

**SPECIAL MEETING AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, AUGUST 9, 2010, 6:30 PM**

Next Resolution No. 10-53
Next Ordinance No. 10-05

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 July 19, 2010 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager, Administrative Services Director, Assistant Administrative Services Director, and Human Resources Coordinator.
Represented Employee Group: General Employees - (SEIU) Service Employees International Union, Local 620

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. **Drawing to Select Monthly Winners of the Local Economic Stimulus Program Shop Local, Shop Loyal Campaign - "Shop & Dine Grover Beach"** - Administrative Services Director Chapman.

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

2. **Capital Improvement Project #384 – South 4th Street Rehabilitation Project** - Community Development Director Buckingham and Public Works Director/City Engineer Ray. The City Council will consider adopting a Mitigated Negative Declaration and granting a Coastal Development Permit for the rehabilitation of a portion of South 4th Street from Farroll Road to Highland Way.

The project will include widening and striping for Class II bike lanes, installation of sewer lines and laterals, installation of fiber optic conduits and resurfacing. The widening on the west side of the street will vary from two to twelve feet for approximately 2,400 linear feet. The widening on the east side is limited to a few infill areas totaling about 425 linear feet. The project also includes installation of approximately 2,100 linear feet of six- and ten-inch sanitary sewer line and service laterals to extend sewer service for existing businesses / residents that currently use septic systems. In addition, fiber optic cable conduits would be installed. A total of 12-15 Eucalyptus trees would need to be removed to accommodate the road expansion. This project is located within the Coastal Zone and is an appealable project to the California Coastal Commission. **Applicant:** City of Grover Beach.

Recommended Action: 1) Consider public testimony, 2) adopt the Resolution approving the Mitigated Negative Declaration, and 3) adopt the Resolution granting a Coastal Development Permit for the project.

ROLL CALL VOTE

3. **Introduction and First Reading of an Ordinance Adding Chapter 6 to Article II of the Grover Beach Municipal Code Regulating the Use of the City Seal, Flag, Letterhead, Logo, and Tagline** - City Attorney Koczanowicz. The City Council will consider an Ordinance that will add regulations to the Grover Beach Municipal Code, which will make it unlawful to misuse the City's seal, flag, letterhead, logo or tagline. The regulations will prohibit any unauthorized use of these City symbols and provide guidelines and policies for authorized use. If approved, the Ordinance will be returned for second reading and adoption at the next regularly scheduled Council meeting.

Recommended Action: Once the date of the Council meeting in September is established, open the public hearing, without testimony being taken, and by motion continue the Public Hearing and this item to the date of the first City Council meeting in September 2010.

VOICE 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 July 14 - August 5, 2010.**
(Recommended Action: Approve as submitted.)
VOICE VOTE

5. **Minutes of the City Council Meeting of February 1, 2010 and the Joint City Council / Improvement Agency Meeting of February 1, 2010.**
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE

6. **Consideration of a Letter Responding to the Grand Jury Report on Use of City Vehicles** - City Manager Perrault. The City Council will review the San Luis Obispo County Grand Jury FY 2009-2010 Final Report regarding use of City vehicles, which contains findings and recommendations to the City of Grover Beach that require a response. Staff has prepared a draft letter in response for the Council's consideration.
(Recommended Action: Authorize the Mayor to sign the letter and direct that it be submitted to the Presiding Judge of the Superior Court.
VOICE VOTE

7. **Consideration of a Letter Responding to the Grand Jury Report on Homelessness in San Luis Obispo County** - City Manager Perrault. The City Council will review the San Luis Obispo County Grand Jury FY 2009-2010 Final Report regarding homelessness, which contains findings and recommendations to the City of Grover Beach that require a response. Staff has prepared a draft letter in response for the Council's consideration.
(Recommended Action: Authorize the Mayor to sign the letter on behalf of the Council and direct the letter be submitted to the Presiding Judge.
VOICE VOTE

8. **Proposed Addendum to the Memorandum of Understanding with the Service Employees International Union Local 620 (SEIU)** - Administrative Services Director Chapman and Human Resources Coordinator Barrett. The City Council will consider approving an Addendum ("Side Letter") to the Memorandum of Understanding with the SEIU Local 620 in order to implement certain negotiated modifications to reduce City expenses and minimize the adverse impact of the current fiscal economy upon members of the SEIU Local 620.
(Recommended Action: Adopt the Resolution and authorize the City negotiating team to execute the Addendum to the MOU with SEIU Local 620 on the City's behalf.)
ROLL CALL VOTE

9. **Biennial Review of Conflict of Interest Code** - City Clerk McMahan and City Attorney Koczanowicz. The City Council will review the Conflict of Interest Code and consider proposed updates regarding persons appointed to designated job classifications who will be required to file, or continue filing, Statements of Economic Interest with the City Clerk.
(Recommended Action: Adopt the Resolution amending the Conflict of Interest Code.)
ROLL CALL VOTE

10. **Adoption of Federal Equitable Sharing Agreement** - Police Chief Copsey. The City Council will consider an agreement to allow the City to receive federally-forfeited assets from adjudicated narcotics cases, pursuant to the Federal Equitable Sharing Program.
(Recommended Action: Adopt the Resolution authorizing the Mayor and the Chief of Police to sign the Federal Equitable Sharing Agreement.)
ROLL CALL VOTE

11. **South 13th Street Sidewalk and Street Improvements** - Public Works Director/City Engineer Ray. The City Council will consider final acceptance of sidewalk and street improvements constructed on South 13th Street from the area south of West Grand Avenue to Manhattan Avenue, which included landscaping, storm water improvements, seal coat striping, and stop bars. The project was awarded by the City Council to Souza Construction in September 2009. Construction was completed in June 2010.
(Recommended Action: Adopt the Resolution accepting the construction work performed by Souza Construction, Inc., for the South 13th Street Sidewalk and Street Improvements.)
ROLL CALL VOTE

12. **Award of Bid for the Street Rehabilitation Project - South 4th Street, Farroll Road to Highland Way** - Public Works/City Engineer Ray and City Engineer (Water and Sewer) Garing. The City Council will consider bids received on July 7, 2010 to construct street rehabilitation, sewer service mains and lateral extensions along South 4th Street (from Leoni Drive north to Farroll Road, and from Leoni Drive south to Highland Way)
(Recommended Action: 1) Adopt the Resolution to award the Street Rehabilitation Project: S. 4th Street, Farroll Road to Highland Way, to the lowest responsive bidder, Brough Construction, Inc.; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$53,317, to be deducted from contingency; 3) authorize the City Manager to execute an Appropriation Transfer to transfer funds from project 384 in the amount of \$63,500 and to increase programmed funding for project 301, the Safe Routes to School Project in the same amount; and 4) authorize the Mayor to execute the contract on behalf of the City.)
ROLL CALL VOTE

REGULAR BUSINESS

13. **Ramona Specific Plan Phase III Improvements** - Public Works Director/City Engineer Ray, Community Development Director Buckingham, and Parks and Recreation Director Petker. The City Council will consider proposed design concepts for the Ramona Planning Area, which includes park improvements between the future cul-de-sac and Ramona Avenue, and improvements to 9th Street between Ramona Avenue and West Grand Avenue. Once approved, the Conceptual Plan would define the scope for future preparation of construction draw and serve as a vehicle for grant requests.

Recommended Action: Approve the recommended Phase III Conceptual Plan for the park with one-way traffic, diagonal parking on both sides, and a 50-foot curb-to-curb width on 9th Street.

14. **Review of the City Council Meeting Schedule for the Month of September 2010** - City Manager Perrault.

Recommended Action: Provide direction to staff.

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)
Five Cities Fire Authority	John Shoals (Alt: Bill Nicolls)

CITY COUNCIL MEMBER ITEMS

15. **Designation of Voting Delegate and Alternate to League of California Cities Annual Conference, September 15-17, 2010, San Diego, CA.**
Recommended Action: Select members of the City Council to represent the City of Grover Beach at the League of California Cities Annual Conference as voting delegate and alternate.

COUNCIL COMMUNICATIONS

CITY MANAGER'S REPORTS AND COMMENTS

16. **Employee Furlough Program and City Closures - City Manager Perrault.**

CITY ATTORNEY'S REPORTS AND COMMENTS

CLOSED SESSION

None at this time.

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

**SPECIAL MEETING AGENDA
GROVER BEACH IMPROVEMENT AGENCY
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA**

MONDAY, AUGUST 9, 2010

***(Meeting begins immediately following the
Regular City Council Meeting scheduled at 6:30 p.m. on this date
ONLY if there are items scheduled for discussion.)***

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CALL TO ORDER

ROLL CALL Board Members Bright, Mires, Peterson, Vice Chair Nicolls, and Chair Shoals.

PUBLIC COMMUNICATIONS

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

IMPROVEMENT AGENCY - BUSINESS

None at this time.

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)