

**AGENDA**  
**GROVER BEACH CITY COUNCIL**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET**  
**GROVER BEACH, CALIFORNIA**  
**MONDAY, MARCH 16, 2009, 6:30 PM**

*Next Resolution No. 09-16  
Next Ordinance No. 09-01*

*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, March 2, 2009 after meeting in Closed Session regarding:

1. Public Employee Performance Evaluation  
Pursuant to Government Code Section 54957  
Employee: City Manager

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. Proclamation Declaring the City of Grover Beach a 2010 Census Partner.

## **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. **Amendment to Grover Beach Municipal Code Section 9137.9 Relating to Curb, Gutter and Sidewalk** - City Engineer Garing. The City Council will consider amendments to the Grover Beach Municipal Code, including 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. (*Continued Public Hearing from January 26, 2009 and February 17, 2009..*)

**Recommended Action:** 1) Conduct the first reading of the Ordinance amending City Municipal Code Section 9137.9 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 as verified by the City Engineer and an additional requirement to replace existing unsatisfactory improvements to City Standards as directed by the City Engineer; and 2) schedule second reading and adoption at the next Regular City Council meeting..

ROLL CALL VOTE

3. **Recommendations to the San Luis Obispo Board of Supervisors to Approve the Final Allocations for the 2009 Community Development Block Grant (CDBG) Program and Amend the 2008 Annual Action Plan for the City's CDBG Program to Reallocate CDBG Funds** - Interim Community Development Director Beck and Planner II Reese. The City Council will consider adopting final recommendations regarding the allocation of grant funds for those community-based organizations that submitted an application by the filing deadline of October 14, 2008.

**Recommended Action:** Conduct the Public Hearing, receive testimony, and adopt the Resolution reallocating any remaining 2008 CDBG program year funds allocated to Program Administration that remain after all FY 2008-2009 expenditures are accounted for to the Architectural Barrier Removal at City Hall project, and allocating 2009 CDBG program year funds (estimated at \$121,092) to the following programs:

EOC - Minor Home Repair Program (\$10,000); Big Brothers Big Sisters Mentoring Program (\$4,000); EOC - Maxine Lewis Memorial Shelter (\$3,500); EOC - Senior Health Screen Program (\$3,500); People's Self Help Housing Corporation (\$3,000); Senior Nutrition Program of SLO County (\$4,000); Architectural Barrier Removal at City Hall (\$77,983); Program Administration (\$12,109); and 2-1-1 SLO Hotline (\$3,000).

ROLL CALL VOTE

4. **Rescind and Replace Graffiti Abatement Ordinance Section 3998 of Chapter 15 of Article 3 of the Grover Beach Municipal Code** - Police Chief Copsey. The City Council will consider replacing current graffiti abatement regulations to prevent the spread of graffiti, improve upon established mechanisms for its removal, and recover costs associated with such removal.

**Recommended Action:** Introduce the Ordinance, by title only, and schedule second reading and adoption at the next regular City 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.

**5. Treasurer's Report for the Period February 24 - March 11, 2009.**

**(Recommended Action:** Approve as submitted.)

VOICE VOTE

**6. Minutes of the City Council Meetings of October 20, 2008; November 17, 2008; and December 1, 2008. (Recommended Action:** Approve the minutes as submitted or revised.)

VOICE VOTE

**7. Increase in Hourly Wage Scale for the Part-time Job Class of Police Detective -** Police Chief Copsey. The City Council will consider amending the salary schedule to ensure that the job class of part-time detective, a position funded by the Citizens Option for Public Safety (COPS) grant, is compensated at the same hourly rate as a full-time detective.

**Recommended Action:** Adopt the Resolution amending the Classification and Compensation Plan for the part-time salary schedule for the single job class of Police Detective (P/T).

**REGULAR BUSINESS**

**8. Possible Areas for Improvements in Development Standards and Processing Requirements for Applications to Community Development Department and Opportunities for Feedback from the Community -** Interim Community Development Director Beck. The City Council will consider recommendations from the Planning Commission and staff regarding possible areas for improvements in development standards and processing requirements to streamline applications to the Community Development Department.

**Recommended Action:** Review charts and provide direction to staff regarding possible work tasks to be included in the Department's work programs for the remainder of FY 09 and FY 10.

**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)

Audit Committee

International Council for Local Environmental Initiatives (ICLEI)

SLO County Economic Vitality Corporation (EVC)

Integrated Waste Management Authority (IWMA)

SLO County Water Resources Advisory Board (WRAC)

Karen Bright (Alt: N/A)

Karen Bright (Alt: Debbie Peterson)

Karen Bright (Alt: N/A)

Karen Bright (Alt: Debbie Peterson)

Robert Mires (Alt: Bill Nicolls)

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**

9. **Discussion of Potential Grover Beach Municipal Code Amendments to Include Mobilehome Park Conversion Regulations** - City Attorney Koczanowicz. The City Council will consider a possible Mobilehome Park Conversion Ordinance, which would be based on state law, and provide for a specific process applicable to instances where mobilehome park owners were considering converting their property to other types of uses or ownership character. The Council will also review similar regulations adopted by the County of San Luis Obispo and currently being considered by the City of San Luis Obispo.

**Recommended Action:** Receive and consider the report, along with any public input, and direct staff to proceed in a manner consistent with the direction provided by a 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. **Public Employee Performance Evaluation**  
Pursuant to Government Code Section 54957  
Employee: City Attorney

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<sup>ths</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**  
**JOINT CITY COUNCIL / IMPROVEMENT AGENCY**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBERS**  
**154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA**  
**MONDAY, MARCH 16, 2009**

*(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 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.

**CITY COUNCIL / IMPROVEMENT AGENCY - CONSENT AGENDA**

**CC/IA-1. Minutes of the Joint City Council / Improvement Agency Meeting of Monday, November 17, 2008. (Recommended Action: Approve the minutes as submitted or revised.)**  
VOICE VOTE

**CITY COUNCIL / IMPROVEMENT AGENCY - BUSINESS**

**CC/IA-2. FY 08 Comprehensive Annual Financial Report (CAFR) - Administrative Services Director/Finance Officer Chapman.** The City Council/Agency will receive a report regarding the audit conducted by the accounting firm of Moss, Levy, and Hartzheim, LLP.

**Recommended Action:** Receive and file the FY 08 Comprehensive Annual Financial Report.)  
VOICE VOTE

**CC/IA-3. FY 09 Mid-Year Review – City Manager/Executive Director Perrault.** The City Council / Agency is requested to review resources and expenditures analyzed through December 31, 2008 and provide direction regarding adjustments for the remainder of FY 09.

**Recommended Action:** By motion receive and file the Mid-Year Reports.  
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)