

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, AUGUST 17, 2009, 6:30 PM

Next Resolution No. 09-51
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, August 3, 2009 after meeting in Closed Session regarding:

1. 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.

CEREMONIAL CALENDAR

1. Proclamation Recognizing Dellos Performing Arts Center (DPAC) - Central Coast.

PRESENTATIONS

- 2. Planning Commission Quarterly Report - Second Quarter 2009** - presented by Former Planning Commission Chair Karl Blum.

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. Consideration of Ordinance Amending the Grover Beach Municipal Code to Include Mobilehome Park Conversion Regulations**- City Attorney Koczanowicz. The City Council will conduct a public hearing, introduction and first reading of an Ordinance which would amend the Grover Beach Municipal Code to add to Article XI, Zoning Regulation, a Part 51 Mobilehome Park Conversion Process. The amendment would create a section that would follow state law in establishing a process for any potential conversion of a mobilehome park to another use. The process would include full notification to all affected parties, a preparation of an impact report, as well as appointment of a relocation specialist to assist affected mobilehome owners during a relocation process.

Recommended Action: Receive and consider the Staff Report, along with any public input, introduce the Ordinance by title only, conduct the first reading, and schedule the second reading and adoption for the next Regular City Council meeting.

ROLL CALL VOTE

- 4. Amendments to the Master Fee Schedule Regarding Parks and Recreation Fees** - Parks and Recreation Director Petker. The City Council will consider amending the Master Fee Schedule to add a new per hour fee for fields, field lights, and horseshoe pits used by a non-profit organized youth league (must be a recognized league by the Parks and Recreation Department). The current fees are \$19 per hour for field lights, and \$12.50 per hour for fields and horseshoe pits. The proposed new fees are \$9.50 per hour for field lights and \$6.25 per hour for fields and horseshoe pits. The matter regarding charging a per hour fee for facilities used by organized youth leagues at a 50% discount, consistent with other youth-related programs, was considered by the Parks, Recreation and Beautification Commission at a Special Meeting on June 25, 2009.

Recommended Action: Consider public testimony and adopt the Resolution amending the Master Fee Schedule.

ROLL CALL VOTE

- 5. Consideration of Policy for Establishment of "Mayor Emeritus" Title** - City Manager Perrault and City Attorney Koczanowicz. The City Council will consider whether to continue the discussion of creating a policy or procedure for bestowing a title of "Mayor Emeritus".

Recommended Action: Table the item without further discussion or public testimony.

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.

6. Treasurer's Report for the Period July 27 - August 11, 2009.

(Recommended Action: Approve as submitted.)

VOICE VOTE

7. Minutes of the City Council Meeting of April 6, 2009. (Recommended Action: Approve the minutes as submitted or revised.)

VOICE VOTE

8. Acceptance of Seismic Retrofit and Rehabilitation of Water Reservoir Number 2 - Public Works Superintendent Ford. The City Council will consider accepting improvements completed by Spiess Construction, Inc., on water Reservoir Number 2, issuing a Notice of Completion, and release of final retention.

(Recommended Action: Adopt the Resolution accepting the construction work performed by Spiess Construction, Inc. for the seismic retrofit and rehabilitation of Reservoir Number 2.)

ROLL CALL VOTE

REGULAR BUSINESS

9. Consideration of Traffic Calming Measures for Margarita Avenue - City Manager Perrault. The City Council will receive recommendations, based on field observations and comments received during a workshop held with neighborhood residents, to reduce traffic speeds on Margarita Avenue by installing a series of speed undulations (bumps), painted chevrons, and signage.

Recommended Action: Authorize staff to implement the traffic calming measures in the report and direct staff to return with the necessary budget amendments.

VOICE VOTE

10. Appointment to Parks, Recreation & Beautification Commission - Parks and Recreation Director Petker. The City Council will consider making an appointment to the Parks, Recreation & Beautification Commission to fill an unscheduled vacancy as a result of the resignation of a sitting Commissioner.

Recommended Action: Adopt the Resolution appointing Mr. Arnold Dowdy to the *unexpired* term on the Parks, Recreation & Beautification Commission, which is scheduled to expire on March 31, 2012; and introduce Commissioner Dowdy to the City Council and members of the audience.

ROLL CALL VOTE

11. Authorization to Enter Into an Agreement for Development of a Multipurpose Trails Feasibility Study for the Beach Cities Trail (BCT) - Parks and Recreation Director Petker. The City Council will propose to study the feasibility of a multipurpose trail from the Amtrak

Station at Highway One/West Grand Avenue to the site of the future Hilton Garden Inn on El Camino Real.

Recommended Action: 1) Adopt the Resolution authorizing a budget amendment; and 2) adopt the Resolution authorizing the Mayor Pro Tem to execute the agreement on behalf of the City with RRM for consulting services associated with the Beach Cities Trail project to complete the Union Pacific Railroad Corridor and the additional alternative from the Amtrak Station to the future Hilton Garden Inn.

ROLL CALL VOTE

- 12. Acceptance of Sewer System Management Plan** - Public Works Superintendent Ford. The City Council will accepting consider accepting the Sewer System Management Plan regarding goals for improving the City's sewer system infrastructure, which was previously reviewed and approved in October 2007.

Recommended Action: Adopt the Resolution approving the completed Sewer System Management Plan prepared in accordance with the State Water Resources Control Board Statewide General (WDR) Order No. 2006-0003-DWQ.

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

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: Two (2) potential cases

3. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-206-027
Agency negotiator: City Manager and City Attorney
Negotiating party: John Koepf
Under negotiation: Easement or License Acquisition from the City

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 17, 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. Review of Comments Received from the State Department of Housing and Community Development (HCD) on the Public Review Draft of the Housing Element - Interim Community Development Director Beck. The Council/Agency will review comments received from the State Department of Housing and Community Development on the Public Review Draft of the Housing Element of the City's General Plan, and staff's response to those comments to ensure that the issues identified have been adequately addressed.

Recommended Action: Review the Report, provide direction to staff on the remaining issues, and direct staff to submit the proposed revisions to HCD for a second review to determine if the issues identified in the July 21 letter have been adequately addressed.

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)