

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, MAY 3, 2010, 6:30 PM

Next Resolution No. 10-23
Next Ordinance No. 10-03

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, April 19, 2010 after meeting in Closed Session regarding:

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(a)
Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al, and
Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214.

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 the Week of May 9 - 15, 2010 as "National Police 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

3. **2010 Weed Abatement Protest Hearing** - Battalion Chief Heath. The City Council will conduct the required protest hearing for the annual weed abatement program.

Recommended Action: 1) Conduct the required Protest Hearing, 2) make a finding that there are no defensible protests, and 3) order the abatement of the noticed lots and properties.

VOICE VOTE

4. **Review and Consideration of Recommendations for Potential Rate Adjustments Contained in the Utility Rate Study** - Administrative Services Director Chapman. The City Council will review the findings from the Water Rate Study, dated April 2010, conducted by Tuckfield and Associates, and consider directing staff to initiate the process for water rate adjustments.

Recommended Action: Conduct the Public Hearing and provide staff with direction to conduct a Proposition 218 hearing for proposed new water rates as listed in the Water Rate Study.

VOICE 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.

5. **Treasurer's Report for the Period for April 14 - 29, 2010.**

(Recommended Action: Approve as submitted.)

VOICE VOTE

6. **Minutes of the City Council Meeting of November 16, 2009.**

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

VOICE VOTE

7. **Second Reading and Adoption of Ordinance to Amend the PERS Formula for Sworn Members of the Grover Beach Police Officers' Association** - Human Resources Coordinator Barrett. The Council will consider formal adoption of the Ordinance amending the contract with California Public Employees Retirement System (CalPERS) to provide

enhanced retirement benefits (Local Safety 3% at Age 55 Modified Retirement Formula) and Military Service Credit to sworn members of the Grover Beach Police Officers' Association as negotiated in the 2007-2010 Memorandum of Understanding.

(Recommended Action: 1) Conduct second reading, by title only, of Ordinance No. 10-02; and 2) adopt the Resolution amending the Classification and Compensation Plan.)

ROLL CALL VOTE

8. **FY 09 - FY 10 Ramona Specific Plan Phase II Improvements** - Public Works Director/City Engineer Ray and Public Works Superintendent Ford. The City Council will consider accepting improvements constructed on Ramona Avenue between North 8th and North 9th Streets that consisted of street reconstruction, storm water improvements, decorative crosswalks, accessibility improvements, additional parking for commuters and facility use, seal coat striping, and stop bars. If accepted, a Notice of Completion and final retention will be forwarded to California Coastal Development, Inc.

(Recommended Action: Adopt the Resolution accepting the construction work performed by California Coastal Development, Inc. for the Ramona Specific Plan Phase II Improvements.)

ROLL CALL VOTE

REGULAR BUSINESS

None at this time.

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
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)
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

9. **Status Report Regarding the Oak Park Undergrounding Project and the Train Station Expansion Project** - City Manager Perrault.

CITY ATTORNEY'S REPORTS AND COMMENTS

10. **Discussion Regarding Potential Ballot Measure to Change Mayoral Term From Two to Four Years and/or Discuss Other Changes in Term Limits for Elected Officials** - City Attorney Koczanowicz. At the City Council meeting of April 19, 2010, Mayor Pro Tem Nicolls requested and received consensus from the City Council for staff to schedule a discussion of a potential ballot initiative regarding changing the mayoral term from two to four years.

Recommended Action: Deliberate the issues and provide direction to staff that is consistent with the majority decision of the Council.

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 4/5ths 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
JOINT CITY COUNCIL / IMPROVEMENT AGENCY
GROVER BEACH CITY HALL - COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA
MONDAY, MAY 3, 2010

*(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 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

CC/IA-1. Minutes of the Following Meetings:

- Joint City Council / Improvement Agency Meeting November 2, 2009 and
- Joint City Council / Improvement Agency Meeting November 16, 2009.

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

VOICE VOTE

IMPROVEMENT AGENCY - BUSINESS

- IA-1. Authorize the Agency to Negotiate Terms and Enter Into a Development and Disposition Agreement with Vernon and Associates for the Construction of an Affordable Housing Project on Agency-Owned Property Located at South 10th Street and Farroll Road** - Deputy Director Buckingham and Executive Director Perrault. The Agency Board will consider authorizing Agency Staff to initiate discussions with Vernon & Associates regarding the construction of an Affordable Housing Project located at the corner of 10th Street and Farroll Road.

Recommended Action: Authorize the Agency to negotiate terms and enter into Development and Disposition Agreement with Vernon and Associates.

ROLL CALL VOTE

IA-2. Authorization to Enter Into an Agreement for Professional Services for Marketing Program with Whizbang - Executive Director Perrault .The City Council/Improvement Agency will consider entering into a Professional Services Agreement with Whizbang to work with the City / Agency to develop a marketing program for the City and Agency.

Recommended Action: Authorize the Agency to enter into an agreement with Whizbang to develop a Marketing Program for the City/Agency.
ROLL CALL VOTE

JOINT CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS

CC/IA-2. FY 11 - FY 12 Goals and Work Program - City Manager / Executive Director Perrault. City Council and Agency Board will consider adopting the Goals and Work Program for incorporation into the Budget.

Recommended Action: By motion adopt the FY 11 - FY 1 2 Goals and Work Program.
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.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)