

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, MAY 19, 2008, 6:30 PM

Next Resolution No. 08-41
Next Ordinance No. 08-07

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 Ashton, Bright, Lieberman Mayor Pro Tem Nicolls, and Mayor Shoals.

CLOSED SESSION ANNOUNCEMENTS

None.

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 May 19-23, 2008 as "National Public Works Week".**

Staff Report

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

2. **Adoption of Negative Declaration Related to Proposed Zoning Ordinance Amendments to Article IX (Planning and Zoning Regulations), Part 50, West Grand Avenue Corridor Planned Development (PD) Overlay** - Community Development Director Hansen and Planning Manager Gould-Wells. The City Council will adopting a Negative Declaration for the West Grand Avenue Corridor Planned Development (PD) Overlay. The West Grand Avenue PD Overlay District encompasses an area bounded by Ramona Avenue on the north, Rockaway Avenue on the south, Hwy 1 on the west, and Oak Park Boulevard on the east. The purpose of this overlay district is to provide flexible/relaxed design standards beyond what is permitted in the underlying zoning district.

Staff Report

Recommended Action: Conduct the Public Hearing, adopt the Resolution which adopts the Negative Declaration for the West Grand Avenue Corridor Planned Development (PD) Overlay District, and direct staff to prepare the Notice of Determination as required by CEQA.

ROLL CALL VOTE

3. **Introduction and First Reading of an Ordinance Which Would Amend the Grover Beach Municipal Code Sign Regulations** - City Attorney Koczanowicz. The City Council will consider proposed changes to the Grover Beach Municipal Code to clarify existing regulations with regard to temporary political signs that would be permitted in residential and commercial properties per candidate, ballot proposition, or issue. The proposed Ordinance will also further clarify where signs may be located in relation to property lines and public rights-of-way, and provide for summary abatement of signs located on public property.

Staff Report

Recommended Action: Receive and consider the information, input from the public, conduct a first reading of the Ordinance, by title only, and schedule this item for second reading and adoption at the June 2, 2008 Council meeting.

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 April 29 - May 14, 2008.** (**Recommended Action:** Approve as submitted.)
VOICE VOTE
5. **Minutes of the Regular City Council Meetings of Monday, February 4, 2008 and Tuesday, February 19, 2008.** (**Recommended Action:** Approve the minutes as submitted or revised.)
VOICE VOTE
6. **Second Reading of Ordinance No. 08-06, Amending Article IX, Part 50, of the Grover Beach Municipal Code, Regarding the West Grand Avenue Corridor Planned Overlay** - Community Development Director Hansen and Planning Manager Gould-Wells. The City Council will consider revising mandatory project features that would provide an applicant the ability to develop property in the West Grand Avenue Corridor under the more relaxed

Staff Report

provisions of the Planned Development (PD) Overlay. (**Recommended Action:** Subject to prior adoption of the Negative Declaration during the Public Hearing portion of tonight's meeting, conduct second reading, by title only, and adopt Ordinance No. 08-06 amending Article IX, Part 50 of the Grover Beach Municipal Code.

ROLL CALL VOTE

7. **Employer-Paid Member Contributions** - Administrative Services Director Chapman. The City Council will consider adopting a Resolution pursuant to approved amendments to Memorandums of Understanding with the Service Employees International Union (SEIU), Local 620, and the Grover Beach Police Officers Association (GBPOA). (**Recommended Action:** Adopt the Resolution authorizing the employer-paid member contribution of 1%, retroactive to April 7, 2008.)
- Staff Report
- ROLL CALL VOTE

REGULAR BUSINESS

8. **Consideration of Cleaver Property Park Master Plan** - Parks and Recreation Director Petker. The City Council will receive information on a proposed park master plan prepared by David Foote of the consulting firm *firma*, which was developed with input from community workshops and the Parks, Recreation and Beautification Commission. Location: 164 South 13th Street, commonly referred to as "the Cleaver property".
- Staff Report

Recommended Action: Review the Parks, Recreation and Beautification Commission's recommendations for the Cleaver Property Master Plan priorities and direct the consultant to develop a master plan for the property.

9. **Consideration of a Request to Vacate a Portion of Right-of-way Along Nice Avenue Between 12th Street and 13th Street and Along 12th Street Between Nice Avenue and Baden Avenue** - City Engineer Garing and Planning Manager Gould-Wells. The City Council will consider a request to vacate a portion of right-of-way at 12th Street and Nice Avenue for a proposed three-unit PUD air space condominium with one common lot, located at the southeast corner of Nice Avenue and 12th Street. Applicant: Eric Briggs, property owner. Project Location: 1210 Nice Street
- Staff Report

Recommended Action: Direct the City Clerk to set, post and notice a Public Hearing for June 16, 2008 to consider vacation of right-of-way pertaining to the property located at 1210 Nice Avenue, on the southeast corner. Such vacation would consist of the southerly six (6) feet of Nice Avenue, including the frontage of the property, and the easterly six (6) feet of South 12th Street for the entire block face, including the frontage of the property

ROLL CALL VOTE

10. **Consider Amendment to Ordinance No. 04-14 Relating to Curb, Gutter and Sidewalk Paving Improvements** - City Engineer Garing. The City Council will consider amending existing requirements for developments to conform to the existing street.
- Staff Report

Recommended Action: Accept the recommendation and direct staff to prepare an amendment to Ordinance No. 04-14, incorporating requirements that certain qualifying projects provide pavement reconstruction and conformance to the existing centerline of the street if the street condition fronting the project falls below a 60 rating in the Pavement Management System

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.

Integrated Waste Management Authority	Chuck Ashton (Alt: Bill Nicolls)
SLO County Water Resources Advisory Board (WRAC)	Chuck Ashton (Alt: Bill Nicolls)
Zone Three Advisory Committee	Chuck Ashton (Alt: Karen Bright)
Air Pollution Control District	Karen Bright (Alt: N/A)
Audit Committee	Karen Bright (Alt: N/A)
Economic Vitality Corporation - SLO County	Karen Bright (Alt: John Shoals)
AG/GB Fire and Emergency Services Oversight Committee	Steve Lieberman (Alt: Bill Nicolls)
South County Fire Consolidation Oversight Committee	Steve Lieberman (Alt: Chuck Ashton)
Housing Trust Fund	Bill Nicolls (Alt: N/A)
South SLO County Sanitation District	Bill Nicolls (Alt: John Shoals)
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)
SLO Countywide 10-Year Plan to End Chronic Homelessness	Chuck Ashton & Bill Nicolls

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

CITY MANAGER'S REPORTS AND COMMENTS

11. **Proposed Schedule for FY 09 - FY 10 Budget Workshops During the Month of June.**

CITY ATTORNEY'S REPORTS AND COMMENTS

CLOSED SESSION

It is the intention of the City Council to meet in Closed Session concerning the following items:

1. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager, James K. Katen, Administrative Services Director, Assistant Admin. Services Dir., Human Resources Coordinator.
Represented Employee Group: General Employees - (SEIU) Service Employees International Union, Local 620

2. **Conference with Legal Counsel - Pending Litigation**
Pursuant to Government Code Section 54956.9(a)
Mireya Jaimes-Freyre v. City of Grover Beach CV 070478

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. 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, MAY 19, 2008

*(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 Ashton, Bright, Lieberman, 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

CC/IA-1. Minutes of the Joint City Council / Improvement Agency Meeting of Tuesday, February 4, 2008. (Recommended Action: Approve the minutes as approved or revised.)

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-2. Selection of a Preferred Plan for Train Depot Improvements - City Manager/ Executive Director Perrault. The City Council/Improvement Agency will consider: 1) selecting a preferred plan for improvements at the train station and 2) authorizing staff to proceed with the associated environmental document in order to competitively apply for Proposition 1B funds set aside for rail service improvements.

Staff Report

Recommended Action: Select a preferred alternative from those presented in the Wilbur Smith Study, and direct staff to work with San Luis Obispo Council of Governments (SLOCOG) to identify the funding necessary to complete the environmental document.

ROLL CALL VOTE

CC/IA-3. Status Report for Design of the South Grover Beach Sanitary Sewer System Expansion - City Engineer Garing. The City Council/Improvement Agency will consider the steps necessary to complete engineering work and finalize design plans for the South Grover Beach Sanitary Sewer System Expansion Project. The project area is located in the southern industrial area of the City and is bounded by Farroll Road on the north, Highland Way on the south, and between Highway 1 and South 14th Street.

Staff Report

Recommended Action: Authorize the City Attorney and the City Engineer to initiate right-of-way negotiations and obtain required right-of-way to enable finalization of the design plans and specifications.
ROLL CALL VOTE

IMPROVEMENT AGENCY - BUSINESS

IA-1. Status Update on the Development of a Task Force and Economic Development Strategy - Executive Director Perrault will provide a status report during the meeting.

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)