

NOTICE OF SPECIAL MEETING OF THE GROVER BEACH CITY COUNCIL

A Special Meeting of the City Council of the City of Grover Beach is hereby called for **Monday, July 9, 2018 at 6:00 p.m.** at the City Hall, Council Chamber, 154 South 8th Street, Grover Beach, California to consider the matters set forth in the attached Special Meeting Agenda.

/s/
JOHN P. SHOALS, MAYOR

**SPECIAL MEETING AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBER
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, JULY 9, 2018, 6:00 PM**

Next Resolution No. **18-63**
Next Ordinance No. **18-06**

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 (805) 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**

City Council meetings are webcast live on the City website at www.groverbeach.org and 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 Barbara Nicolls, Debbie Peterson, and Mariam Shah, Mayor Pro Tem Jeff Lee, and Mayor John Shoals.

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 Designating July as "National Park and Recreation Month".**

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.

CONSENT AGENDA

The following routine items listed below are scheduled for consideration as a group. 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 heard after the rest of the Consent Agenda is approved.

2. **Treasurer's Report for the Period June 11 - June 29, 2018.**
(Recommended Action): Approve the Treasurer's Report as submitted.)
VOICE VOTE
3. **Treasurer's Report for the 2016 Streets Bond Account - \$8,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period June 11 - June 29, 2018.**
(Recommended Action): Approve the Treasurer's Report as submitted.)
VOICE VOTE
4. **Treasurer's Report for the 2017 Streets Bond Account - \$15,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period June 11 - June 29, 2018.**
Recommended Action: Approve the Treasurer's Report as submitted.
VOICE VOTE
5. **Alcohol Beverage Control Grant Award Acceptance and Appropriation of Grant Funds** - Police Chief Peters. The City Council will consider accepting a grant from the Department of Alcoholic Beverage Control Grant Assistance Program Award for special operations related to the sale of alcohol in the city to be conducted by the Police Department.
(Recommended Action): Adopt the Resolution authorizing the Chief of Police to accept the Department of Alcoholic Beverage Control's Grant Assistance Program funds in the amount of \$24,108 for fiscal year 2018-19, and adopt the Resolution approving an amendment to the annual appropriation to record the revenue and appropriation of the Alcoholic Beverage Control Grant Assistance Program.)
ROLL CALL VOTE

PUBLIC HEARINGS

6. **Development Application 17-21: Request to Amend Use Permit and Commercial Cannabis Permit to Allow Adult Cannabis Use (Recreational Use).**
Applicant: 805 Beach Breaks, Inc; **Location**: 1053 Highland Way.
- Senior Planner Castillo. The City Council will consider amending an existing Use Permit and Commercial Cannabis Permit to allow for both adult and medical commercial cannabis uses for retail, manufacturing, and distribution uses. Additionally, the applicant is requesting the ability to expand their manufacturing activities to include the potential use of volatile compounds (e.g., butane, ethanol, etc.).

Recommended Action:
1) Adopt the Resolution amending Development Application 17-21, to allow both commercial medical cannabis and adult use cannabis within an existing retail, manufacturing, and distribution facility located at 1053 Highland Way; and
2) Adopt the Resolution amending the Commercial Cannabis Permit for 805 Beach Breaks, Inc.
ROLL CALL VOTE

7. Development Application 17-25: Request to Amend Use Permit and Commercial Cannabis Permit to Allow Adult Cannabis Use (Recreational Use).

Applicant: DDM Venture Group, LLC; Location: 998 Huston Street.

- Senior Planner Castillo. The City Council will consider amending an existing Use Permit and Commercial Cannabis Permit to allow for both adult and medical commercial cannabis uses for retail, manufacturing, and distribution uses. Additionally, the applicant is requesting the ability to expand their manufacturing activities to include the potential use of volatile compounds (e.g., butane, ethanol, etc.) and have more flexibility in space planning with the ability to either manufacture or cultivate on-site.

Recommended Action:

- 1) Adopt the Resolution amending Development Application 17-25, to allow both commercial medical cannabis and adult use cannabis within an existing retail, manufacturing, cultivation, and distribution facility located at 998 Huston Street; and
- 2) Adopt the Resolution amending the Commercial Cannabis Permit for DDM Venture Group, Inc.

ROLL CALL VOTE

8. Development Application 17-42: Request to Amend Use Permit, Coastal Development Permit, and Commercial Cannabis Permit to Allow Adult Cannabis Use (Recreational Use). Applicant: Banana, LLC; Location: 239 South 3rd Street.

- Senior Planner Castillo. The City Council will consider amending an existing Use Permit, Coastal Development Permit, and Commercial Cannabis Permit to allow for both adult and medical commercial cannabis uses for the proposed retail, manufacturing, and distribution uses. Additionally, the applicant is requesting the ability to expand manufacturing activities to include the potential use of volatile compounds (e.g., butane, ethanol, etc.).

Recommended Action:

- 1) Adopt the Resolution amending Development Application 17-42, to allow both commercial medical cannabis and adult use cannabis within a proposed retail, manufacturing, and distribution facility located at 239 South 3rd Street; and
- 2) Adopt the Resolution amending a Commercial Cannabis Permit for Banana LLC.

ROLL CALL VOTE

9. Development Application 17-39: Request to Amend Use Permit and Commercial Cannabis Permit to Allow Adult Cannabis Use (Recreational Use).

Applicant: Milkman, LLC; Location: 923 Huber Street.

- Senior Planner Castillo. The City Council will consider amending an existing Use Permit and Commercial Cannabis Permit to allow for both adult and medical commercial cannabis uses for its proposed retail, manufacturing, and distribution uses. Additionally, the applicant is requesting the ability to expand manufacturing activities to include the potential use of volatile compounds (e.g., butane, ethanol, etc.).

Recommended Action:

- 1) Adopt the Resolution amending Development Application 17-39, to allow both commercial medical cannabis and adult use cannabis within a proposed retail, manufacturing, and distribution facility located at 923 Huber Street; and
- 2) Adopt the Resolution amending a Commercial Cannabis Permit for Milkman LLC.

ROLL CALL VOTE

REGULAR BUSINESS

10. **Appointment to the Parks, Recreation & Beautification Commission** – Parks & Recreation Program Director Petker. The City Council will consider making an appointment to the Parks, Recreation & Beautification Commission to fill an unscheduled vacancy on the Commission.

Recommended Action: Adopt the Resolution appointing **Jerry Pastor** to the *unexpired* term on the Parks, Recreation & Beautification Commission, which is scheduled to expire on March 31, 2020; and introduce Commissioner Pastor to the City Council and members of the audience.

ROLL CALL VOTE

11. **Police Department Audit/Review** – Police Chief Peters. The City Council will consider recommendations from a comprehensive audit and review of the Police Department that was completed as part of an overall strategic plan to continually improve operational functionality and efficiency.

Recommended Action: Receive a report on the results of a Police Department Audit/Review and provide input to staff in developing an implementation plan to carry out recommendations in the report.

12. **Placement of Transient Occupancy Tax Measure on the November 2018 Ballot** – City Manager Bronson and Administrative Services Director Chapman. The City Council will consider placing a measure on the November 2018 ballot to increase the City's Transient Occupancy Tax rate on hotel accommodations within the city from 10% to 13%.

Recommended Action:

- 1) Adopt the Resolution calling for the placement of a measure to increase the transient occupancy tax on the General Municipal Election to be held on Tuesday, November 6, 2018;
- 2) Adopt the Resolution setting priorities for filing a written argument regarding a City measure and directing the City Attorney to prepare an impartial analysis; and
- 3) Adopt the Resolution providing for the filing of rebuttal arguments.

ROLL CALL VOTE

13. **Placement of Business Tax Certificate Tax Measure on the November 2018 Ballot** – City Manager Bronson and Administrative Services Director Chapman. The City Council will consider placing a measure on the November 2018 ballot that would restructure the City's Business Tax Certificate (BTC) program and charge a variable rate based on the level of gross receipts for businesses operating in the city.

Recommended Action:

- 1) Adopt the Resolution calling for the placement of a measure to restructure the Business Tax Certificate on the General Municipal Election to be held on Tuesday, November 6, 2018;
- 2) Adopt the Resolution setting priorities for filing a written argument regarding a City measure and directing the City Attorney to prepare an impartial analysis; and
- 3) Adopt the Resolution providing for the filing of rebuttal arguments.

ROLL CALL VOTE

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.

Economic Vitality Corporation (EVC)	Jeff Lee (Alt: Barbara Nicolls)
Integrated Waste Management Authority (IWMA)	Jeff Lee (Alt: Debbie Peterson)
Zone Three Advisory Committee	Jeff Lee (Alt: Mariam Shah)
Chamber of Commerce - Arroyo Grande & Grover Beach	Barbara Nicolls (Alt: Mariam Shah)
South SLO County Sanitation District (SSLOCSD)	Barbara Nicolls (Alt: Mariam Shah)
Air Pollution Control District (APCD)	Mariam Shah (Alt: Jeff Lee)
Homeless Services Oversight Council (HSOC)	Mariam Shah (Alt: Jeff Lee)
Visit San Luis Obispo County	Mariam Shah (Alt: Jeff Lee)
Five Cities Fire Joint Powers Authority	John Shoals (Alt: Barbara Nicolls)
Regional Groundwater Sustainability Project (RGSP)	John Shoals (Alt: Mariam Shah)
SLO Council of Governments / SLO Regional Transit Authority (SLOCOG / SLORTA)	John Shoals (Alt: Mariam Shah)
South County Transit (SCT)	John Shoals (Alt: Barbara Nicolls)
SLO Coastal Regional Sediment Management Plan (CRSMP) Steering Committee	Debbie Peterson (Alt: Mariam Shah)
SLO County Water Resources Advisory Committee (WRAC)	Debbie Peterson (Alt: Jeff Lee)

League of California Cities - Policy Committee Reports and Other League Matters

Channel Counties Division	Mariam Shah
Transportation, Communication & Public Works Policy Committee	Jeff Lee & Debbie Peterson
Governance, Transparency & Labor Relations Policy Committee	Matthew Bronson

COUNCIL COMMUNICATIONS

This item gives individual Council Members the opportunity to seek consensus for scheduling a specific item on a future agenda, authorizing staff time to provide background information and prepare a staff report for a future agenda, or to comment on Council business, City operations, projects or other items of community interest.

CITY MANAGER'S REPORTS AND COMMENTS

CITY ATTORNEY'S REPORTS AND COMMENTS

CLOSED SESSION

None at this time.

ADJOURNMENT

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Per Resolution No. 17-21, the public portion of City Council meetings will be scheduled to start at 6:00 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.groverbeach.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. Any writings or documents regarding any item on this agenda, not exempt from public disclosure, provided to a majority of the City Council and distributed subsequent to distribution of the agenda packet will be made available for public inspection in the City Clerk's Office during normal business hours.

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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.groverbeach.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.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.