

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

Next Resolution No. 09-40  
Next Ordinance No. 09-04

*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, June 22, 2009 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators  
Pursuant to Government Code Section 54957.6.  
Agency Negotiator: City Manager, City Attorney, James K. Katen,  
Administrative Services Director, Assistant Administrative  
Services Director, Human Resources Coordinator,  
Police Chief, Police Lieutenant, and Fire Chief.  
  
Employee Group: All groups.

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. **Presentation of Beautification Awards -**  
[Presentation Materials](#)  
- Manferd Jennings Shower Residence, 867 North 6<sup>th</sup> Street  
- Michael & Diane Stuart Residence, 170 Ocean View Avenue
2. **Proclamation Declaring July 2009 as "National Parks and Recreation Month".**  
[Proclamation](#)

## **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. **2009 Weed Abatement Program Cost Protest Hearing - Fire Chief Hubert.** The City Council will conduct the required 2009 Weed Abatement Program Cost Protest Hearing.  
[Staff Report](#)  
**Recommended Action:** 1) Conduct the required Protest Hearing, and upon finding no justifiable protests, 2) adopt the Resolution authorizing the City Clerk to attach weed abatement costs to properties in the amounts listed on Exhibit "A" for assessment on the County tax rolls.

## **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 June 16 - July 1, 2009.**  
[Treasurer's Report](#)  
**(Recommended Action:** Approve as submitted.)  
VOICE VOTE
5. **Minutes of the Regular City Council Meeting of February 17, 2009 and March 2, 2009.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE
6. **Amendment to Joint Fire Management, Administrative, and Training Services and Equipment Sharing Agreement - Fire Chief Hubert.** The City Council will consider a request from the Oceano Community Services District to expand the existing agreement between the Cities of Grover Beach and Arroyo Grande, and the Oceano Community Services District, to provide full administration and supervision services for their fire personnel.  
[Staff Report](#)  
**(Recommended Action:** Approve the Amended Joint Fire Management, Administrative, and Training Services and Equipment Sharing Agreement.)  
ROLL CALL VOTE
7. **Adoption of a Resolution Consenting to the Reorganization of Charter Communications Through Bankruptcy Courts - City Attorney Koczanowicz.** The City Council will consider a request from Charter Communications to adopt a Resolution in  
[Staff Report](#)

support of its reorganization plan, which will be presented to the Court, along with resolutions from other public entities in Charter's service area.

**(Recommended Action:** Adopt the Resolution in support of the proposed reorganization plan for Charter Communications.)

ROLL CALL VOTE

## **REGULAR BUSINESS**

- [Staff Report](#)
8. **Recommendation from the Fire Oversight Committee Regarding Consolidation of Fire Services** - City Manager Perrault. The Fire Oversight Committee has reviewed the preliminary budget for a proposed District, based upon participation by the three agencies and outlined steps to take place, effective July 1, 2010.

**Recommended Action:** Direct staff to proceed with the formation of the Fire Joint Powers Authority and designate the Fire Oversight Committee as the Interim Board for the purposes of providing direction to labor negotiators to prepare a Memorandum of Understanding with the Firefighters labor group.

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**

- [Citizen Letter](#)
9. **Citizen Request to Modify Residential Parking Requirements for Guest Parking.**

**Recommended Action:** Provide direction to staff.

**COUNCIL COMMUNICATIONS**

**CITY MANAGER'S REPORTS AND COMMENTS**

**CITY ATTORNEY'S REPORTS AND COMMENTS**

- [Staff Report](#)
10. **Consideration of Establishing a Mayor Emeritus Title and/or Position and Related Policies** - City Attorney Koczanowicz. The City Council will receive a report regarding other public agencies that bestow individuals with the title "Mayor Emeritus".

**Recommended Action:** Consider the staff report and choose the alternative that is desired by the majority of the Council.

**CLOSED SESSION**

It is the intention of the City Council to meet in Closed Session concerning the following item(s):

1. **Conference with Real Property Negotiators**  
Pursuant to Government Code Section 54956.8  
Property: 1541 Hillcrest Road  
Agency Negotiator: City Manager and City Attorney  
Negotiating Party: LYLE Company  
Under negotiation: Lease Agreement
2. **Conference with Legal Counsel - Anticipated Litigation**  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case

**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**

\* \* \* \* \*

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>ths</sup> vote in favor of such an action.

\* \* \* \* \*

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.

\* \* \* \* \*

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.

\* \* \* \* \*

The agenda and staff reports are also available on the City's website: [www.grover.org](http://www.grover.org)

**AGENDA**  
**JOINT CITY COUNCIL / IMPROVEMENT AGENCY**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA**  
**MONDAY, JULY 6, 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** 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.

**CONSENT AGENDA**

**CC/IA-1. Consideration of Resolutions Opposing the State's Proposed Seizure of Street Maintenance and Redevelopment Tax Increment Funds and Authorizing the City / Agency to Cooperate with the League of California Cities** - City Manager/Executive Director Perrault. The Council/Agency will consider adopting Resolutions directing the City Attorney/General Counsel to cooperate with the League of California Cities and other cities and counties in supporting litigation against the State of California if the legislature enacts, and the Governor signs into law, legislation that unconstitutionally diverts the City's share of funding from the Highway Users Tax Account (HUTA), also known as the "Gas Tax," to fund the State General Fund.

[Staff Report](#)

**Recommended Actions:**

**Council:** Adopt the Resolution expressing opposition to the State's proposed seizure of local funds and authorizing the City Attorney to cooperate with the League of California Cities.

ROLL CALL VOTE

**Agency:** Adopt the Resolution expressing opposition to the State's proposed seizure of local funds and authorizing the Agency Counsel to cooperate with the League of California Cities.

ROLL CALL VOTE

**JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS**

**CC/IA-2. Concept Designs for the West Grand Avenue Enhancement Project** - City Manager/Executive Director Perrault and Economic Development Specialist Buckingham. The City Council/Agency will receive a presentation from Rick Engineering regarding design concepts for streetscape improvements on West Grand Avenue, between 2<sup>nd</sup> and 4<sup>th</sup> Streets.

[Staff Report](#)

**Recommended Action:** Provide direction to the consultant on the concept designs for the West Grand Avenue Enhancement Project.

VOICE VOTE

**CC/IA-3. Consideration of Modifications to the FY 10 Budget** - City Manager/Executive Director Perrault. The Council/Agency will receive an overview of fiscal impacts from the current economy and anticipated fiscal impacts from the State budget.

[Staff Report](#)

**Recommended Action:** 1) Provide direction to staff to modify City funds as presented; 2) direct staff to open discussions with labor units; 3) direct staff to complete the development of a Contingency Plan to offset the possible impacts on the budget from the State; and 4) schedule this issue for the Council/Agency Board's final review and modification, as necessary, for the meeting to be held on Monday, July 20, 2009.

VOICE VOTE

**ADJOURNMENT**

\* \* \* \* \*

Copies of staff reports or other written materials relating to each item of business referred to on this agenda are available on 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.

\* \* \* \* \*

Note: 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 473-4567 for more information.

\* \* \* \* \*

The agenda and staff reports are also available at the City's website: [www.grover.org](http://www.grover.org)



## **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.

---

<sup>1</sup> Govt. Code § 36813, 54957.9 (Council may establish rules of conduct; removal of disorderly persons from public meetings)