

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
TUESDAY, SEPTEMBER 8, 2009, 6:30 PM

Next Resolution No. **09-57**

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 17, 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: 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

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

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

- 1. Introduction and First Reading of an Ordinance Adding Chapter 11 to the City's Purchasing Manual to Provide for a Local Preference Policy in All Procurement Processes Which Require Estimates or Competitive Bidding** - City Attorney Koczanowicz. The City Council will consider a local preference policy for all competitive procurement processes of the City for goods and services in excess of one thousand dollars (\$1,000). The new policy would provide for a five percent (5%) advantage on all bids, quotes, and estimates submitted by a responding individual, company or other entity that is located in Grover Beach. The five percent (5%) advantage would be limited to a maximum "allowance" not to exceed five thousand dollars (\$5,000).

Recommended Action: Open the Public Hearing, introduce the Ordinance and conduct the first reading, by title only, and schedule the second reading and adoption for the next regular City Council meeting.

ROLL CALL 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.

- 2. Treasurer's Report for the Period August 11 - September 2, 2009.**

(Recommended Action: Approve as submitted.)

VOICE VOTE

- 3. Minutes of the Following City Council Meetings:**
 - Special City Council Meeting of April 20, 2009; and
 - Regular City Council Meeting of April 20, 2009.

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

VOICE VOTE

REGULAR BUSINESS

4. **Traffic Committee Report Recommending Extending the Painting of Red Curbs Along West Grand Avenue for the South County Area Transit (SCAT) Bus Stops** - Police Chief Copsey. The City Council will consider recommendations from the Traffic Committee regarding red curbing on West Grand Avenue to accommodate proposed changes to bus stop locations by the Regional Transit Authority/South County Area Transit (SCAT).

Recommended Action: Adopt the Resolution authorizing the painting of curbs red and the relocation of bus stops along West Grand Avenue as outlined in the Exhibit to the Resolution.

ROLL CALL VOTE

5. **Consideration of a Resolution Establishing an Exception to Resolution No. 03-37 as It Relates to Traffic Calming Measures, Including Speed Bumps and Undulations** - City Manager Perrault. The City Council will consider authorizing the installation of certain types of traffic calming measures based on the existence of certain circumstances, including the unique design, width, length or location of a street.

Recommended Action: Adopt the Resolution establishing an exception to the policy outlined in Resolution No. 03-37 as it relates to the installation of certain traffic calming measures.

ROLL CALL VOTE

6. **Consideration of Traffic Calming Measures on Margarita Avenue** - City Manager Perrault. The City Council will continue its discussion of potential options to reduce traffic speeds on Margarita Avenue by installing traffic calming measures. (Continued from City Council Meeting of August 17, 2009.)

Recommended Action: By motion make a determination that certain circumstances exist due to the unique design of Margarita Avenue that warrant the installation of pavement undulations or other traffic calming measures and direct staff to complete the improvements.

VOICE VOTE

7. **Presentation of Greenhouse Gas Inventory for the City of Grover Beach Prepared by PMC, Inc.** - Interim Community Development Director Beck. The City Council will receive a presentation on the Greenhouse Gas Inventory prepared in cooperation with the Air Pollution Control District (APCD) to identify both municipal and community-wide energy impacts.

Recommended Action: Receive the presentation and the Greenhouse Gas Inventory Report.

8. **Request to Review and Receive the Investment Grade Audit Prepared by PacificWest Energy Solutions, Inc.** - Interim Community Development Director Beck. The City Council will review an audit of City facilities and the options to reduce energy use, reduce exposure to rising energy costs, and minimize impacts on the environment. A Public Hearing to consider identifying a preferred alternative energy program has been scheduled for September 21, 2009.

Recommended Action: Receive and file.

9. **Approval of Water Conservation Programs in Support of the Grover Beach Local Stimulus Initiative** - Interim Community Development Director Beck. The City Council will consider programs intended to encourage water conservation, by offering various rebates for certain appliances, irrigation controllers, and turf replacement, and encourage the use of local contractors and landscaping businesses.

Recommended Action: Adopt the Resolution approving the Water Conservation Programs as outlined in the staff report, subject to Council recommended conditions.

ROLL CALL VOTE

10. **Approval of a Building Permit Discount Program in Support of the Grover Beach Local Stimulus Initiative** - Interim Community Development Director Beck. The City Council will consider a program to help stimulate the local construction industry, while improving the housing stock in the City, by giving a twenty percent (20%) discount for Building Permit Applications submitted during the month of November 2009.

Recommended Action: Adopt the Resolution approving the Building Permit Discount Program as outlined in the staff report, subject to Council recommended conditions.

ROLL CALL VOTE

11. **Business Tax Amnesty Program** - Administrative Services Director Chapman. The City Council will consider authorizing a one-month amnesty period for nonpayment of a Business Tax Certificate for existing businesses.

Recommended Action: Adopt the Resolution authorizing the City to implement a Business Tax Certificate Amnesty 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)
South County Area Transit (SCAT)
Fire and Emergency Services Oversight Committee

John Shoals (Alt: Bill Nicolls)
John Shoals (Alt: Bill Nicolls)
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

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 4/5th 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
GROVER BEACH CITY COUNCIL/IMPROVEMENT AGENCY
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA
TUESDAY, SEPTEMBER 8, 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 - CONSENT AGENDA

CC/IA-1. Minutes of the Joint City Council/Improvement Agency Meeting of April 6, 2009.
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-2. Approval of a Home Repair Program in Support of the Grover Beach Local Stimulus Initiative - Interim Community Development Director Beck. The City Council/Improvement Agency will consider a program intended to help stimulate the local construction industry, while improving the housing stock in the City, by issuing loans to income-qualified residences for assistance with home repairs.

Recommended Action:

Council: Adopt the Resolution approving the Home Repair Local Stimulus Program as outlined in the report and authorize the City Manager to sign the Agreement between the City and Community Action Partnership of San Luis Obispo County, Inc., subject to any Council recommended conditions.

ROLL CALL VOTE

Agency: Adopt the Resolution approving the Home Repair Local Stimulus Program as outlined in the report and authorize the Executive Director to sign the Agreement between the City and Community Action Partnership of San Luis Obispo County, Inc., subject to any Agency recommended conditions.

ROLL CALL VOTE

CC/IA-3. Status Report on the Train Station Expansion Project and Consideration of Resolutions of Support for the Project - City Manager/Executive Director Perrault and Economic Development Specialist Buckingham. The City Council/Improvement Agency will be requested to provide feedback on the conceptual site plan for the Train Station Expansion Project.

Recommended Action:

City Council: It is recommended that the Council provide feedback on the conceptual site plan, and adopt the Resolution indicating the City's support for the project.
ROLL CALL VOTE

Agency: It is recommended that the Agency provide feedback on the conceptual site plan, and adopt the Resolution indicating the Agency's support for the project.
ROLL CALL 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)