

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, OCTOBER 19, 2009, 6:30 PM

Next Resolution No. 09-71
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

On Monday, October 5, 2009 after meeting in Closed Session regarding:

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(a)
Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al, and
Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214.
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.

CEREMONIAL CALENDAR

1. **Proclamation Declaring the Week of October 23 - 31, 2009 as "Red Ribbon Week".**

PRESENTATIONS

2. **American Red Cross Disaster Preparedness Presentation.**

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 Underground Utility Districts** - 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. *(Continued Public Hearing from the City Council Meeting of September 21, 2009.)*

Recommended Action: Open the Public Hearing, receive public comments, and adopt the Resolution establishing four underground utility districts as shown in Exhibits A through D (attached to the Resolution).

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.

4. **Treasurer's Report for the Period October 1 - 14, 2009.**
(Recommended Action: Approve as submitted.)
VOICE VOTE
5. **Third 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 July - September 2009. **(Recommended Action:** Receive and file.)
VOICE VOTE
6. **Minutes of the Special City Council Meeting of June 8, 2009.**
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE
7. **Animal Control Services Agreement Renewal** - Police Chief Copsey. The City currently has an existing agreement for animal control and field services with the County of San Luis Obispo. The City Council will consider continuing those services with the County for a twelve-month period. **(Recommended Action:** Adopt the Resolution approving the First

Amendment to the Contract for Animal Services by the County of San Luis Obispo and authorize the Mayor to execute the agreement on behalf of the City.)
ROLL CALL VOTE

8. **Electronic Bill Presentment and Payment Service** - Administrative Services Director Chapman. The City Council will consider authorizing a program to allow customers to view their utility bills on-line, as well as make on-line payments through bank transfers or by credit card. (**Recommended Action:** Adopt the Resolution appropriating \$10,000 from the Water Fund to implement the NetBill Electronic Bill Presentment and Payment Services for utility billing.)
ROLL CALL VOTE

9. **Adoption of a Resolution Authorizing PacificWest Energy Solutions, Inc., to Submit Applications on Behalf of the City** - Interim Community Development Director Beck. The City Council will consider adopting Resolutions authorizing PacificWest Energy Solutions, Inc., to submit applications on behalf of the City to support modernization of City facilities to achieve energy efficiency and cost savings. (**Recommended Action:** Adopt the Resolution authorizing PacificWest Energy Solutions, Inc., to submit applications on behalf of the City and authorize the Mayor to sign all necessary documents.)
ROLL CALL VOTE

REGULAR BUSINESS

10. **Consideration of a Resolution Supporting the Location of a Facility to Serve the Homeless in the South County** - City Manager Perrault. The City Council will consider adopting a Resolution of support for the establishment of a facility capable of providing a variety of services to the local homeless population and located in the South County.

Recommended Action: Adopt the Resolution supporting the location of a Homeless Services Center within the South County.
ROLL CALL VOTE

11. **Status Report - Water Resources** - City Manager Perrault and City Engineer Garing. The City Council will receive a report on the City's water resources, future needs, supplemental water supply options, and the ongoing basin monitoring program.

Recommended Action: Receive and file the report.
VOICE VOTE

12. **Authorization to Proceed with a Water Rate Study Update** - Administrative Services Director Chapman. The City Council will consider appropriating funds to update the Water Rate Study conducted in 2005 by Tuckfield and Associates, which contained projections through FY 2009.

Recommended Action: Adopt the Resolution amending the Annual Appropriation Resolution to appropriate \$24,600 for the retention of Tuckfield and Associates to conduct a water rate study update.
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 item(s):

1. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Manager

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, OCTOBER 19, 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 City 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 18, 2009. (Recommended Action: Approve as submitted or amended.)**
VOICE VOTE

**CC/IA-2. Affirming the City of Grover Beach and the Grover Beach Improvement Agency's
Investment Policy** - Administrative Services Director/Finance Officer Chapman. The
Council/Agency will conduct an annual review of the City/Agency's written investment
policy pursuant to state law.

(Recommended Action - City Council: Adopt the Resolution affirming the Investment
Policy for the City of Grover Beach.)
ROLL CALL VOTE

(Recommended Action - Improvement Agency: Adopt the Resolution affirming the
Investment Policy for the Grover Beach Improvement Agency.)
ROLL CALL VOTE

IMPROVEMENT AGENCY - BUSINESS

**IA-1. Presentation Regarding the San Luis Obispo County Visitors and Conference
Bureau and Consideration of Agreement for Tourism and Promotion Services** -
Mr. John Summer, Executive Director of the San Luis Obispo Visitors and Conference
Bureau, will provide an overview of recent activities of the Bureau and the organization's
relationship to the City of Grover Beach. The Improvement Agency will then consider
renewing the agreement for tourism and promotion services.

Recommended Action: Receive the presentation and 1) adopt the Resolution authorizing the Agency to enter into an agreement with the San Luis Obispo County Visitors and Conference Bureau; and 2) authorize the Executive Director to execute the agreement on behalf of the Agency.

ROLL CALL VOTE

CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-3. Request for Direction on Proposed Affordable Housing Project - 10th and Farroll Avenue - City Manager/Executive Director Perrault. The City Council will review the one proposal received from Habitat for Humanity to construct an affordable housing project on Agency-owned property.

Recommended Action: Receive the presentation and direct staff to reissue the Request for Proposal (RFP) with modified requirements to all those who received the original RFP or contacted the City with interest in the project.

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)