

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, MAY 4, 2009, 6:30 PM

Next Resolution No. **09-23**
Next Ordinance No. **09-04**

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 May 2009 as "Community Action Month"** - presented to a representative from Community Action Partnerships (formerly the Economic Opportunity Commission or "EOC")
2. **Proclamation Declaring the First Week in May as "Youth 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

3. **2009 Weed Abatement Protest Hearing** - Fire Chief Hubert. The City Council will conduct the required protest hearing for the annual weed abatement program. Inspection of lots and properties in violation of the Weed Abatement Standards was completed on Wednesday, April 22, 2009. Inspections for compliance of the properties noted in violation are scheduled to begin May 25, 2009, with abatements intended to begin June 4, 2009.

Recommended Action: It is recommended that the City Council: 1) conduct the required Protest Hearing, 2) make a finding that there are no defensible protests, and 3) order the abatement of the noticed lots and properties.

VOICE VOTE

4. **Edward Byrne Memorial Justice Assistance Grant Program Application** - Police Chief Copsey. The City Council will consider authorizing staff to submit an application for the 2009 Edward Byrne Memorial Justice Assistance Grant which may be used for training, criminal justice-related research and information systems, as well as purchasing equipment and supplies.

Recommended Action: 1) Authorize staff to submit an application for the 2009 Edward Byrne Memorial Justice Assistance Grant in the amount of \$26,150; and 2) authorize the City Manager and Chief of Police to execute the necessary grant documents.

VOICE 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.

5. **Treasurer's Report for the Period April 16 - 28, 2009.**

(Recommended Action: Approve as submitted.)

VOICE VOTE

6. **Identity Theft Prevention Program** - Administrative Services Director Chapman. The City Council will consider adopting a written program for processing utility accounts to detect identity theft pursuant to regulations of the federal government. **(Recommended Action:** Adopt the Resolution establishing the City's Identity Theft Prevention Program.)

ROLL CALL VOTE

7. **First Quarter 2009 Business Tax Certificate Report** - Administrative Services Director Chapman. The City Council will receive a list of new Business Tax Certificates issued for the period January - March 2009. **(Recommended Action:** Receive and file.)

8. **Traffic Committee Report Recommending Painting the East Curb Red Along the Driveway Adjacent to the Amtrak Bus Stop, Which Leads Into the Rear Parking Lot at 200 West Grand Avenue** - Police Chief Copsey. The City Council will consider recommendations from the Traffic Committee regarding the Fire Department's request to red curb the east curb of the driveway that leads into the parking lot utilized for commercial parking and Amtrak buses located behind 200 West Grand Avenue (and between the "Beach Place" building and "Grand Junction" building) in order to maintain sufficient access for fire apparatus. **(Recommended Action:** Adopt the Resolution authorizing the painting of the

east curb red along the driveway adjacent to the Amtrak bus stop, which leads into the rear parking lot at 200 West Grand Avenue.)

ROLL CALL VOTE

9. **FY 09 - FY 10 Capital Improvement Project Final, South 5th Street Storm Drain, Manhattan Avenue to Longbranch Avenue** - Public Works Superintendent Ford. The City Council will consider authorizing staff to issue the "Notice of Completion" and release final retention to Granite Construction Company for storm drain construction work performed between March 2009 and April 2009 on South 5th Street.

Recommended Action: Adopt the Resolution accepting the construction work performed by Granite Construction Company for the South 5th Street Storm Drain, Manhattan Avenue to Longbranch Avenue Improvements.

ROLL CALL VOTE

10. **FY 09 - FY 10 Local Street Rehabilitation, North 4th Street, Ocean View Avenue to the Northerly City Limit** - Public Works Superintendent Ford. The City Council will consider authorizing staff to issue the "Notice of Completion" and release final retention to Papich Construction, Inc., for street rehabilitation work performed between the middle of November 2008 to April 2009 on North 4th Street.

Recommended Action: Adopt the Resolution accepting the construction work performed by Papich Construction, Inc., for the North 4th Street (from Ocean View Avenue to the northerly City limit) Street Rehabilitation Project.

ROLL CALL VOTE

REGULAR BUSINESS

11. **Consultant Presentation on the Update of the Housing Element of the City's General Plan** - Interim Community Development Director Beck. To assist the City in preparing for the review of the draft Housing Element, the Housing Element consultant will make a presentation that: 1) summarizes the status of progress on the Housing Element; 2) highlights new legislation that has resulted in requirements for changes in the preparation of the Housing Element; and 3) discusses the Regional Housing Needs Assessment (RHNA) and the manner in which the City can meet its fair share of housing.

Recommended Action: Consider the consultant presentation and provide any comments on the materials provided.

12. **Authorization to Participate in an Agreement to Complete a Study on Joint Dispatch Services** - City Manager Perrault. The City Council will consider entering into an agreement to complete a base study regarding joint dispatch services for fire and emergency services with the City of Arroyo Grande and the Oceano Community Services District, and include opportunities for cost efficiencies and service effectiveness for joint dispatch services with the Cities of San Luis Obispo, Paso Robles, and Atascadero.

Recommended Action: Adopt the Resolution authorizing the City to enter into an agreement with Dhillon Management Services for consultant services to complete a study regarding consolidation of dispatch services.

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

- 13. Discussion of Cancelling or Rescheduling the City Council Meeting of June 1, 2009 Due to the Anticipated Lack of a Council Quorum on that Date.**

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^{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
JOINT CITY COUNCIL / IMPROVEMENT AGENCY
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA
MONDAY, MAY 4, 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.

IMPROVEMENT AGENCY - CONSENT AGENDA

IA-1. Authorization to Use Improvement Agency Housing Funds to Reimburse the City for Fees and Costs Associated with the Habitat for Humanity Affordable Housing Project - Executive Director Perrault. The Agency will consider reimbursing approximately \$124,000 to the City from Improvement Agency Housing Funds for fees and costs associated with the four-unit affordable housing project awarded to Habitat for Humanity and located at 506 Longbranch Avenue at the corner of South 5th Street and Longbranch Avenue.

Recommended Action: Adopt the Resolution authorizing the use of Improvement Agency Housing Funds to pay City costs and fees associated with the Habitat for Humanity affordable housing project.

IMPROVEMENT AGENCY - PUBLIC HEARING

IA-2. Redevelopment Agency Education Revenue Augmentation Fund (ERAF) Payment - Agency Finance Officer Chapman - The Agency will consider authorizing the transfer of funds from the Housing Fund to the Improvement Agency Fund in order to facilitate payment to the Education Revenue Augmentation Fund (ERAF).

Recommended Action: Conduct the public hearing, receive testimony, and then: 1) Adopt the Resolution finding that the Grover Beach Improvement Agency will use Low- and Moderate-Income Housing Funds for the ERAF payment due to the County Auditor-Controller on May 10, 2009; and 2) Adopt the Resolution amending the Annual Appropriation Resolution in the amount of \$77,981.

ROLL CALL VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-1. Meadow Creek Bridge and Storm Drain Project, Authorization to Proceed with “Alternative A” and to Fund the Work with a Loan from the Wastewater Enterprise Fund - City Manager/Executive Director Perrault. The Council /Agency Board will consider authorizing a loan from the Wastewater Enterprise Fund to the Improvement Agency in the amount of \$450,000 and programming those funds to complete the West Grand Avenue Storm Drain project, extending the storm drain from the railroad right-of-way to 4th Street ("Alternative A").

Recommendations:

City Council: Adopt the Resolution amending the Annual Appropriation Resolution to authorize a loan between the Wastewater Enterprise Fund and the Improvement Agency in the amount of \$450,000 to provide additional funding to complete the Meadow Creek Bridge and West Grand Avenue Storm Drain Improvements; and
ROLL CALL VOTE

Improvement Agency: Adopt the Resolution amending the Annual Appropriation Resolution accepting the loan from the City and programming funds for the Meadow Creek Bridge and Grand Avenue Storm Drain Project.
ROLL CALL VOTE

CC/IA-2. Request for Proposal for a Train Depot Expansion Project to Improve Bus Access - Interim Community Development Director Beck and Economic Development Specialist Buckingham. The City Council / Improvement Agency will consider releasing a Request for Proposal (RFP) to secure professional consultant services for planning and development components of the Grover Beach Train Depot.

Recommended Action: Approve the Request for Proposal as proposed.

CC/IA-3. Authorization to Proceed with the Process to Recruit and Select Members for an Economic Development Task Force Committee - City Manager/Executive Director Perrault. The City Council/Agency will receive a verbal report regarding a recommended process for selecting members to serve on an Economic Development Task Force Committee.

Recommended Action: By motion provide authorization to proceed.

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)