

**AGENDA**  
**GROVER BEACH CITY COUNCIL**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET**  
**GROVER BEACH, CALIFORNIA**  
**MONDAY, SEPTEMBER 21, 2009, 6:30 PM**

Next Resolution No. **09-64**  
Next Ordinance No. **09-05**

*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**

None at this time.

**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 October as "Ride Share Month".
2. Proclamation Declaring September 27-October 3, 2009 as "Sea Otter Awareness Week".

**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. **Establishment of Four New Underground Utility Districts** - City Manager Perrault and City Engineer Garing. The City Council will consider four areas (previously selected by the City Council) as candidates for undergrounding of utilities in accordance with the established rules of both the electric and communications utilities serving the City of Grover Beach. Establishing these areas is necessary to take advantage of the funding available for such undertakings. The Council will discuss staff's recommendation to continue this item to allow for additional meetings with utility representatives.

**Recommended Action:** Open the Public Hearing and by motion continue the Public Hearing on this matter to Monday, October 19, 2009.

4. **Consideration of Energy Alternatives Presented in the Investment Grade Audit Prepared by PacificWest Energy Solutions, Inc., Selection of the Preferred Energy Solutions, and Consideration of Entering into an Energy Solutions Agreement with PacificWest to Assist the City in Implementing an Energy Improvement Program** - City Manager Perrault. The City Council will consider entering into an Energy Solutions Agreement to reduce energy use, reduce exposure to rising energy costs, and minimize impacts on the environment.

**Recommended Action:** 1) Choose Option 5, which completes all of the improvements, provided that grant funding can be found in the amount of \$317,275 to be used for the installation of solar; 2) adopt the Resolution selecting PacificWest Energy Solutions, Inc. to assist the City in implementing the identified energy improvement program making the findings as required by Government Code Section 4217.10; and 3) direct the City Manager to enter into negotiations with PacificWest and authorize the Mayor to sign the final Energy Solutions Agreement reflecting the selected option.

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.

5. **Treasurer's Report for the Period September 2-15, 2009.**

**(Recommended Action:** Approve as submitted.)

VOICE VOTE

6. **Minutes of the City Council Meeting of May 4, 2009.**

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

VOICE VOTE

7. **Second Reading and Adoption 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:** Conduct the second reading, by title only, and adopt Ordinance No. 09-04, adding the Local Preference Policy to the Purchasing Manual.)

ROLL CALL VOTE

8. **Award of Bid for Construction of the South County Transit Hub Project, Phase II** - City Manager Perrault. The Council will consider bids received on Tuesday, September 1, 2009 for the South Grover Transit Hub Project, Phase II, Ramona Avenue from 8<sup>th</sup> Street to 9<sup>th</sup> Street. (**Recommended Actions:** 1) Adopt the Resolution awarding the South County Transit Hub Project, Phase II, to the lowest responsive bidder, California Coastal Development Inc.; 2) authorize the City Manager to sign and affirm change orders to the project in amounts totaling up to \$18,462 to be deducted from said contingency; and 3) authorize the Mayor to execute the contract on behalf of the City.)
- ROLL CALL VOTE

9. **Award of Bid for Public Street Improvements on South 13<sup>th</sup> Street (South of West Grand Avenue to Manhattan Avenue)** - City Engineer Garing. The Council will consider thirteen bids received on Wednesday, September 2, 2009 for the South 13<sup>th</sup> Street Rehabilitation Project (south of West Grand Avenue to Manhattan Avenue). (**Recommended Actions:** 1) Adopt the Resolution to award the construction of Public Street Improvements 13<sup>th</sup> Street (south of West Grand Avenue to Manhattan Avenue) to the lowest responsive bidder, Souza Construction, Inc.; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$12,709, to be deducted from said contingency; and 3) authorize the Mayor to execute the contract on behalf of the City.)
- ROLL CALL VOTE

10. **Clarification of Resolution No. 02-102** - City Engineer Garing. The City Council will consider adopting a Resolution to clarify the conditions for formation of the Oak Park Boulevard Underground Utility District (North Oak Park Boulevard from Ramona Avenue to Atlantic City Avenue) to add specific language as requested by PG&E. (**Recommended Action:** Adopt the Resolution clarifying Resolution No. 02-102 by using the term "100 Foot Rule" to describe the service connection portion of the project to be funded by Rule 20A funds and Rule 32 obligations.)
- ROLL CALL VOTE

11. **Consideration of Resolutions Necessary to Initiate Recruitment for a Public Works Director / City Engineer and Community Development Director** - City Manager Perrault. The City Council will consider authorizing the position and salary range of Public Works Director/City Engineer and amend the salary range for Community Development Director. (**Recommended Action:** 1) Adopt the Resolution authorizing the position of Public Works Director / City Engineer; and 2) adopt the Resolution amending the Salary Schedule to add the Public Works Director / City Engineer and set the salary ranges for the Public Works Director / City Engineer and Community Development Director.)
- ROLL CALL VOTE

## **REGULAR BUSINESS**

None at this time.

**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**

**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 4/5<sup>ths</sup> 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](http://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 8<sup>th</sup> 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](http://www.grover.org)

**AGENDA**  
**JOINT CITY COUNCIL / IMPROVEMENT AGENCY**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA**  
**MONDAY, SEPTEMBER 21, 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.

**CITY COUNCIL / IMPROVEMENT AGENCY - CONSENT AGENDA**

**CC/IA-1. Minutes of the Joint City Council / Improvement Agency Meeting of May 4, 2009.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE

**CC/IA-2. Authorization to Release Bids for the West Grand Avenue Enhancement Project -**  
City Manager/Executive Director Perrault and Economic Development Specialist Buckingham. The City Council / Improvement Agency will consider authorizing staff to release bids for the construction of center medians, pedestrian bulb-outs, decorative crosswalks, pedestrian lights, and street trees on West Grand Avenue between 2<sup>nd</sup> and 4<sup>th</sup> Streets. **(Recommended Action:** Authorize staff to release bids for the West Grand Avenue Enhancement Project.)  
VOICE VOTE

**CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS**

**CC/IA-3. Authorization to Release Request for Proposal for City Branding and Signage Program -** City Manager/Executive Director Perrault and Economic Development Specialist Buckingham. The City Council / Improvement Agency will consider releasing a Request for Proposal (RFP) to secure professional consultant services to prepare a branding and signage program for the City.

**Recommended Action:** Approve the Request For Proposal as proposed for a City branding and signage program.  
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.<sup>1</sup>

#### **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.

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<sup>1</sup> Govt. Code § 36813, 54957.9 (Council may establish rules of conduct; removal of disorderly persons from public meetings)