

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, NOVEMBER 16, 2009, 6:30 PM

Next Resolution No. 09-84
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, November 2, 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.

PRESENTATIONS

1. **Second & Third Quarter Activity Reports - Grover Beach Chamber of Commerce.**

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

- FY 10 Citizens Option for Public Safety (COPS) Grant** - Police Chief Copsey. In FY 97, the State enacted the Citizens Option for Public Safety (COPS) Grant. This program annually allocates funds for local law enforcement frontline delivery of services. This year's funds of \$100,000 must be encumbered by July 2010 and spent by July 2011.

Recommended Action: Adopt the Resolution approving the allocation of FY 10 COPS funds.
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.

- Treasurer's Report for the Period October 28 - November 12, 2009.**

(Recommended Action: Approve as submitted.)

VOICE VOTE

- Minutes of the City Council Meeting of Monday, July 6, 2009.**

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

VOICE VOTE

- FY 09 - FY 10 Storm Drain Improvements on 16th Street at West Grand Avenue** - Public Works Superintendent Ford. The City Council will consider formally accepting improvements constructed on 16th Street at West Grand Avenue by California Coastal Development, Inc.

(Recommended Action: Adopt the Resolution accepting the improvements and authorize issuing a Notice of Completion.)

ROLL CALL VOTE

REGULAR BUSINESS

- Discussion Regarding the Changes Proposed by the Le Sage Mobilehome Owners and Residents to the Draft Ordinance Amending the Grover Beach Municipal Code to Include Mobilehome Park Conversion Regulations** - City Attorney Koczanowicz. The City Council will receive a staff report regarding the discussions held with mobilehome owners and mobilehome owner association representatives regarding amendments to the draft Ordinance prepared by the Le Sage Mobilehome owners and residents. *(At the City Council meeting of October 5, 2009, the Council formally continued the noticed Public Hearing on this matter to Monday, January 4, 2010.)*

Recommended Action: Receive and consider the staff report, along with any public input, and direct staff to return with a draft Ordinance for introduction at the January 4, 2010 public hearing, with changes, if any, from the draft attached to the staff report and labeled as "Attachment 2".

VOICE VOTE

7. **Authorization to Participate in Joint Letter from the Northern Cities Requesting an Emergency State Water Allocation; and Authorization to Begin Negotiations for a Permanent Entitlement to State Water** - City Engineer Garing. The City Council is being asked to participate in a letter from members of the Northern Cities Management Area (NCMA) to the County of San Luis Obispo requesting an allocation of State Water on an emergency basis and to provide direction to staff on a long-term allocation of State Water.

Recommended Action: 1) Authorize the Mayor to sign the NCMA letter requesting an emergency water allocation at the Lopez turnout; and 2) authorize staff to negotiate with the County and the Central Coast Water Authority to procure future permanent allotments of State Water.

VOICE 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

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^{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, NOVEMBER 16, 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.

IMPROVEMENT AGENCY - PRESENTATION

IA-1. Presentation from the Economic Vitality Corporation (EVC). EVC President and CEO Mike Manchak will report on recent activities and collaborations of the Economic Vitality Corporation.

CONSENT AGENDA

IA-2. Minutes of the Joint City Council / Improvement Agency Meeting of Monday, July 6, 2009. (Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-1. Amendments to the Capital Improvement Program - City Manager/ Executive Director Perrault (this item will be presented by City Engineer Garing). The Council/Agency will consider a number of proposed amendments prepared by staff regarding the City's Capital Improvement Program regarding: 1) the West Grand Avenue Enhancement Project, 2) South 4th Street - Street and Sewer Project, and 3) the prioritized list for FY 10 Local Street Rehabilitation Projects - W. Grand Avenue, Atlantic City Avenue, and South 4th Street.

Recommended Actions:

City Council: 1) Adopt the Resolution amending the Capital Improvement Program for the City of Grover Beach; 2) adopt the Resolution making the necessary budget adjustments to accommodate the amendments to the Capital Improvement Program.
ROLL CALL VOTE

Agency Adopt the Resolution making the necessary budget adjustments to accommodate the amendments to the Capital Improvement Program.
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)