the Grover Beach Lodge and Conference Center; and 2) adopt the Resolution amending the Annual Appropriation Resolution.
ROLL CALL VOTE

10. **Discussion of Guest Parking Requirements for Planned Unit Developments / Condominiums** - Community Development Director Buckingham and Planner II Reese. The Council will continue its review and discussion regarding potential revisions to the City's current requirements for guest parking spaces in Planned Unit Development/Condominium projects. (*Continued from City Council meeting April 19, 2010.*)

Recommended Action: Provide direction to staff.

- 11. Adoption of a Resolution of Intent to Sell a Portion of a City-Owned Parcel to the Improvement Agency for Development of Affordable Housing (Location: 1541 Hillcrest Drive, APN 060-581-032)** - City Manager Perrault. The City Council will consider scheduling a Public Hearing regarding the proposed sale of a portion of a larger parcel owned by the City of Grover Beach to the Improvement Agency for purposes of developing another affordable housing project. The larger parcel is the site of City water reservoirs. The smaller portion of land proposed for sale is undeveloped.

Recommended Action: Adopt the Resolution setting a Public Hearing to consider the sale of a portion of the City-owned property located on Hillcrest Drive to the Improvement Agency for an affordable housing project.

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)
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

- 12. Communication Received From Council Member Bright Regarding Proposition 16.**

CITY MANAGER'S REPORTS AND COMMENTS

13. West Grand Avenue Enhancement Project Status Report.

Recommended Action: Receive and file the report.

CITY ATTORNEY'S REPORTS AND COMMENTS

14. Adoption of a Resolution Placing the Term of Office for Mayor on the November 2, 2010 Ballot - City Attorney Koczanowicz. The City Council will consider a proposed ballot measure to amend the term of office for directly-elected Mayor from two years to four years

Recommended Action: If a majority of the Council wishes to put this issue before Grover Beach voters, adopt the Resolution placing the question of Mayoral term on the November 2, 2010 ballot.
ROLL CALL VOTE

CLOSED SESSION

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

- 1. Conference with Legal Counsel - Existing Litigation**
Pursuant to Government Code Section 54956.9(a)
Scoville v. City of Grover Beach CV 100139

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 4/5ths vote in favor of such an action.

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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.

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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

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

MONDAY, JUNE 7, 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 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 COUNCIL / AGENCY - CONSENT AGENDA

CC/IA-1. Minutes of the Joint City Council/Agency Meeting of December 7, 2009.

(Recommended Action: Approved the minutes as submitted or amended.)

VOICE VOTE

CC/IA-2. Final Acceptance of the South Grover Beach Industrial Sewer Project, Project

No. 326 - Public Works Director/City Engineer Ray and Public Works Superintendent Ford. The Council/Agency will consider accepting improvements that consisted of construction of new sanitary sewer mains and installation of fiber optic conduit between the intersection of La Selva Avenue and South 14th Street and State Highway 1.

Recommended Actions:

City Council: Adopt the Resolution accepting the public improvements constructed by R. Baker Construction for the South Grover Beach Industrial Sewer Project.

ROLL CALL VOTE

Agency: Adopt the Resolution accepting the public improvements constructed by R. Baker Construction for the South Grover Beach Industrial Sewer Project.

ROLL CALL VOTE

JOINT CITY COUNCIL / AGENCY - BUSINESS

CC/IA-3. Consideration of a Tagline Visualization Theme to be Used in Marketing Efforts - City Manager/ Executive Director Perrault. The Council/Agency will review the marketing subcommittee's recommended image and tagline.

Recommended Action: By motion approve the tagline and visualization theme as presented.
VOICE VOTE

CC/IA-4. FY 11 - FY 12 Goals and Work Program - City Manager/Executive Director Perrault will present a revised draft of the proposed Goals and Work Program in order to complete the development of the FY 11 - FY 12 Budget for presentation to the Council / Board.

Recommended Action: By motion adopt the FY 11 - FY 12 Goals and Work Program.
VOICE 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.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)