

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, FEBRUARY 2, 2009, 6:30 PM

*Next Resolution No. 09-07
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

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 February 2009 as "Grand Jury Awareness Month".**

PRESENTATIONS

2. **Planning Commission Quarterly Report** - Planning Commission Chair Blum.
3. **Parks, Recreation & Beautification Commission Quarterly Report** - Chair Laferriere.

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Items withdrawn from the Consent Agenda will be placed and heard at the end of the items previously scheduled on the Regular Business schedule.

4. **Treasurer's Report for the Period January 22 - 28, 2009.**
(**Recommended Action:** Approve as submitted.)
VOICE VOTE
5. **First Quarter FY 09 Budget Amendments** - Administrative Services Director Chapman. The City Council will consider adopting a Resolution formalizing adjustments to the FY 09 Budget pursuant to Council/Agency direction at the Special Joint City Council/Agency meeting held on Monday, January 26, 2009. (**Recommended Actions:** Adopt the Resolution making amendments to the FY 09 Budget based on the first quarter review.)
ROLL CALL VOTE
6. **Annual Review for Residency Requirements for Penal Code 290 Registrants Pursuant to Grover Beach Ordinance No. 07-01** - Police Chief Copsey. The City Council will conduct an annual review of protected locations within the City frequented by children pursuant to Grover Beach Municipal Code Section 3999(B)(2). (**Recommended Action:** Adopt the Resolution as presented.)
ROLL CALL VOTE

REGULAR BUSINESS

7. **Appointment to Citizens' Transportation Advisory Committee** - City Manager Perrault. The City Council will consider making one appointment of a Grover Beach resident to an advisory body that reviews and prepares recommendations to the San Luis Obispo Council of Governments, a regional transportation planning agency, on all phases of their transportation planning program, including transit, streets and roads, bicycle facilities, airports, funding, and plan preparation.

Recommended Action: Accept the recommendation and adopt the Resolution appointing Jennifer Mouzis to the Citizens' Transportation Advisory Committee (CTAC).
ROLL CALL VOTE
8. **Consideration of a Ten-Year Plan to End Homelessness in San Luis Obispo County** - City Manager Perrault. The City Council will receive a presentation on a proposed 10-year plan to end homelessness, as prepared under the guidance of the San Luis Obispo County Leadership Council, and consider endorsing the Guiding Principles that underlie the Plan to address and prevent homelessness in the County.

Recommended Actions: Receive and endorse the Plan and agree to designate a Council Member to act as a liaison to serve on the Coordinating Committee.

VOICE VOTE

9. **Tree Regulations and Potential Tree Preservation Ordinances** - Interim Community Development Director Beck, Parks and Recreation Director Petker, and City Attorney Koczanowicz. The Council will review current tree regulations and consider making potential changes or amendments to clarify existing regulations and address the issue of tree replacement in new developments.

Recommended Action: Receive and consider the report, along with any public input, and direct staff to proceed in a manner consistent with the direction provided by a majority of the Council.

VOICE VOTE

10. **Request to Discuss Rescinding and Replacing Graffiti Ordinance Section 3998, Chapter 15, of Article 3 of the Grover Beach Municipal Code** - Police Chief Copsey. The City Council will consider replacement of the current graffiti abatement regulations to prevent the spread of graffiti, improve upon established mechanisms for its removal, and recover costs associated with such removal.

Recommended Action: Receive the report and direct staff to return with the proposed Graffiti Ordinance based upon City Council's input for introduction and first reading.

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)
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
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

COUNCIL COMMUNICATIONS

CITY MANAGER'S REPORTS AND COMMENTS

11. **Reminder that the 2nd meeting in February will be held on Tuesday, February 17, 2009 due to the Legal Holiday on Monday, February 16, 2009** - City Manager Perrault.
12. **Report and Recommendations Regarding Facility Needs** - City Manager Perrault. The City Council will consider strategies to improve City Hall facilities to address safety concerns and improve the delivery of municipal services to the public.

Recommended Action: Authorize staff to move forward with the short-term improvements to the City Hall facility as outlined in this report regarding: 1) removal and replacement of the sidewalk, gutter and driveways at City Hall along South 8th Street and Rockaway Avenue; 2) removal and replacement of street trees and installation of irrigation, as necessary; 3) removal of an architectural wall feature that visually blocks the front entrance; 4) replacement of landscaping with drought-tolerant plantings; and 5) installation of a monument sign to clearly mark the facility.

ROLL CALL VOTE

CITY ATTORNEY'S REPORTS AND COMMENTS

13. **Verbal Status Report Regarding a Proposal for a Mobile Home Conversion Ordinance** - City Attorney Koczanowicz.

CLOSED SESSION

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

1. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-205-017
Agency negotiator: City Manager and City Attorney
Negotiating party: Donald H. Marek, Mohr Partners, Inc.
Under negotiation: Acquisition

Property: APN: 060-228-005 & 011
Agency negotiator: City Manager and City Attorney
Negotiating party: Robert E. Hulette
Under negotiation: Acquisition
2. **Conference with Legal Counsel - Pending Litigation**
Pursuant to Government Code Section 54956.9(a)
Sorrell v. City of Grover Beach USDC CV 09 00137 JSL

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 4/5^{ths} 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
GROVER BEACH IMPROVEMENT AGENCY
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, FEBRUARY 2, 2009

*(Meeting begins immediately following the
Regular City Council Meeting scheduled at 6:30 p.m. on this date
only if there are any scheduled items for the Agency's consideration)*

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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)