

AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBER
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, MARCH 13, 2023, 6:00 PM

Next Resolution No. 23-06
Next Ordinance No. 23-01

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 (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.

Meetings can be viewed on Channel 20 and are live streamed on the City's website via www.slo-span.org. Members of the public who cannot attend the meeting in person 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 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 Robert Robert, Daniel Rushing, Clint Weirick, Mayor Pro Tem Anna Miller, and Mayor Karen Bright

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 Five Cities Fire Authority New Firefighters – Chief Steve Lieberman**

PRESENTATIONS

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.

2. **Minutes of the Regular City Council Meeting on Monday, February 27, 2023 and the Minutes of the Special City Council Meeting on Monday, March 6, 2023.**
(Recommended Action: Approve the minutes as submitted or revised.)
VOICE VOTE
3. **Adoption of FY 2023-25 City Council Goals** – Deputy City Manager Eriksson
(Recommended Action: Adopt the FY 2023-25 City Council Goals as determined at the March 6, 2023 Council Goal-Setting Workshop)
ROLL CALL VOTE
4. **Introduction and First Reading of an Ordinance Repealing Chapter 14 of Article III (Public Welfare, Morals and Conduct); adding a new Chapter 14, 14.1 and 14.2; and Repealing Section 5210 of Chapter 2 of Article V (Sanitation and Health) of the Grover Beach Municipal Code to Regulate Camping and Vehicle Habitation on Public Rights-of-Way and Public and Private Property** – City Manager Bronson, City Attorney Hale
(Recommended Action: Introduce and conduct a First Reading, by title only, an Ordinance repealing Chapter 14 of Article III (Public Welfare, Morals and Conduct); adding new Chapters 14, 14.1 and 14.2; and repealing Section 5210 of Article V (Sanitation and Health) of the Grover Beach Municipal Code to regulate camping and vehicle habitation on public rights-of-way and public and private property and schedule a public hearing for the Second Reading at the next regularly scheduled Council meeting.)
ROLL CALL VOTE
5. **Award of Professional Design Engineering Services for Street Rehabilitation and Repair Project (CIP 2295-16 and 17)** – Public Works Director/City Engineer Ray and CIP Manager Wiggin
(Recommended Action: Authorize the City to enter into a Consulting Services Agreement in an amount not to exceed \$426,480 with Rick Engineering for design phase services, bidding phase services, and post-design services during the construction phase of CIP projects 2295-16 and 2295-17, Street Rehabilitation and Repair Projects; authorize the Budget Amendment Request to advance the funds budgeted in FY 2023-24 to this fiscal year; authorize the Director of Public Works to negotiate contract amendments not to exceed \$40,000 if needed; and authorize the Mayor to execute the agreement on behalf of the City.)
ROLL CALL VOTE
6. **Approval of Budget Increases for CIP Projects 2295-14 (Local Street Rehabilitation and Repair) and 2274 (Citywide Sidewalk Infill)** – Public Works Director/City Engineer Ray and CIP Manager Wiggin
(Recommended Action: Approve budget increases for CIP Projects 2295-14 (Local Street Rehabilitation and Repair) and 2274 (Citywide Sidewalk Infill).)
ROLL CALL VOTE

7. **Participation in the County of San Luis Obispo Desalinated Water Study** – Public Works Director/City Engineer Ray
(Recommended Action: Adopt the Resolution approving participation in the County of San Luis Obispo Desalinated Water Study.)
ROLL CALL VOTE

PUBLIC HEARING

None

REGULAR BUSINESS

8. **Water Supply Update and Recommended Change in City’s Water Shortage Declaration** – Public Works Director/City Engineer Ray
(Recommended Action: Receive information on the City’s water supply and approve a recommended change in the City’s water shortage declaration from Stage 3 with 20% water use reduction with penalties to Stage 1 with voluntary compliance only.)
ROLL CALL VOTE
9. **State Legislative Update and Approval of a 2023 Legislative Platform and Letter of Opposition to Initiative 21-0042A1** – Deputy City Manager Eriksson
(Recommended Action: Receive a presentation on pending State legislation from the League of California Cities; approve the 2023 City of Grover Beach Legislative Platform; and authorize the Mayor to sign a letter opposing Initiative 21-0042A1, also known as the California Business Roundtable “Taxpayer Protection and Government Accountability Act.”)
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.

Air Pollution Control District (APCD)	Karen Bright (Alt: Anna Miller)
Central Coast Blue Regional Recycled Water Authority (CCBRRWA)	Karen Bright (Alt: Daniel Rushing)
South SLO County Sanitation District (SSLOCSD)	Karen Bright (Alt: Clint Weirick)
Homeless Services Oversight Council (HSOC)	Anna Miller (Alt: Clint Weirick)
REACH SLO Advisory Commission	Anna Miller (Alt: Robert Robert)
South County Chambers of Commerce	Anna Miller (Alt: Daniel Rushing)
Visit SLO CAL Advisory Committee	Anna Miller (Alt: Robert Robert)
Integrated Waste Management Authority (IWMA)	Robert Robert (Alt: Daniel Rushing)
Five Cities Fire Joint Powers Authority	Daniel Rushing (Alt: Clint Weirick)
SLO Council of Governments / SLO Regional Transit Authority	Daniel Rushing (Alt: Karen Bright)

(SLOCOG / SLORTA)
South County Transit Committee
Zone Three Advisory Committee

Daniel Rushing (Alt: Karen Bright)
Daniel Rushing (Alt: Karen Bright)

SLO County Water Resources Advisory Committee (WRAC) Clint Weirick (Alt: Robert Robert)

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:

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of California Government Code, Section 54956.9
(One potential case).
- B. Public Employee Performance Evaluation –**
Consistent with Government Code Section 54957 (b)(1) Title: (City Manager)

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, 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.