

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

*Next Resolution No. 09-12
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.

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 March 2009 as "American Red Cross Month".**

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Items withdrawn from the Consent Agenda will be placed and heard at the end of the items previously scheduled on the Regular Business schedule.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 February 11 - 24, 2009.

(Recommended Action: Approve as submitted.)

VOICE VOTE

3. Minutes of the Following City Council Meetings:

- Regular City Council Meeting of September 15, 2008;

- Regular City Council Meeting of October 6, 2008; and

- Joint City Council / Improvement Agency Meeting of October 6, 2008.

(Recommended Action: Approve the minutes as submitted or revised.)

VOICE VOTE

4. Authorization to Enter Into an Agreement for Design Services for the Longbranch

Avenue Demonstration Project - City Manager Perrault. The City Council will consider entering into an agreement with the Wallace Group to provide design services to narrow Longbranch Avenue in such a way to reduce future pavement management costs, encourage the use of alternative transportation methodologies, and enhance the aesthetics of the neighborhood.

Recommended Action: Adopt the Resolution authorizing the City to enter into an agreement with Wallace Group for design services of the Longbranch Avenue Demonstration Project, and authorizing the City Manager to execute the agreement on behalf of the City.

ROLL CALL VOTE

REGULAR BUSINESS

5. Appointment to the Planning Commission - Interim Community Development Director

Beck. The City Council will consider recommendations from the Advisory Body Screening Committee regarding applicants interviewed on Tuesday, February 24, 2009 to fill the remaining balance of an unexpired four-year term on the Planning Commission.

Recommended Action: 1) Accept the Screening Committee's recommendations; 2) adopt the Resolution appointing Mr. Greg Alex to fill an *unexpired* term on the Planning Commission, expiring on May 31, 2009; and authorize extending his appointment on the Commission to serve a *full four-year* term, expiring on May 31, 2013; 3) direct staff to maintain Mr. Jeffrey Lee's application for consideration at the next meeting of the Advisory Body Screening Committee without requiring Mr. Lee to again participate in the interview process; and 4) upon appointment, introduce Planning Commissioner Alex to the City Council and members of the audience.

ROLL CALL VOTE

6. **Cleaver Property Park Master Plan** - Parks and Recreation Director Petker. The City Council will consider design concepts for the Cleaver Property Park Master Plan prepared by David Foote of *firma*. The design concept includes a future parks and recreation facility to accommodate several groups in the facility at one time for youth and adult programs, a meeting room, and staff office. Project location: 164 South 13th Street.

Recommended Action: Review the final draft concept plan for the Cleaver Property Park Master Plan and direct the architect to initiate the California Environmental Quality Act (CEQA) process for final plan adoption at the April 6th City Council meeting.
VOICE VOTE

7. **Supplemental Water Supply Options** - City Engineer Garing. The City Council will consider funding a study to raise the spillway at Lopez Dam, which has been identified as the most cost-effective option for a supplemental supply of potable water.

Recommended Action: Direct the Zone 3 Advisory Committee Delegate to vote affirmatively to continue with the Lopez Reservoir Expansion project phase "Alternatives Assessment/Engineering Feasibility".
ROLL CALL VOTE

8. **Establish an Overhead to Underground Utility Conversion Program** - City Engineer Garing. The City Council will consider identifying specific areas for undergrounding utilities within the next five-year period and submitting that list to PG&E to receive Rule 20A funds in order to complete the work.

Recommended Action: 1) Identify and prioritize overhead to underground utility conversion projects from the areas depicted in "red" on the Proposed Project Map (Attachment 3 of the staff report); and 2) direct staff to prepare a resolution suitable for transmission to PG&E for its consideration and inclusion in the Rule 20A overhead to underground conversion program for the City of Grover Beach.
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)
International Council for Local Environmental Initiatives (ICLEI)	Karen Bright (Alt: N/A)
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
SLO County Visitors & Conference Bureau (VCB)

SLO Council of Governments & SLO Regional
Transit Authority (SLOCOG / SLORTA)
South County Area Transit (SCAT)
Fire and Emergency Services Oversight Committee

Debbie Peterson (Alt: N/A)
Debbie Peterson

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

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

CITY MANAGER'S REPORTS AND COMMENTS

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. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Manager

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 4/5th 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, MARCH 2, 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 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.

CONSENT AGENDA - AGENCY

- IA-1. Minutes of the Following Meetings:**
- **Joint City Council / Improvement Agency Meeting of June 16, 2008;**
 - **Joint City Council / Improvement Agency Meeting of August 4, 2008; and**
 - **Joint City Council / Improvement Agency Meeting of October 6, 2008.**
- (Recommended Action:** Approve the minutes as submitted or revised.)
VOICE VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

- CC/IA-1. Authorization to Enter into a Concession Contract as a Member of a Joint Authority with the State of California and Pacifica Companies LLC; and Authorization for the Agency to Enter into a Separate Development Fee Subsidy Agreement with Pacifica Companies LLC - City Manager/ Executive Director Perrault.** This Council/Agency will consider entering into an agreement with the State of California and Pacifica Companies LLC for the construction and operation of the Grover Beach Lodge and Conference Center at Pismo State Beach, and a separate Development Impact Fee Subsidy Agreement with Pacifica Companies LLC.

Recommended Action - Improvement Agency: 1) Adopt the Resolution authorizing the Chair to execute the agreement as a member of the Joint Authority with Pacifica Companies LLC to construct and operate a hotel and conference center, and 2) adopt the Resolution authorizing the Agency to enter into the Development Fees Subsidy Agreement.
ROLL CALL VOTE

CC/IA-2. Update of the Housing Element of the City's General Plan - Interim Community Development Director Beck. The City Council/Improvement Agency will consider authorizing the selection of a consultant to assist the City in the update of the Housing Element of the City's General Plan and preparation of related environmental documents.

Recommended Action: Authorize the Executive Director to enter into a contract with Lisa Wise, Consulting, Inc., to proceed with the Scope of Work for update of the Housing Element of the City's adopted General Plan.
ROLL CALL VOTE

CC/IA-3. Request to Proceed with Update of the Land Use Element of the City's General Plan and Preparation of Related Environmental Documentation -- Interim Community Development Director Beck. The City Council/Improvement Agency will consider a proposal from Morro Group (SWCA) and Crawford, Multari & Clark to proceed with updating the City's Land Use Element and preparation of related environmental documents.

Recommended Actions:

City Council: 1) Adopt the Resolution authorizing the City Manager to enter into a contract with Morro Group (SWCA) to proceed with the Scope of Work for update of the Land Use Element of the City's adopted General Plan; and 2) adopt the Resolution adopting changes to the FY 09 and FY 10 Biennial Budget for additional costs associated with the Land Use Element Update.
ROLL CALL VOTE

Improvement Agency: 1) Adopt the Resolution authorizing the Executive Director to enter into a contract with Morro Group (SWCA) to proceed with the Scope of Work for update of the Land Use Element of the City's adopted General Plan; and 2) adopt the Resolution adopting changes to the FY 09 and FY 10 Biennial Budget for additional costs associated with the Land Use Element Update.
ROLL CALL VOTE

CC/IA-4. Update on West Grand Avenue Streetscape Project - Economic Development Specialist Buckingham. The Council/Agency will review alternatives for street trees between Highway 1 and 4th Street (the area designated to use federal grant funds received with the assistance of Congresswoman Lois Capps for streetscape improvements) and consider scheduling discussion of a median design at the next meeting.

Recommended Action: 1) Approve the Brisbane Box tree as the street tree for the "Capps grant area" between Highway 1 and 4th Street, and 2) direct staff to return with an update on the median design at the next meeting.
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)