

**AGENDA**  
**GROVER BEACH CITY COUNCIL**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET**  
**GROVER BEACH, CALIFORNIA**  
**MONDAY, JANUARY 5, 2009, 6:30 PM**

*Next Resolution No. 09-01  
Next Ordinance No. 09-01*

*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, December 15, 2008, after meeting in Closed Session regarding:

1. Conference with Legal Counsel - Pending Litigation  
Pursuant to Government Code Section 54956.9(a)  
Locarnini v. City of Grover Beach WCAB Claim 2002003948
2. Public Employee Performance Evaluation  
Pursuant to Government Code Section 54957  
Employee: City Manager

the City Council reconvened into open session, and announced the following: In reference to Closed Session Item No. 1, the City Council unanimously approved the Settlement Agreement (on a 4-0-0 vote). In reference to Closed Session Item No. 2, there was no reportable action 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. **Proclamations of Appreciation to the 2008 Holiday of Lights Award Winners** - Parks and Recreation Director Petker and Recreation Coordinator O'Donnell.
  - **Mayor's Award** - The Youngs Family – 465 Rockaway Avenue;
  - **City Council Award** - Henry & Donna Cantu – 337 Rockaway Avenue;
  - **Commissioner's Award** - The Jacinto Family, 881 N. 5<sup>th</sup> Street;
  - **Business Award** - Ellie & Darrell Ross, Ellie's Place, 1401 W. Grand Avenue;
  - **Best Religious Display** - The Latting Family, 600 Redondo Court;
  - **Simple Elegance Award** - Steven D. Sharpe, 778 Calvin Court; and
  - **Window Painting Award** - Rudy & Angie Lopez of Rudy & Angie's Mexican Food Restaurant, 1572 W. Grand Avenue

### **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.

2. **Treasurer's Report for the Period December 10 - 30, 2008.**  
(**Recommended Action:** Approve as submitted.)  
VOICE VOTE
3. **Award of Bid for Construction of a Storm Drain on South 5<sup>th</sup> Street, Manhattan Avenue to Longbranch Avenue** - City Engineer Garing. The City Council will consider sixteen bids received on December 1, 2008 to construct a storm drain on South 5<sup>th</sup> Street, from Manhattan Avenue to Longbranch Avenue. (**Recommended Action:** 1) Adopt the Resolution to award the Storm Drain on South 5<sup>th</sup> Street, Manhattan Avenue to Longbranch Avenue, Project (contingent upon the release of CDBG funds by HUD) to the lowest responsive bidder, Granite Construction Company; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$8,975, to be deducted from contingency; and 3) authorize the Mayor to execute the contract on behalf of the City.  
ROLL CALL VOTE
4. **Acceptance of Improvements to the Ramona Transit Transfer Facility** - Public Works Superintendent Ford. The City Council will consider accepting improvements and issuing a Notice of Completion for the Ramona Transit Transfer Facility at Ramona Garden Park. Construction began in June 2008 and were completed in November 2008 consisted of installing five bus stalls, a new bus shelter, and improvements to the sidewalk, street, and parking areas. (**Recommended Action:** Adopt the Resolution accepting the construction work performed by Granite Construction Company.)  
ROLL CALL VOTE

### **REGULAR BUSINESS**

None at this time.

### **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.

Integrated Waste Management Authority	<del>Chuck Ashton</del> (Alt: Bill Nicolls)
SLO County Water Resources Advisory Board (WRAC)	<del>Chuck Ashton</del> (Alt: Bill Nicolls)
Zone Three Advisory Committee	<del>Chuck Ashton</del> (Alt: Karen Bright)
Air Pollution Control District	Karen Bright (Alt: N/A)
Audit Committee	Karen Bright (Alt: N/A)
Economic Vitality Corporation - SLO County	Karen Bright (Alt: John Shoals)
AG/GB Fire and Emergency Services Oversight Committee	<del>Steve Lieberman</del> (Alt: Bill Nicolls)
South County Fire Consolidation Oversight Committee	<del>Steve Lieberman</del> (Alt: Chuck Ashton)
Housing Trust Fund	Bill Nicolls (Alt: N/A)
South SLO County Sanitation District	Bill Nicolls (Alt: John Shoals)
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)
SLO Countywide 10-Year Plan to End Chronic Homelessness	<del>Chuck Ashton</del> & Bill Nicolls

### **CITY COUNCIL MEMBER ITEMS**

None at this time.

### **COUNCIL COMMUNICATIONS**

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

5. Discussion of the City Council Meeting Scheduled to be Held on Tuesday, January 20, 2009 due to the Federal Legal Holiday of Martin Luther King Day on Monday, January 19, 2009.
6. Request from Digital West to Comment on AT&T's Plans for Fiber Cable Installation.

### **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 4/5<sup>ths</sup> 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](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**  
**JOINT CITY COUNCIL / IMPROVEMENT AGENCY**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA**

**MONDAY, JANUARY 5, 2009**

*(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/Agency Board Members Bright, Mires, Peterson, Vice Chair Nicolls, and 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 - BUSINESS**

**CC/IA-1. Appointment of Council/Board Members to Various Boards, Commissions and Committees** - City Manager/Executive Director Perrault. The City Council/Agency will consider appointing representatives to those regional boards, commissions, and committees with Council/Agency representation.

**Recommended Actions:**

**City Council:**

- 1) Adopt the Resolution confirming certain appointments, and
- 2) Adopt the Resolution confirming appointment to the South San Luis Obispo Sanitation District.

ROLL CALL VOTE

**Improvement Agency:**

- 1) Adopt the Resolution confirming appointment to the Housing Trust Fund.

ROLL CALL VOTE

**ADJOURNMENT**

\* \* \* \* \*

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**CITY OF GROVER BEACH**

**POLICIES AND PROCEDURES FOR CONDUCT AND DECORUM AT COUNCIL MEETINGS**

## **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)