

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

Next Resolution No. 09-43
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.

CLOSED SESSION ANNOUNCEMENTS

On Monday, July 6, 2009 after meeting in Closed Session regarding:

1. Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8
Property: 1541 Hillcrest Road
Agency Negotiator: City Manager and City Attorney
Negotiating Party: LYLE Company
Under negotiation: Lease Agreement
2. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of
Section 54956.9: One (1) potential case

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.

PRESENTATIONS

- 1. Parks, Recreation & Beautification Commission Quarterly Report - Second Quarter -**
Commission Chair Leah Greeley.

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.

- 2. Treasurer's Report for the Period July 1 - 15, 2009. (Recommended Action: Approve as submitted.)**
VOICE VOTE
- 3. Second 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 April - June 2009. (**Recommended Action:** Receive and file.)
- 4. Minutes of the City Council Meeting of March 16, 2009. (Recommended Action: Approve the minutes as submitted or revised.)**
VOICE VOTE
- 5. Approve and Adopt Increased Parking Fines - Police Chief Copsey.** The City Council will consider increasing fines for parking citations as a result of increased surcharges enacted by the County and State that are scheduled to become effective August 1, 2009. (**Recommended Action:** Adopt the Resolution increasing parking fines and that this Resolution supersedes all prior Resolutions with respect to parking fine amounts.)
ROLL CALL VOTE

REGULAR BUSINESS

- 6. Appointment to Advisory Traffic Committee - Police Chief Copsey.** The City Council will consider recommendations from the Advisory Body Screening Committee as a result of interviews conducted Monday, July 13, 2009 of Grover Beach residents interested in serving on the Traffic Committee.

Recommended Action: Adopt the Resolution re-appointing Paul Brunner to complete a two-year term on the Advisory Traffic Committee, expiring on January 15, 2011.
ROLL CALL VOTE

7. **Appointments to Parks, Recreation & Beautification Commission** - Parks and Recreation Director Petker. The City Council will consider recommendations from the Advisory Body Screening Committee as a result of interviews conducted Wednesday, July 15, 2009 of Grover Beach residents interested in serving on the Parks, Recreation & Beautification Commission.

Recommended Action: 1) Accept the Screening Committee's recommendations to appoint **Dee Santos, Ellie Ross** and **Jeffrey Lee** to the Parks, Recreation and Beautification Commission; 2) make a determination regarding which two applicants will be appointed to serve four-year Commission terms, expiring on March 31, 2013; make a determination as to the one applicant appointed to fill the *unexpired* term scheduled to expire on March 31, 2011; and 3) direct staff to maintain **Arnold Dowdy's** name on a list that identifies Mr. Dowdy as the next appointee to the Commission in the event a Commission vacancy occurs as a result of the resignation of a sitting Commissioner.
ROLL CALL VOTE

8. **Water Shortage Contingency Plan** - City Engineer Garing. The City Council will review requirements of the adopted Water Shortage Contingency Plan and receive a report regarding average rainfall totals affecting the water supply for the City

Recommended Action: Continue a Stage I Water Shortage (Minor-Voluntary) and direct staff to continue those measures as noted in the Water Shortage Stages of Action and to continue Consumption Reduction Methods.
VOICE VOTE

- 9 **Consideration of Local Preference Policy in All Procurement Processes Which Require Estimates or Competitive Bidding** - City Attorney Koczanowicz. The City Council will consider a draft policy to provide for an advantage to any business located within the City limits which would compete for the procurement of goods or services to the City. The proposed policy is one component of the Council-authorized local stimulus program.

Recommended Action: Review and discuss the proposed draft policy and provide direction to staff concerning any potential changes or additions. Additionally, instruct staff to return with an Ordinance for introduction and first reading and ultimate adoption by the City Council.
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	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

- 10. Designation of Voting Delegates and Alternates at the League of California Cities Annual Conference - September 16-18, 2009 in San Jose, CA.**
[deadline to submit selection to League = August 21, 2009]

COUNCIL COMMUNICATIONS

CITY MANAGER'S REPORTS AND COMMENTS

- 11. Update on Pending Projects as Requested by the Mayor - City Manager Perrault.**

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 Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: 1541 Hillcrest Road
Agency Negotiator: City Manager and City Attorney
Negotiating Party: LYLE Company
Under negotiation: Lease Agreement

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

* * * * *

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.

* * * * *

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.

* * * * *

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.

* * * * *

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, JULY 20, 2009

*(Meeting begins immediately following the
Regular City Council Meeting scheduled at 6:30 p.m. on this date.)*

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.

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 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.

CONSENT AGENDA

CC/IA-1. Minutes of the Joint City Council / Improvement Agency Meeting of March 2, 2009.
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE

CC/IA-2. Award of Bid for Construction of South Grover Beach Sanitary Sewer System Expansion Project - City Engineer Garing. The Council will consider bids received on Wednesday, July 8, 2009 for the South Grover Beach Sanitary Sewer System Expansion Project. **(Recommended Actions:** 1) Adopt the Resolution to award the Construction of the South Grover Beach Sanitary Sewer System Expansion Project (including Alternates A, B, C, and D), to the lowest responsive bidder, R. Baker, Inc.; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$59,117, to be deducted from said contingency; and 3) authorize the Mayor to execute the contract on behalf of the City.)
ROLL CALL VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-3. Proposed Amendments to FY 10 Budget and Capital Improvement Program - City Manager/Executive Director Perrault. The Council/Agency will continue its review of proposed amendments to the FY 10 Budget.

Council: Approve modifications to the FY 10 Budget and adopt the Resolution superseding the Annual Appropriation Resolution No. 08-50 for FY 10.
ROLL CALL VOTE

Agency: Approve modifications to the FY 10 Budget and adopt the Resolution superseding the Improvement Agency Annual Appropriation Resolution No. IA-08-06 for FY 10.
ROLL CALL VOTE

CC/IA-4. Status Report on the Preparation of the Housing Element of the General Plan and Distribution of the Land Use Element and Master Environmental Impact Report of the General Plan / Initiation of 45-day Public Review Period - Interim Community Development Director Beck. The Council/Agency will receive an update on progress achieved to date to complete updates on the Housing Element, the Land Use Element, and the Master Environmental Impact Report, and the proposed schedule to complete the updates.

Recommended Actions: Review the Status Report presented and provide direction to staff on the Housing Element and the Land Use Element/Master Environmental Impact Report projects and the proposed schedules.
VOICE VOTE

ADJOURNMENT

* * * * *

Copies of staff reports or other written materials relating to each item of business referred to on this agenda are available on 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.

* * * * *

Note: 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 473-4567 for more information.

* * * * *

The agenda and staff reports are also available at the City's website: www.grover.org



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)