

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, MAY 18, 2009, 6:30 PM

Next Resolution No. **09-29**
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 18-22, 2009 as "National Public Works Week".**

PRESENTATIONS

2. **Quarterly Activities Report from the Parks, Recreation & Beautification Commission - Commission Chair Leah Greeley.**

Recommended Action: Receive and file the report.

3. **Quarterly Activities Report from the Planning Commission - Commission Chair Karl Blum.**

Recommended Action: Receive and file the report.

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.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 April 28 - May 13, 2009.

(Recommended Action: Approve as submitted.)

VOICE VOTE

5. Minutes of the City Council Meeting of December 15, 2008.

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

VOICE VOTE

6. FY 09 - FY 10 Local Street Rehabilitation, Atlantic City Avenue, Charles Street to North 13th Street - Public Works Superintendent Ford. The City Council will consider authorizing staff to issue the "Notice of Completion" and release final retention to Calportland Construction for street rehabilitation work performed between February 2009 and April 2009 on Atlantic City Avenue.

Recommended Action: Adopt the Resolution accepting the construction work performed by Calportland Construction on Atlantic City Avenue (from Charles Street to North 13th Street) Street Rehabilitation Project.

ROLL CALL VOTE

7. FY 09 - FY 10 Local Street Rehabilitation, North 4th Street, West Grand Avenue to Ocean View Avenue - Public Works Superintendent Ford. The City Council will consider authorizing staff to issue the "Notice of Completion" and release final retention to Rockwood General Contractors Inc., for street rehabilitation work performed between July 2008 and January 2009 on North 4th Street.

Recommended Action: Adopt the Resolution accepting the construction work performed by Rockwood General Contractors, Inc., for the North 4th Street (West Grand Avenue to Ocean View Avenue) Street Rehabilitation Project.

ROLL CALL VOTE

8. Request to Enter Into a Memorandum of Understanding with Pacific West Energy Solutions, Inc., to Perform an Investment Grade Audit for City Municipal Facilities - Interim Community Development Director Beck. The City Council will consider authorizing completion of an Investment Grade Energy Audit to identify potential energy reduction projects in preparation for American Recovery and Reinvestment Act grant proposal.

Recommended Action: Authorize the City Manager to execute the Memorandum of Understanding with Pacific West Energy Solutions, Inc.
ROLL CALL VOTE

REGULAR BUSINESS

9. **Consideration of a Resolution Opposing the Continued Use of Local Property Tax Revenues for State Budget Purposes** - City Manager Perrault. Mr. Dave Mullinax, representing the League of California Cities, will make a presentation regarding the League's opposition to the State's use of locally collected property taxes to for budget purposes.

Recommended Action: Adopt the Resolution opposing the State's continued use of local property tax revenues for its budget purposes.
ROLL CALL VOTE

10. **City's 50th Anniversary of Incorporation Celebration** - Parks and Recreation Director Petker. The City Council will review a list of proposed activities for City-sponsored events to celebrate the City's 50th anniversary of incorporation.

Recommended Action: Authorize staff to move forward with all of the City anniversary commemoration ideas presented.
VOICE VOTE

11. **South 13th Street Sidewalk and Street Improvements** - City Engineer Garing. The City Council will consider narrowing the street width of South 13th Street, from West Grand Avenue to 180 feet north of Longbranch Avenue, to 70 feet to allow design for curb, gutter, and sidewalk in accordance with City standards and still provide for two travel lanes and parking.

Recommended Action: Accept the construction/rehabilitation plan as presented and authorize staff to complete design drawings and to obtain bids for construction.
ROLL CALL VOTE

12. **Allocation of Community Development Block Grant (CDBG) Program Funds Allocated by the American Recovery and Reinvestment Act of 2009** - Interim Community Development Director Beck and Planner II Reese. The City Council will consider recommendations to the San Luis Obispo County Board of Supervisors to amend the 2008 Annual Action Plan for the CDBG Program.

Recommended Action: Adopt the Resolution allocating the American Recovery and Reinvestment Act of 2009 CDBG funding (\$32,888) to the South 13th Street Architectural Barrier Removal Project.
ROLL CALL VOTE

13. **FY 10 Local Street Improvement Program** - City Manager Perrault. The City Council will consider a list of streets identified for rehabilitation that were pre-selected by staff in accordance with the Council's adopted selection criteria.

Recommended Action: Adopt the Resolution which confirms a list of streets to be rehabilitated as a part of the FY 10 Local Street Rehabilitation Program.
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

None at this time.

COUNCIL COMMUNICATIONS

CITY MANAGER'S REPORTS AND COMMENTS

- 14. City of Grover Beach Local Economic Stimulus Program** - City Manager Perrault.
The Council will receive an overview of progress made on the development of a local economic stimulus program.

Recommended Action: Provide comments or direction, as necessary.

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. **Conference with Legal Counsel - Pending Litigation**
Pursuant to Government Code Section 54956.9(c)
Initiation of Litigation: One (1) potential case

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, MAY 18, 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.

CONSENT AGENDA

CC/IA-1. Minutes - Joint City Council / Improvement Agency Meeting of December 15, 2008.
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - PUBLIC HEARING

CC/IA-2. Capital Improvement Project #326 - South Grover Beach Sewer Trunk Main Project - Adoption of Mitigated Negative Declaration and Authorization to Release Bids - Interim Community Development Director Beck and Economic Development Specialist Buckingham. The City Council/Agency will consider adopting a Mitigated Negative Declaration and authorize staff to release bids for the project to install three segments of sewer line that would connect to the existing 21-inch South San Luis Obispo County Sanitation District transmission line located on the east side of Highway 1. The project would create a gravity flow collection system for the southern portion of the City and eliminate three existing sewer lift stations. Location: The project is generally bounded by Farroll Road on the north, Highland Way on the south, Highway 1 on the west, and South 14th Street on the east.

Recommended Action:

Council: Adopt the Resolution which adopts the Mitigated Negative Declaration for the project, and authorize staff to release the bids.
ROLL CALL VOTE

Agency: No Agency action is required.

CC/IA-3. Sale of City-Owned Property to the Agency for an Affordable Housing Project - City Attorney/General Counsel Koczanowicz. The City Council / Improvement Agency will consider selling an undeveloped and vacant parcel currently owned by the City of Grover Beach to the Improvement Agency for purposes of developing another affordable housing project. Location: NW corner of S. 10th Street & Farroll Rd. (APN 060-352-018).

Recommended Actions:

City Council:

1) Council adopt the Resolution approving the sale of the property.
ROLL CALL VOTE

Improvement Agency:

1) Agency adopt the Resolution approving the purchase of the property; and 2) adopt the Resolution amending the Annual Appropriation Resolution, thus approving the sale/purchase transaction.
ROLL CALL VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-4. Conceptual Design for Center Landscape Medians and Pedestrian Bulb-outs on West Grand Avenue between Highway 1 and 4th Street - Interim Community Development Director Beck and Economic Development Specialist Buckingham. The City Council / Improvement Agency will consider approving a conceptual design for landscape medians and pedestrian bulb-outs at all four corners of intersections located at 2nd Street and 3rd Street.

Recommended Action: Approve the conceptual design for center landscape medians and pedestrian bulb-outs at all four corners of the intersections at 2nd and 3rd Streets as shown in the Omni-Means Special Traffic Study Proposed Plan (Figure 2).
VOICE VOTE

CC/IA-5. Consideration of the 2009 Draft Housing Element Update for Submittal to the State Department of Housing and Community Development (HCD) for 60-Day Review - Interim Community Development Director Beck. The City Council will review the Draft Housing Element and direct staff on whether to forward the document to the State Department of Housing and Community Development for its initial 60-day review period as provided by Section 65585(b). The revised housing Element will define goals, policies, quantified objectives and programs designed to demonstrate the accommodation of new residential units within the City of Grover Beach in order to meet the adopted City Regional Housing Needs per State Government Code Section 65583.

Recommended Action:

Council: Review the Draft Housing Element, provide any comments to staff, and adopt the Resolution directing staff to forward the Draft Housing Element to the State Department of Housing and Community Development (HCD) for its initial 60-day review period.
ROLL CALL VOTE

Agency: No Agency action is required.

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)