

**** Amended**

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, OCTOBER 4, 2010, 6:30 PM

Next Resolution No. **10-63**

Next Ordinance No. **10-06**

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, September 13, 2010 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiators: City Manager, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Lieutenant, and Police Chief.
Represented Employee Group: Grover Beach Police Officers' Association (GBPOA)

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. **Drawing to Select Monthly Winners of the Local Economic Stimulus Program Shop Local, Shop Loyal Campaign - "Shop & Dine Grover Beach".**
2. **Proclamation Declaring October 6, 2010 as "Ride 2 Recovery Day".**
3. **Proclamation Declaring October 3-9, 2010 as "Fire Prevention 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

4. **Application for a Certificate of Public Convenience and Necessity for Tri Counties Transit, Inc., DBA Beach Cities Cab Co., Yellow Cab Co. of SLO County, and Checker Cab Co. of SLO County** - Police Chief Copsey. The City Council will consider the request of Mr. Masood Babaeian, who purchased Beach Cities Cab Company, for a new Certificate of Public Convenience and Necessity to operate the taxicab company as Tri Counties Transit, Inc., dba Beach Cities Cab Company, Yellow Cab Company of SLO County, and Checker Cab Company of SLO County. *(Continued Public Hearing from September 13, 2010)*

Recommended Action: Determine there is a public convenience and need for the taxi company Tri County Transit, Inc., and adopt the Resolution granting a Certificate of Public Convenience and Necessity to Masood Babaeian to operate Tri Counties Transit, Inc., within the Grover Beach city limits.

ROLL CALL VOTE

5. **Application for a Certificate of Public Convenience of Necessity for Central Coast Taxi** - Police Chief Copsey. The City Council was scheduled to consider the request of Mr. Fuad Alsaify, who purchased Green Go Taxi, for a new Certificate of Public Convenience and Necessity to operate the taxicab company as Central Coast Taxi. *(Continued Public Hearing from September 13, 2010)*. However, the application has been subsequently withdrawn by the applicant.

Recommended Action: Accept the withdrawal of the application for a Certificate of Public Convenience and Necessity by Central Coast Taxi.

VOICE VOTE

6. **FY 11 Citizen's Option for Public Safety (COPS) Grant** - Police Chief Copsey. The City Council will consider recommendations for allocating the FY 11 COPS Grant funds. In FY 97, the State enacted the Citizen's Option for Public Safety (COPS) Grant. This program annually allocates funds for local law enforcement frontline delivery of services. The funds must be used to augment, but not replace, existing funds for law enforcement services. FY 11 grant funds of \$100,000 must be encumbered by July 2011 and spent by July 2012.

Recommended Action: Adopt the Resolution approving the recommended allocation of FY 11 COPS grant 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.

7. **Treasurer's Report for the Period September 8 - September 29, 2010.**
(Recommended Action: Approve as submitted.)
VOICE VOTE

8. **Minutes of the Following Meetings.**
 - **March 15, 2010 City Council Meeting;**
 - **March 15, 2010 Joint City Council / Improvement Agency Meeting;**
 - **March 29, 2010 Special Joint City Council / Improvement Agency Meeting;**
 - **April 5, 2010 City Council Meeting; and**
 - **April 5, 2010 Joint City Council / Improvement Agency Meeting.****(Recommended Action:** Approve the minutes as submitted or revised.)
VOICE VOTE

9. **Second Reading and Adoption of Ordinance Adding Chapter 6 to Article II of the Grover Beach Municipal Code Defining and Regulating the Use of City Symbols** - City Attorney Koczanowicz. The City Council will consider adopting an Ordinance that will add regulations to the Grover Beach Municipal Code that will make it unlawful to misuse the City's seal, flag, logo or tagline. The regulations will prohibit any unauthorized use of these City symbols and provide guidelines and policies for authorized use.
(Recommended Action: Conduct second reading, by title only, and adopt Ordinance No. 10-05).
ROLL CALL VOTE

10. **Recommendation to Retain the Services of GEI Consultants to Conduct Quarterly Groundwater Monitoring and Prepare the 2010 Annual Report for the Northern City Management Area (NCMA)** - City Engineer/Water and Sewer Garing. The City Council will consider awarding a contract for consulting engineering services to GEI for preparation of the NCMA 2010 Annual Monitoring Report, which describes management and the condition of water resources in the NCMA groundwater aquifer. **(Recommended Action:** 1) Endorse the recommendation of the NCMA Technical Group, 2) adopt the Resolution to retain the services of GEI Consultants to conduct quarterly groundwater monitoring and prepare the 2010 annual report for the NCMA; and 3) authorize the Mayor to execute the contract on behalf of the City.
ROLL CALL VOTE

REGULAR BUSINESS

11. **Local Street Rehabilitation Program-** Public Works Director/City Engineer Ray. The City Council will consider revising the short-term street rehabilitation strategy and street selection criteria. The proposed strategy will focus on arterial and collector routes.

Recommended Action: Adopt the recommended short-term street rehabilitation strategy and street selection criteria.
VOICE VOTE

- 12. Recommendation Regarding Timing and Costs Associated with Processing an Amendment to Part 40** - Community Development Director Buckingham. The City Council will be requested review a recommendation regarding how to proceed with a Zoning Ordinance Amendment to Part 40 to consider revisions to development standards, such as lot size and parking requirements for Planned Unit Developments (also referred to as PUDs).

Recommended Action: Direct staff to initiate the amendment process with a workshop to be held in April/May of 2011 and work to be completed in early FY 12.

- 13. Cooperative Agreement Between the City of Grover Beach, City of Arroyo Grande, and the Oceano Community Services District for Fire Truck/Aerial Apparatus** - City Manager Perrault. The City Council will consider a Cooperative Agreement between the City of Grover Beach, City of Arroyo Grande, and the Oceano Community Service District covering the ownership and financing of a new fire truck/aerial apparatus.

**** Recommended Action:** Adopt Resolution authorizing the City to enter into the agreement and authorizing the Mayor to execute the Agreement on behalf of the City..
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)
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
Klaproad Initiative Task Team	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)
Five Cities Fire Authority	John Shoals (Alt: Bill Nicolls)

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

CITY MANAGER’S REPORTS AND COMMENTS

14. “Grover Beach Walk Celebration” - Thursday, October 7, 2010 from 6:00 - 8:00 p.m (between 4th Street and the railroad tracks).

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. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiators: City Manager, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Lieutenant, and Police Chief.
Represented Employee Group: Grover Beach Police Officers’ Association (GBPOA)

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 4/5ths 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
IMPROVEMENT AGENCY
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA
MONDAY, OCTOBER 4, 2010

*(Meeting is scheduled to begin immediately following the
Regular City Council Meeting scheduled at 6:30 p.m. on this date
only if there are items scheduled for discussion.)*

Notice of Meeting Cancellation

**Notice is Hereby Given that the Meeting of the
Grover Beach Improvement Agency
scheduled for Mon, October 4, 2010
has been cancelled.**

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to this regularly scheduled meeting date.

Posted:

/s/

Donna L. McMahon, City Clerk
Dated: September 30, 2010



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)