

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, AUGUST 3, 2009, 6:30 PM

Next Resolution No. 09-48

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

None at this time.

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Items withdrawn from the Consent Agenda will be placed and heard at the end of the items previously scheduled on the Regular Business schedule.

1. **Treasurer's Report for the Period July 15 - 27, 2009.** (**Recommended Action**: Approve as submitted.)
VOICE VOTE

2. **Federal Equitable Sharing Agreement** - Chief of Police Copsey. The City Council will consider entering into an annual agreement that will allow the City to receive federally-forfeited funds, including equipment purchased with such funds, from the San Luis Obispo Narcotic Task Force (SLO NTF), a multi-agency task force coordinated by the State Bureau of Narcotic Enforcement. (**Recommended Action**: Adopt the Resolution authorizing the Mayor and the Chief of Police to execute a Federal Equitable Sharing Agreement that will allow the City to receive federally-forfeited assets from adjudicated narcotics cases, pursuant to the Federal Equitable Sharing Program.)
ROLL CALL VOTE

REGULAR BUSINESS

3. **Request to Set Public Hearing Date for the Formation of Districts for the Undergrounding of Utilities** - City Manager Perrault. The City Council will consider proceeding with the necessary steps as outlined in Rule 20 A of the Public Utilities Commission to relocate utilities underground in four areas of the City.

Recommended Action: By motion, set the public hearing to consider the formation of four utility undergrounding districts for Monday, September 21, 2009.

VOICE VOTE

4. **Consideration of Local Preference Policy in All Procurement Processes Which Require Estimates or Competitive Bidding** - City Attorney Koczanowicz. The City Council will continue its discussion regarding 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. (*Continued from the City Council Meeting of 07/20/09.*)

Recommended Action: Discuss the proposed draft policy and provide direction to staff concerning any potential changes or additions to be included in a first draft of an Ordinance amending the Purchasing Manual

VOICE VOTE

5. **Potential Budget Savings Through Early Retirement Incentive and Position Elimination** - Administrative Services Director Chapman. The City Council will consider three cost saving options through implementation of an early retirement or Golden Handshake policy to reduce General Fund expenditures.

Recommended Action: Adopt the Resolution for use of all three cost saving options through implementation of an early retirement (Golden Handshake) policy to reduce General Fund expenditures. This will give staff flexibility if a position is identified for elimination.

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.

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| 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

CITY ATTORNEY'S REPORTS AND COMMENTS

CLOSED SESSION

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

- 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

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^{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, AUGUST 3, 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 of the Joint City Council/Improvement Agency Meeting of March 16, 2009.
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE

REGULAR IMPROVEMENT AGENCY BUSINESS

CC/IA-2 . Update on Local Economic Stimulus Program - Shop & Dine in Grover Beach -
Administrative Services Director/Finance Officer Chapman. The City Council/
Improvement Agency will consider authorizing staff to proceed with a component of the
local economic stimulus program to encourage residents and businesses to shop
locally.

Recommended Actions:

City Council:

Adopt the Resolution authorizing the Shop & Dine in Grover Beach Program.
ROLL CALL VOTE

Agency:

Adopt the Resolution authorizing the Shop & Dine in Grover Beach Program.
ROLL CALL VOTE

**CC/IA-3. Status Report on the Development of a Technology Master Plan and Authorization
to Proceed with a Grant Application -** City Manager/Executive Director Perrault. The
City Council/Improvement Agency will receive a draft report on an analysis conducted
by Digital West regarding opportunities associated with the development of fiber optic

and broadband systems to provide economic stimulus to the local community and consider authorizing the submittal of two grant applications for a broadband project.

Recommended Action: Authorize the acceptance of the Status Report and authorize Digital West to proceed with the grant/loan application process.
VOICE VOTE

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)