

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

*Next Resolution No. **09-18**  
Next Ordinance No. **09-03***

*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, March 16, 2009, after meeting in Closed Session regarding:

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

the City Council reconvened into open session, and announced there were no reportable actions 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. **Proclamation Designating the Month of April 2009 as "Month of the Child" and "Child Abuse Prevention Month" and April 11, 2009 as "Day of the Child".**
2. **Proclamation Declaring April 24, 2009 as National "Arbor Day".**
3. **Proclamation Declaring the Week of April 12 - April 18, 2009 as "National Public Safety Telecommunications Week".**

## **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**

4. **Introduction and First Reading of an Ordinance Which Would Amend the Grover Beach Municipal Code Sign Regulations** - City Attorney Koczanowicz. The City Council will conduct a public hearing to consider amending the Grover Beach Municipal Code Article IX, Chapter 4, Sign Regulations to limit the number of election-related signs that may be posted on private property to one (1) sign per issue, candidate or proposition on the election ballot.

**Recommended Action:** Conduct the Public Hearing, receive testimony, and introduce the Ordinance for first reading, by title only, and schedule second reading and adoption at the next Regular City Council meeting.

ROLL CALL VOTE

5. **Establishing Four Project Areas for Undergrounding Utilities** - City Engineer Garing. The City Council will consider adoption of a Resolution which will establish project areas for the undergrounding of overhead utilities. These designated project areas will become eligible for funding from PG&E under Rule 20A, and will be placed on the list of projects for construction as funds become available. The four geographic areas being considered are generally described as:

1) Ramona Transit Hub Area - North 8<sup>th</sup> Street from West Grand Avenue to Ramona Avenue, Ramona Avenue east to North 10<sup>th</sup> Street and then north to Brighton Avenue, Brighton Avenue west to North 9<sup>th</sup> Street, and then south to Ramona Avenue;

2) West Grand Avenue Area- from 2<sup>nd</sup> Street west to the Pacific Ocean;

3) Longbranch Avenue/South 8<sup>th</sup> Street Area - Longbranch Avenue from South 8<sup>th</sup> Street east to South 12<sup>th</sup> Street, and South 8<sup>th</sup> Street from Longbranch Avenue north to West Grand Avenue; and

4) Mentone Avenue Area - Mentone Avenue from South 14<sup>th</sup> Street west to Oak Park Boulevard, South 16<sup>th</sup> Street from Mentone Avenue south to Nice Avenue, Nice Avenue from South 16<sup>th</sup> Street east to the 16<sup>th</sup> Street Park boundary.

**Recommended Action:** Adopt the Resolution establishing four new project areas for undergrounding utilities generally described as: 1) the Ramona Transit Hub Area, 2) the West Grand Avenue Area from 2<sup>nd</sup> Street to Pismo State Beach, 3) Longbranch

Avenue/South 8<sup>th</sup> Street Area, and 4) the Mentone Avenue Area, with the intention of establishing future underground utility districts.

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 March 11 - April 1, 2009.** (**Recommended Action:** Approve as submitted.)  
VOICE VOTE
7. **Minutes of the Special City Council Meeting of December 4, 2008.**  
(**Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE
8. **Authorization to File an Application for the 2009 COPS Hiring Recovery Program (CHRP) - Police Chief Copsey.** The City Council will consider authorizing the submittal of a grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services, to fund one full-time Police Officer position. (**Recommended Action:** Adopt the Resolution authorizing the City Manager, Chief of Police, and Administrative Services Director to file an application for one additional Police Officer position from the COPS Hiring Recovery Program.)  
ROLL CALL VOTE
9. **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 effective April 15, 2009. (**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
10. **Second Reading of Ordinance Amending the Grover Beach Municipal Code Section 9137.9 Relating to Curb, Gutter and Sidewalk - City Engineer Garing.** The City Council will consider adopting amended requirements for certain qualifying projects to construct curb, gutter, and sidewalk, as well as street conform, for residential and commercial developments. (**Recommended Action:** 1) Conduct the second reading, by title only, of Ordinance No. 09-01 amending City Municipal Code Section 9137.9 incorporating requirements that certain qualifying projects provide pavement reconstruction and conformance to the existing centerline of the street if the street condition fronting the project falls below a 60 rating in the Pavement Management System as verified by the City Engineer and an additional requirement to replace existing unsatisfactory improvements to City Standards as directed by the City Engineer and 2) adopt the Ordinance Amendment as proposed.)  
ROLL CALL VOTE

11. **Second Reading of Ordinance to Rescind and Replace Graffiti Abatement Ordinance Section 3998 of Chapter 15 of Article 3 of the Grover Beach Municipal Code** - The City Council will consider adopting new 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**: Conduct the second reading, by title only, and adopt Ordinance No. 09-02.)  
ROLL CALL VOTE
12. **Transportation Planning Grant Request to Fund the City's Bicycle Master Plan** - Interim Community Development Director Beck. The City Council will review a transportation grant application to fund a master plan for the development of bike trails in the City. (**Recommended Action**: Adopt the Resolution authorizing the City Manager to enter into a contract with Caltrans should the application be funded.)  
ROLL CALL VOTE

### **REGULAR BUSINESS**

13. **Consideration of Adopting a Cleaver Property Park Master Plan** - Parks & Recreation Director Petker. The City Council will receive an arborist report regarding an existing oak tree on a City-owned property, the site of a proposed public park commonly referred to as the "Cleaver Property". Project Site: 164 South 13<sup>th</sup> Street.  
  
**Recommended Action**: 1) Approve the final concept plan for the Cleaver Property Park Master Plan, and 2) adopt the Resolution.  
ROLL CALL VOTE
14. **Safe Routes to School Grant Program** - Interim Community Development Director Beck. The City Council will consider draft Safe Routes to School Program grant proposals to improve safe pedestrian and bicycle access to both Grover Beach Elementary and Grover Heights Elementary School, and provide direction to staff.  
  
**(Recommended Action)**: Provide direction for final grant submittal under the Safe Routes to School Program.
15. **2008 General Plan Annual Report** - Interim Community Development Director Beck. The City Council will review the General Plan Annual Report as required by state law.  
  
**Recommended Action**: Receive and file the report, provide comments, and direct staff to submit the report to the appropriate state agencies.
16. **Request for Proposal for a Beach Cities Multi-Purpose Trail Feasibility Study** - Interim Community Development Director Beck. The City Council will consider authorizing the release of a Request for Proposals (RFP) for a multi-purpose bike and walking trail feasibility study, a joint project with the City of Pismo Beach, that will connect points in southern San Luis Obispo County to points of interest in both communities.  
  
**Recommended Action**: Provide direction to staff regarding the scope of the RFP.

### **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**

17. **American Recovery and Reinvestment Act of 2009: Update Regarding the City's Application for Federal Stimulus Package Funds - City Manager Perrault.**

**Recommended Action:** Receive and file.

### **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 4/5<sup>ths</sup> vote in favor of such an action.

\* \* \* \* \*

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, APRIL 6, 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/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 BUSINESS**

**CC/IA-1. Authorization to Enter Into an Agreement with Digital West for the Completion of a Technology Master Plan** - City Manager/Executive Director Perrault. The Council/Agency Board will consider a proposal from Digital West of San Luis Obispo to complete a technological feasibility study and Technology Master Plan to improve broadband connectivity in the community, with emphasis on ensuring the industrial and commercial areas are served.

**Recommended Action:** It is recommended that the Council by motion authorize the City to enter into an agreement with Digital West to develop a Technology Master Plan.  
VOICE VOTE

**CC/IA-2. Review of FY 09 - FY 10 Goals & Work Program** - City Manager/Executive Director Perrault. The Council/Agency Board will review a proposed update to the FY 09 - FY 10 Goals and Work Program.

**Recommended Action:** Direct staff to incorporate the refinements into the Work Program, as appropriate, and direct the Goals and amended Work Program be prepared for approval.

**CC/IA-3. Economic Development Strategy Update** - City Manager/Executive Director Perrault and Economic Development Specialist Buckingham. The Council/Agency Board will receive information regarding economic development activities to address short- and long-term goals of the Economic Development Strategy that was adopted in July 2008.

**Recommended Action:** Receive and file the report.

**CC/IA-4. Update on West Grand Avenue Streetscape Project** - City Manager/Executive Director Perrault and Economic Development Specialist Buckingham. The Council / Agency Board will review design concepts regarding the location and design of medians, pedestrian bulb outs, and median trees on West Grand Avenue between Highway 1 and 4<sup>th</sup> Street.

**Recommended Action:** Provide comments to staff on the median design and bulb-out locations and authorize staff to schedule a workshop to receive public comments on the median and bulb-out design.

## **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)