

# AGENDA GROVER BEACH CITY COUNCIL MONDAY, NOVEMBER 22, 2021, 6:00 PM

*Next Resolution No. 21-33  
Next Ordinance No. 21-03*

*Given public health conditions and consistent with Assembly Bill 361, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act, City Council meetings will be held by teleconference only until further notice.*

*Meetings can be viewed on Channel 20 and are live streamed on the City's website via [www.slo-span.org](http://www.slo-span.org). Members of the public may provide public comment during the meeting by calling (805) 321-6639 to provide public comment via phone (the phone line will open just prior to the start of the meeting at 6:00 PM) or written public comments can be submitted via email to [gbadmin@groverbeach.org](mailto:gbadmin@groverbeach.org) prior to the Council meeting. If submitting written comments in advance of the meeting, please note the agenda item. Written comments will be read out loud during the City Council meeting on the appropriate agenda item subject to the customary 3-minute time limit.*

## **CALL TO ORDER**

## **MOMENT OF SILENCE**

## **FLAG SALUTE**

**ROLL CALL** Council Members Anna Miller, Robert Robert, Daniel Rushing, Mayor Pro Tem Karen Bright, and Mayor Jeff Lee

## **CLOSED SESSION ANNOUNCEMENTS**

## **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. **Introduction of Commander Munro – Chief Peters**

## **PRESENTATIONS**

2. **“Show Us Your Signs” Contest Winners – Parks & Recreation Director Petker**

## **PUBLIC COMMUNICATIONS**

During this time, the Council will allow up to 15 minutes for Public Communication with additional communication, if necessary, allowed after the Regular Business Items. 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.

3. **Treasurer's Report for the Period October 1, through October 31, 2021.**  
**(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 K14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period October 1, through October 31, 2021.**  
**(Recommended Action:** Approve the Treasurer's Report as submitted.)  
VOICE VOTE
5. **Minutes of the City Council Meeting on Monday, November 8, 2021.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE
6. **Adoption of Findings Related to AB 361 Allowing Continued Teleconferencing Meetings – City Attorney Hale**  
**(Recommended Action:** Adopt required findings with respect to the City of Grover Beach's continued utilization of teleconferencing meetings in conformation with AB 361 (Government Code Section 54953).  
ROLL CALL VOTE
7. **On-Call Professional Design Service Authority Designation – Public Works Director/City Engineer Ray**  
**(Recommended Action:** Authorize the City Manager or their designee to execute Agreements for Consultant Services with on-call design firms for up to \$300,000 for design services on Capital Improvement Projects.)  
ROLL CALL VOTE
8. **Award of Construction Contract for the City Hall Portable Generator Connection Project – Public Works Director/City Engineer Ray and Senior Engineer Munoz-Morris**  
**(Recommended Action:** Award the construction contract for the City Hall Portable Generator Connection Project to Santa Maria Electric, Inc., in the amount of \$76,680 for the Base Bid; authorize the City Manager to sign and affirm construction change orders up to an aggregate of \$7,670; authorize an encumbrance of \$70,900 from the General Fund; and authorize the Mayor to execute the contracts on behalf of the City.)  
ROLL CALL VOTE
9. **COVID-19 Response Update – City Manager Bronson**  
**(Recommended Action:** Receive and update on the countywide and City response to the COVID-19 pandemic.)  
VOICE VOTE

10. **First Reading and Introduction of an Ordinance Adding Chapter 4.1 of Article V, Mandatory Organic Waste Disposal Reduction, to the City of Grover Beach Municipal Code to Comply with the Requirements of SB 1383**– Public Works Director/City Engineer Ray and City Attorney Hale.  
**(Recommended Action:** 1. Conduct first reading, by title only, and introduce an Ordinance adding Chapter 4.1 of Article V, Mandatory Organic Waste Disposal Reduction, to the Grover Beach Municipal Code in order to comply with the requirements of Senate Bill 1383 (SB 1383). 2. Schedule second reading and adoption of the Ordinance at the next regularly scheduled City Council meeting.)  
ROLL CALL VOTE
11. **Amended San Luis Obispo County Integrated Waste Management Authority Joint Powers Agreement and Memorandum of Agreement** – City Manager Bronson  
**(Recommended Action:** Adopt a Resolution approving Joint Powers Agreement #2 and Memorandum of Agreement Amendment #1 for the San Luis Obispo County Integrated Waste Management Authority (IWMA) and authorize the Mayor to execute the agreements on behalf of the City.)  
ROLL CALL VOTE
12. **FY 2021-22 First Quarter Financial Review** – Administrative Services Director Purcell  
**(Recommended Action:** Receive and file the FY 2021-22 First Quarter Financial Review.)  
VOICE VOTE

#### **PUBLIC HEARING**

13. **Second Reading and Adoption of an Ordinance to Amend Municipal Code Article IX (Development Code) including Adding Section 4.10.115 for Mobile Vendors, and Amending Regulations Pertaining to Fencing (Section 3.10.020), Parking (Section 3.50), Definitions (Section 9.10.020) and other Associated Sections, and Approve a Local Coastal Program Amendment** –Community Development Director Buckingham and Senior Planner Castillo  
**(Recommended Action:** 1. Conduct public hearing and second reading to adopt the Ordinance amending Municipal Code Article IX, Development Code to add Section 4.10.115 for mobile vendors, and amending regulations pertaining to fencing (Section 3.10.020), parking (Section 3.50), definitions (Section 9.10.020) and other associated sections; and 2. Adopt the Resolution approving a Local Coastal Program Amendment)  
ROLL CALL VOTE

#### **REGULAR BUSINESS**

14. **2021 Community Survey Results** – City Manager Bronson  
**(Recommended Action:** Receive the results of the 2021 community survey of Grover Beach residents on topics such as key community issues and importance and satisfaction of City services and provide input to staff.)
15. **Measure K-14 Bond Issuance Direction** – Administrative Services Director Purcell  
**(Recommended Action:** Adopt a Resolution providing direction to staff to proceed with the issuance and sale of Measure K-14 General Obligation Bonds for local street repair projects in an amount not to exceed \$10,000,000.)  
ROLL CALL VOTE

**PUBLIC COMMUNICATIONS**

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**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.

Central Coast Community Energy	Jeff Lee
Five Cities Fire Joint Powers Authority	Jeff Lee (Alt: Karen Bright)
South SLO County Sanitation District (SSLOCSD)	Jeff Lee (Alt: Karen Bright)
Air Pollution Control District (APCD)	Karen Bright (Alt: Anna Miller)
Integrated Waste Management Authority (IWMA)	Karen Bright (Alt: Robert Robert)
SLO Council of Governments / SLO Regional Transit Authority (SLOCOG / SLORTA)	Karen Bright (Alt: Jeff Lee)
South County Transit Committee	Karen Bright (Alt: Jeff Lee)
Homeless Services Oversight Council (HSOC)	Anna Miller (Alt: Jeff Lee)
Zone Three Advisory Committee	Anna Miller (Alt: Daniel Rushing)
SLO County Water Resources Advisory Committee (WRAC)	Robert Robert (Alt: Staff)
REACH	Daniel Rushing (Alt: Robert Robert)
South County Chambers of Commerce	Daniel Rushing (Alt: Anna Miller)
Visit SLO CAL	Daniel Rushing (Alt: Anna Miller)

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

Transportation, Communication & Public Works Policy Committee Jeff Lee

**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**

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

**ADJOURNMENT**

\* \* \* \* \*

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](http://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](http://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, revised 02-18-2020)*

The City Council and staff welcomes and encourages civic participation and debate on issues. The Council values the public's opinion and in every Council meeting invite and encourages the public to address the Council on any matter of interest. The Council adopted these policies and procedures for appropriate conduct and decorum at Council meetings and establish guidance for public participation during Council meetings. These policies will foster and provide greater clarity to preserve the intent of open government and maintain a positive environment for public input and City Council decision-making.

### **1.0 DECORUM AND ORDER – IN GENERAL**

- 1.1 The presiding officer is responsible for the maintenance of order and decorum at all times.
- 1.2 The presiding officer shall determine all points of order subject to the right of any Council member to appeal to the City Council by majority vote. If any appeal is taken, the question shall be "Shall the decision of the presiding officer be sustained" in which event a majority vote of the Council shall govern and conclusively determine such question of order.
- 1.3 All Council members, staff members and members of the public should speak respectfully and avoid the use of profanity, vulgarity and slanderous comments. Recognizing that the First Amendment precludes the City Council from prohibiting speakers from speaking based upon the content of their speech, the presiding officer shall use their best efforts, short of enforcement action, to remind and encourage all participating in the meeting to keep their speech respectful towards others and within bounds appropriate for children and persons of sensitivity toward course language as a courtesy to others present or otherwise viewing Council meetings.

### **2.0 DECORUM AND ORDER – COUNCIL MEMBERS**

- 2.1 Manner of Speaking.  
Any Council member desiring to speak shall first address the presiding officer. Upon recognition by the presiding officer, the Council member shall speak only to the question under debate.

#### 2.1(a) Questioning Staff.

A Council member desiring to question the staff should address his question to the City Manager, or, in appropriate cases, the City Clerk or City Attorney, who shall be entitled either to answer the inquiry or to designate some staff member for that purpose. Such a designation may be made at the time of any staff presentation or on the agenda listing for the item.

#### 2.1(b) Interruptions.

Once recognized, a Council member shall not be interrupted while speaking unless called to order by the presiding officer; unless a point of order is raised by another Council member, or unless the speaker chooses to yield to questions from another Council member.

### **3.0 DECORUM AND ORDER – STAFF**

- 3.1 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.
- 3.2 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 presiding officer. All remarks shall be addressed to the 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.

### **4.0 DECORUM AND ORDER – MEMBERS OF THE PUBLIC**

- 4.1 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 presiding officer at the appropriate place on the agenda. All remarks shall be addressed to the presiding officer and not to any individual Council Member, City Manager, City Attorney or member of the administrative staff or member of the public.

- 4.2 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 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 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.
- 4.3 Failure to Yield, Disruptions  
Any person who refuses to relinquish the floor after their allotted time or while attending the City Council meeting engages in conduct or speech which disrupts the business of the meeting shall be brought to order and/or removed from the room if the sergeant-at-arms is so directed by the presiding officer. Disruptive remarks from the audience, stamping of feet, clapping, whistles, yells and similar demonstrations shall not be permitted by the presiding officer who may direct the sergeant-at-arms to remove such offenders from the room.
- 4.4 Prosecution  
Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer.

## **5.0 ENFORCEMENT OF DECORUM**

- 5.1 The Chief of Police or his designee shall be the ex-officio sergeant-at-arms of the City Council. The sergeant-at-arms shall carry out all legal and valid orders and instructions given by the presiding officer for the purpose of maintaining order and decorum in the Council Chamber. Upon instructions from the presiding officer, it shall be the duty of the sergeant-at-arms to remove any disorderly person from the Council Chambers or place the disorderly person under arrest or both.
- 5.2 As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or group of persons so as to render the orderly conduct of such meeting unfeasible or impedes the ability of the Council to hold the meeting, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the 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.