

**NOTICE OF SPECIAL MEETING OF THE GROVER BEACH CITY COUNCIL**

A Special Meeting of the City Council of the City of Grover Beach is hereby called for **Monday, April 20, 2009 at 5:30 P.M.** at Grover Beach City Hall, 154 S. 8<sup>th</sup> Street, Grover Beach, California to consider the matters set forth in the attached Special Meeting Agenda.

/s/ JOHN P. SHOALS, MAYOR

**SPECIAL MEETING AGENDA  
GROVER BEACH CITY COUNCIL  
GROVER BEACH CITY HALL - COUNCIL CHAMBERS  
154 S. 8<sup>th</sup> STREET, GROVER BEACH, CALIFORNIA  
MONDAY, APRIL 20, 2009, 5:30 P.M.**

*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 (473-4568) at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting.*

**CALL TO ORDER**

**ROLL CALL**

City Council: Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.

**PUBLIC COMMUNICATIONS** Any member of the public may address the Council for a period not to exceed three minutes total on any item described in this Agenda. The Council will listen to all communications; however, in compliance with the Brown Act, the Council cannot act on items not on the agenda.

**CLOSED SESSION** It is the intention of the City Council to meet in Closed Session concerning the following items:

1. **Public Employee Performance Evaluation**  
Pursuant to Government Code Section 54957  
Employee: City Attorney
2. **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**

\* \* \* \* \*

Staff reports or other written materials relating to each item of business referred to on this agenda are on file in the City Clerk's Office and are available for public inspection and reproduction during normal business hours at City Hall, 154 South 8<sup>th</sup> Street, Grover Beach, CA. If you have questions regarding any agenda item, please contact the appropriate City Department.

Note: This agenda was prepared and posted pursuant to Government Code Section 54956. 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.

- c: Mayor and City Council; Commissions & Committee Members  
City Manager; City Attorney; Department Directors  
Media: *Times Press Recorder / The Tribune / Coast News Post* (City Hall and Post Office)

**AGENDA**  
**GROVER BEACH CITY COUNCIL**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET**  
**GROVER BEACH, CALIFORNIA**  
**MONDAY, APRIL 20, 2009, 6:30 PM**

Next Resolution No. 09-22  
Next Ordinance No. 09-04

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**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 May 2009 as "Bike Month" and May 18 - May 22, 2009 as "Bike to Work and School Week".**

**PRESENTATIONS**

2. **School Project Presentation Regarding Solar Energy and an Energy Guide Prepared by Students from Mr. Jim DeCecco's Sixth Grade Class at Oceano Elementary School.**
3. **Presentation at the Request of Mayor Shoals from PacificWest Energy Solutions, Inc.**  
- Representative(s) of the firm will be making a presentation regarding energy efficient programs for the City.

### **PRESENTATIONS (Continued)**

4. **Donation of a Forensic Computer Work Station to the Grover Beach Police Department to be Used for Gathering Evidence From Computers** - Donation is being made by Mr. Kevin Woolley in the name of the Grover Beach Rotary Club.

### **PUBLIC COMMUNICATIONS**

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### **PUBLIC HEARINGS**

5. **Consideration of an Amendment to the City of Grover Beach Municipal Code Section 9137.28 Underground Utilities to Establish a Permanent "In-Lieu" Fee Program** - City Manager Perrault and City Engineer Garing The City Council will consider a Municipal Code amendment through the adoption of a permanent in-lieu fee program to provide an alternative to the requirement for undergrounding utilities in connection with development projects in the City. The proposed in-lieu fee of \$273.00 per linear foot, if adopted, will replace the current interim policy fee of \$300.00 per linear foot. The money generated through the in-lieu fees collected by the City would be used for the undergrounding of overhead utilities in various designated areas in the City.

**Recommended Action:** 1) Conduct first reading, by title only, of the Ordinance amending the Grover Beach Municipal Code Section 9137.28 to retain the existing exceptions and adding the "In-Lieu" Fees; 2) schedule second reading and adoption of the Ordinance and the Resolution amending the Master Fee Schedule 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.

6. **Treasurer's Report for the Period April 1 - 16, 2009.**  
**(Recommended Action:** Approve as submitted.)  
VOICE VOTE
7. **Second Reading and Adoption of an Ordinance Amending Grover Beach Municipal Code Article IX, Chapter 4, Sign Regulations.** The City Council will consider adopting an Ordinance amending campaign sign regulations to allow only one sign to be posted for each candidate, issue, ballot measure or proposition. **(Recommended Action:** Conduct the second reading, by title only, and adopt Ordinance No. 09-03.)  
ROLL CALL VOTE

8. **Amendment to the Contract for Legal Services Reflecting the Merger of Koczanowicz & Donaldson with Cota Cole & Associates** - City Attorney Koczanowicz. The City Council will consider amending the agreement for City Attorney services to reflect the merger of the firm Koczanowicz & Donaldson with the firm of Cota Cole & Associates. (**Recommended Action:** Authorize the Amendment to the Contract for Legal Services, which would change the name from Koczanowicz & Donaldson to Cota Cole & Associates; and authorize the Mayor to execute the Agreement on behalf of the City.)  
ROLL CALL VOTE

### **REGULAR BUSINESS**

9. **2009 Weed Abatement Program** - Fire Chief Hubert. The City Council will receive information regarding an annual program to ensure that properties within the City are maintained free from weeds, rubbish and other flammable materials.

**Recommended Action:** Adopt the Resolution Declaring Weeds to be a Nuisance and Providing for Weed Abatement Pursuant to Government Code Sections 39560 through 39588; Article 2-Alternative Procedures for Weed and Rubbish Abatement.)  
ROLL CALL 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	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**

- 10. Request to Consider Date for Future Workshop on the Land Use Element of the City's General Plan in May 2009** - City Manager Perrault and Interim Community Development Director Beck. The City Council will consider establishing a date to conduct a public workshop to discuss the Public Review Draft of the Land Use Element update.

**Recommended Action:** Select the date for the Land Use Element workshop and direct staff to provide appropriate notice to encourage public participation in the workshop.

## **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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The agenda and staff reports are also available on the City's website: [www.grover.org](http://www.grover.org)

**AGENDA**  
**GROVER BEACH IMPROVEMENT AGENCY**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET , GROVER BEACH, CALIFORNIA**  
**MONDAY, APRIL 20, 2009**

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

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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.

**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.<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)