

**AGENDA**  
**GROVER BEACH CITY COUNCIL**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET**  
**GROVER BEACH, CALIFORNIA**  
**MONDAY, DECEMBER 7, 2009, 6:30 PM**

*Next Resolution No. 09-88  
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.

**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. **Drawing to Select Monthly Winners of the Local Economic Stimulus Program Shop Local, Shop Loyal Campaign - "Shop & Dine Grover Beach"** - Administrative Services Director Chapman.
2. **Appointment of Mayor Pro Tem for the Upcoming Year** - City Attorney Koczanowicz. The directly-elected Mayor will select a Mayor Pro Tem for the one-year period December 2009 - December 2010, in accordance with Resolution No. 08-18.

**Recommended Action:** For the Mayor to make the appointment of a Mayor Pro Tem from the existing Council Members during this Council meeting.

## **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. Reallocation of Community Development Block Grant (CDBG) Funds from the 2008 and 2009 Funding Cycles, Allocation of Program Income, and Preliminary Allocation of Funding from the 2010 Community Development Block Grant Funding Cycle -** Interim Community Development Director Beck and Planner II Reese. The City Council will consider requests to reallocate CDBG funds to a more efficient utilization of the funds and adopt draft recommendations regarding the allocation of funding from the 2010 CDBG funding cycle.

**Recommended Actions:** Conduct the Public Hearing, receive testimony, and by motion and roll call vote make the following recommendations to the San Luis Obispo County Board of Supervisors:

- 1) Adopt the Resolution to reallocate unspent 2008 CDBG funds from the Minor Home Repair Project and from the Architectural Barrier Removal at City Hall Project to the South 13<sup>th</sup> Street Architectural Barrier Removal Project;
- 2) Adopt the Resolution to reallocate 2009 CDBG funds from the Architectural Barrier Removal at City Hall Project to the South 13<sup>th</sup> Street Architectural Barrier Removal Project;
- 3) Adopt the Resolution to allocate program income to the South 13<sup>th</sup> Street Architectural Barrier Removal Project; and
- 4) Adopt the Resolution to adopt the draft recommendations allocating the 2010 CDBG Program Year Funds.

## **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 November 12 - 30, 2009.**  
**(Recommended Action:** Approve as submitted.)  
VOICE VOTE
- 5. Minutes of the City Council Meeting of July 20, 2009.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE
- 6. Proposed Amendment to the Master Fee Schedule -** Administrative Services Director Chapman. The City Council will consider adopting a Resolution that will suspend the Application and Processing Fees for Business Tax Certificates.  
**(Recommended Action:** Adopt the Resolution amending the Master Fee Schedule and adopt the Resolution amending the Annual Appropriation Resolution.)  
ROLL CALL VOTE

7. **Award of Bid for Public Street Improvements on Atlantic City Avenue, from North 13<sup>th</sup> Street to Oak Park Boulevard** - City Engineer Garing. The City Council will consider all bids received on Wednesday, October 28, 2009 to construct street improvements on a segment of Atlantic City Avenue. (**Recommended Action**: 1) Adopt the Resolution awarding construction of the project to the lowest responsive bidder, Ferravanti Paving; 2) authorize the City Manager to sign and affirm change orders to the project in amounts up to \$21,346, to be deducted from contingency; and 3) authorize the Mayor to execute the contract on behalf of the City.)  
ROLL CALL VOTE
8. **Award of Bid for Street Rehabilitation Project on South 4<sup>th</sup> Street, from Seabright Avenue to West Grand Avenue** - City Engineer Garing. The City Council will consider all bids received on Tuesday, November 17, 2009 to construct street improvements on a segment of South 4<sup>th</sup> Street. (**Recommended Action**: 1) Adopt the Resolution awarding construction of the project to the lowest responsive bidder, CalPortland Construction; authorize the City Manager to sign and affirm change orders to the project in amounts up to \$19,977 to be deducted from contingency; and 3) authorize the Mayor to execute the contract on behalf of the City.)  
ROLL CALL VOTE
9. **Safe Routes to School Grant Project** - Interim Community Development Director Beck. The City Council will consider adopting a resolution authorizing the City Manager to sign the agreement for the Safe Routes to School grant-funded project and a related Master Agreement with Caltrans. (**Recommended Action**: Adopt the Resolution authorizing the City Manager to sign the agreements and future associated documents.)  
ROLL CALL VOTE
10. **Approval of Final Tract Map No. 2849 for 1510 Brighton Avenue, Development Application No. 08-17-** Interim Community Development Director Beck. The City Council will consider accepting the final map for a five-unit Planned Unit Development that was constructed at 1510 Brighton Avenue. (Applicant: Gabe Ramirez)  
(**Recommended Action**: Adopt the Resolution authorizing the City Clerk to sign and record the final map for Tract Map No. 2849.)  
ROLL CALL VOTE

#### **REGULAR BUSINESS**

11. **South County Transit Hub Project, Phase III Concept** - City Engineer Garing. The City Council will receive a presentation of conceptual drawings for Phase III of the South County Transit Hub Project, which includes the continuation of the Ramona Specific Plan: North 9<sup>th</sup> Street cul-de-sac (north of Ramona Avenue), new sidewalk and parking on North 9<sup>th</sup> Street (south of Ramona Avenue), sidewalk infill on Brighton Avenue (North 8<sup>th</sup> Street and North 9<sup>th</sup> Street), and storm drain improvements on North 9<sup>th</sup> Street.  
  
**Recommended Action**: Consider the proposed South County Transit Hub Phase III Concept as complete and direct staff to obtain drawings suitable for bidding and construction.  
VOICE VOTE

- 12. Participation in a Joint Effort to Develop Hydromodification Control Criteria with Other Central Coast Cities** - City Manager Perrault. The City Council will consider participating in a joint effort with other municipalities located within San Luis Obispo County to develop hydromodification control materials in compliance with requirements of the Storm Water Management Plan.

**Recommended Action:** Authorize the City Manager to execute the Declaration Form and approve the City's participation in the joint effort.

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.

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<sup>th</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**  
**CITY COUNCIL / IMPROVEMENT AGENCY**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA**  
**MONDAY, DECEMBER 7, 2009**

*(Meeting begins immediately following the  
Regular City Council Meeting scheduled at 6:30 p.m. on this date.)*

*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.*

**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.

**JOINT CITY COUNCIL / IMPROVEMENT AGENCY - 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/Board Member, the City Attorney/General Counsel, or the City Manager/Executive Director may request that an item be withdrawn from the Consent Agenda to allow for full discussion.

**CC/IA-1. Minutes of the Joint City Council/Improvement Agency Meeting of July 20, 2009.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE

**CC/IA-2. Award of Bid: West Grand Avenue Enhancement Project** - City Engineer Garing and Economic Development Specialist Buckingham. The City Council will consider all bids received on Tuesday, November 24, 2009 to construct pedestrian and street enhancements on West Grand Avenue, from the Union Pacific Railroad crossing on West Grand Avenue to 4<sup>th</sup> Street.

**Recommended Actions:**

City Council: 1) Adopt the Resolution to award the construction of the West Grand Avenue Enhancement Project 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 \$108,869, to be deducted from said contingency; and 3) authorize the Mayor to execute the contract on behalf of the City.  
ROLL CALL VOTE

Agency: 1) Adopt the Resolution to award the construction of the West Grand Avenue Enhancement Project to the lowest responsive bidder, Souza Construction, Inc.; 2) authorize the Executive Director to sign and affirm change orders to the project in

amounts up to \$10,131, to be deducted from said contingency; and 3) authorize the Chair to execute the contract on behalf of the Agency.  
ROLL CALL VOTE

**CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS**

**CC/IA-3. Concepts for Downtown Project and Authorization to Proceed with Final Design / Construction Drawings** – Executive Director Perrault. Rick Engineering will provide the Agency Board with design concepts for the Downtown Project for street improvements to be constructed on West Grand Avenue between 8<sup>th</sup> Street and 11<sup>th</sup> Street. The Board will review the concepts and provide direction to proceed with final design / construction drawings for the project

**Recommended Action:** Review the concepts and direct staff to proceed with final plans and the construction drawings for the construction of medians  
VOICE VOTE

**CC/IA-4. Review of Work Scope for the West Grand Avenue Master Plan Request for Proposal** - Interim Deputy Director/Community Development Director Beck and Economic Development Specialist Buckingham. The City Council/Improvement Agency will review the proposed scope of work to prepare the West Grand Avenue Master Plan regarding development and design standards for properties generally located from the beach to Oak Park Boulevard, between Ramona Avenue and Rockaway Avenue.

**Recommended Action:** Approve the Work Scope as proposed for the West Grand Avenue Master Plan.  
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)