

**SPECIAL MEETING AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, SEPTEMBER 13, 2010, 6:30 PM**

Next Resolution No. 10-62
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.

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 October 2010 as "Rideshare Month".**
3. **Proclamation Recognizing Brian Mandara for Attaining the Rank of Eagle Scout.**
4. **Proclamation of Appreciation to Glenn Marshall for Serving on the Grover Beach Planning Commission.**

5. **Proclamation Declaring September 17 - 23, 2010 as "Constitution Week".**
6. **Proclamation Declaring Sea Otter Awareness Week, September 26 - October 3, 2010.**

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

7. **Application for a Certificate of Public Convenience of Necessity for Tri Counties Transit, Inc. DBA Beach Cities Cab Co., Yellow Cab Co. of SLO County, and Checker Cab Co. of SLO County** - Police Chief Copsey. The City Council will consider the request of Mr. Masood Babaeian, who purchased Beach Cities Cab Company, for a new Certificate of Public Convenience and Necessity to operate the taxicab company as Tri Counties Transit, Inc., dba Beach Cities Cab Company, Yellow Cab Company of SLO County, and Checker Cab Company of SLO County.

Recommended Action: Determine that there is a public convenience and need for the taxi company and adopt the Resolution granting a Certificate of Public Convenience and Necessity to Masood Babaeian to operate Tri Counties Transit, Inc., within the Grover Beach city limits.

ROLL CALL VOTE

8. **Application for a Certificate of Public Convenience of Necessity for Central Coast Taxi** - Police Chief Copsey. The City Council will consider the request of Mr. Fuad Alsaify, who purchased Green Go Taxi, for a new Certificate of Public Convenience and Necessity to operate the taxicab company as Central Coast Taxi.

Recommended Action: Determine that there is a public convenience and need for the taxi company and adopt the Resolution granting a Certificate of Public Convenience and Necessity to Fuad Alsaify to operate Central Coast Taxi within the Grover Beach city limits.

ROLL CALL VOTE

9. **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, 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. *(Continued Public Hearing from August 9, 2010.)*

Recommended Action: Introduce the draft Ordinance, conduct the public hearing and first reading, 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.

10. **Treasurer's Report for the Period August 5 - September 8, 2010.**
(**Recommended Action:** Approve as submitted.)
VOICE VOTE
11. **Minutes of the Following City Council Meetings of Tuesday, February 16, 2010 and Monday, March 1, 2010.** (**Recommended Action:** Approve as submitted or revised.)
VOICE VOTE
12. **Consideration of Authorizing a Response to the Grand Jury Report Titled "Go Solar or Not to Go Solar" - City Manager Perrault.** The City Council will review a draft response to the 2009-2010 San Luis Obispo County Grand Jury Report regarding energy-saving programs and potential for rooftop solar installations on City buildings.
(**Recommended Action:** Authorize the Mayor to execute the letter on behalf of the City and direct that it be submitted to the Presiding Judge.)
VOICE VOTE
13. **South 4th Street, West Grand Avenue to Seabright Avenue, Street Improvements - Public Works Director/City Engineer Ray.** The City Council will review the South 4th Street, West Grand Avenue to Seabright Avenue, street improvements for formal acceptance.
(**Recommended Action:** Adopt the Resolution accepting the construction work performed by CalPortland Construction for the South 4th Street, West Grand Avenue to Seabright Avenue, Street Improvement Project.)
ROLL CALL VOTE

REGULAR BUSINESS

14. **Review of City-owned Properties and Request for Direction - City Manager Perrault.** The City Council will consider alternatives regarding whether to proceed with the sale of City-owned properties identified for potential sale to the Improvement Agency.

(**Recommended Action:** Review the alternatives and provide staff with direction.)
15. **Request for Direction Regarding Whether to Initiate a Review of Zoning Ordinance Part 40 Residential Common Area Development Standards - Community Development Director Buckingham.** The City Council will consider whether to initiate a Zoning Ordinance Amendment for Part 40 of the City's Zoning Code and, if so, the process to conduct a comprehensive review and the time frame to consider revisions to the development standards, such as lot size and parking requirements for Planned Unit Developments, also referred to as PUDs.

(**Recommended Action:** Provide direction to staff regarding whether to initiate a review of Part 40.)
16. **Request to Initiate a Zoning Ordinance Amendment to Part 49 Affordable Housing Density Bonuses and Concessions/Incentives - Community Development Director**

Buckingham. The City Council will consider whether to initiate a Zoning Ordinance Amendment to provide concessions and/or incentives for projects that exclusively provide affordable housing units.

Recommended Action: Direct staff to initiate a Zoning Ordinance Amendment to Part 49.

17. **Discussion Regarding the Potential to Increase Card Table Licenses in the City of Grover Beach** - City Attorney Koczanowicz and Chief of Police Copsey. The City Council will review information regarding regulations which currently limit the maximum number of card tables at a permitted location and the process required to revise that number.

Recommended Action: Receive the staff report, discuss the available options and provide direction to staff.

18. **Ramona Specific Plan, Phase III: Appointment of Two Members of City Council to a Subcommittee** - Public Works Director/City Engineer Ray. The Ramona Planning Area, Phases I and II, have now been completed and included development of a regional transit hub, as well as improvements to Ramona Garden Park, parking, landscape, and pedestrian areas on Brighton Avenue, 10th Street, and Ramona Avenue. The Council will consider a draft action plan for Phase III of the Ramona Specific Plan and forming a subcommittee that will focus on design alternatives and solicit community input for this final phase.

Recommended Action: Form a subcommittee by appointing two members from the City Council and approve the draft action plan.

19. **Consider Authorizing the Mayor to Send a Letter to the Board of Supervisors Regarding the Zone 3 Advisory Board and the City's Water Supply Contract with the County** - City Manager Perrault. The Council will be asked to consider sending a letter to the Board of Supervisors regarding the Zone 3 Advisory Board and the Water Supply contract with the County of San Luis Obispo.

Recommended Action: Authorize the Mayor to send a letter to the County.

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
SLO County Visitors & Conference Bureau (VCB)

Debbie Peterson (Alt: N/A)
Debbie Peterson

SLO Council of Governments & SLO Regional
Transit Authority (SLOCOG / SLORTA)
South County Area Transit (SCAT)
Five Cities Fire Authority

John Shoals (Alt: Bill Nicolls)
John Shoals (Alt: Bill Nicolls)
John Shoals (Alt: Bill Nicolls)

CITY COUNCIL MEMBER ITEMS

- 20. Discussion Regarding the Next Proposed “Grover Beach Beautiful Day” on Saturday, September 25, 2010 - Mayor Shoals.**

COUNCIL COMMUNICATIONS

CITY MANAGER’S REPORTS AND COMMENTS

- 21. Update Regarding City Marketing Efforts.**
- 22. Update Regarding the West Grand Avenue Enhancement Project Completion Event.**

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(s):

- 1. Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiators: City Manager, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Lieutenant, and Police Chief.
Represented Employee Group: Grover Beach Police Officers’ Association (GBPOA)

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

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

MONDAY, SEPTEMBER 13, 2010

*(Meeting begins immediately following the
Special 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 of the Joint City Council / Improvement Agency Meetings of: Monday, February 1, 2010; Tuesday, February 16, 2010; and Monday, March 1, 2010. (Recommended Action: Approve as submitted or revised.)
VOICE VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-2. West Grand Avenue Enhancement Project: Consideration of Alternate Palm Tree Species - Public Works Director/City Engineer Ray. The City Council / Improvement Agency will consider a request to replace the existing Hybrid Fan Palm trees planted in the center medians on West Grand Avenue between Highway 1 and 4th Street with a larger palm tree species.

Recommended Action: Consider replacing the existing center median palm trees with Canary Island Palms and provide direction to staff.

CC/IA-3. Request from the Central Coast Railroad Festival for Sponsorship. The Council/Agency will consider a letter received from the Central Coast Railroad Festival requesting sponsorship in the amount of \$1,000 for this year's event scheduled to be held October 7 - 11, 2010.

Recommended Action: Consider the request and provide direction to staff.

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)