

**AGENDA**  
**GROVER BEACH CITY COUNCIL**  
**GROVER BEACH CITY HALL - COUNCIL CHAMBER**  
**154 SOUTH EIGHTH STREET**  
**GROVER BEACH, CALIFORNIA**  
**MONDAY, JUNE 17, 2019, 6:00 PM**

*Next Resolution No. 19-20  
Next Ordinance No. 19-05*

*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](http://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 Karen Bright, Desi Lance, and Barbara Nicolls, Mayor Pro Tem Mariam Shah, and Mayor Lee

**CLOSED SESSION ANNOUNCEMENTS**

On Monday, June 3, 2019 after meeting in Closed Session regarding:

1. **Conference with Legal Counsel--Existing Litigation**  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
City of Grover Beach v. Casey Johnston Construction, a California Corporation; Casey Johnston, an individual, Leanne Johnston, an Individual;
2. **Conference with Legal Counsel--Anticipated Litigation**  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Section 54956.9  
(Two potential cases)
3. **Public Employee Performance Evaluation**  
Consistent with Government Code Section 54957 (b)(1)  
Title: (City Manager)

the City Council reconvened into open session, and announced there were no reportable actions.

## **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 and Swearing-In of New Police Employees**

## **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. Treasurer's Report for the Period May 13 to June 10, 2019.**  
**(Recommended Action:** Approve the Treasurer's Report as submitted.)  
VOICE VOTE
- 3. 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 May 13 to June 10, 2019.**  
**(Recommended Action:** Approve the Treasurer's Report as submitted.)  
VOICE VOTE
- 4. Minutes of the City Council Meeting on Monday, June 3, 2019.**  
**(Recommended Action:** Approve the minutes as submitted or revised.)  
VOICE VOTE
- 5. Adoption of FY 2019-20 Budget and FY 2019-23 Capital Improvement Program –** City Manager Bronson and Administrative Services Director Purcell The City Council will consider adoption of the Resolution for the 2019-20 budget and FY 2019-23 Capital Improvement Programs presented.  
**(Recommended Action:** Adopt Resolutions to adopt and appropriate funds for the FY 2019-20 budget and FY 2019-23 Capital Improvement Program, set the FY 2019-20 Appropriations Limit from Tax Proceeds, and establish authorized positions in departments for FY 2019-20.)  
ROLL CALL VOTE
- 6. Major Street Maintenance Project (CIP 2283): Award of Professional Design Engineering Services –** Public Works Director/City Engineer Ray The City Council will consider awarding the contract for design engineering service for CIP 2283, Major Street Maintenance Project to GHD, Inc.  
**(Recommended Action:** Award a contract for design engineering services to GHD Inc., for design and construction phase engineering associated with CIP 2283, Major Street

Maintenance Project, and authorize the Mayor to execute the contract on behalf of the City.)

ROLL CALL VOTE

7. **Second Reading and Adoption of Ordinance No. 19-04 to Amend Municipal Code Article IX (Development Code) and Approve a Local Coastal Program Amendment to Regulate Short-Term Rentals (Development Application 19-07)** – Community Development Director Buckingham The City Council will conduct a second reading and adoption of Ordinance No. 19-04 regulation of short-term rentals.  
**(Recommended Action:** 1) Conduct second reading, by title only, and adopt Ordinance No. 19-04 amending Article IX of the Grover Beach Municipal Code to regulate short-term rentals; and 2) Adopt the Resolution approving a Local Coastal Program Amendment.)  
ROLL CALL VOTE
8. **Contract with San Luis Obispo County for Animal Care and Control Services for FY 2019-22** – City Manager Bronson The City Council will consider the proposed contract provided for the provision of Animal Care and Control services to the City for three years, from July 1, 2019 through June 30, 2022.  
**(Recommended Action:** Adopt the Resolution authorizing the three-year contract with the County of San Luis Obispo for the continued provision of Animal Care and Control Services from July 1, 2019 to June 30, 2022.)  
ROLL CALL VOTE
9. **Five Cities Fire Authority Joint Powers Authority Agreement Revised Second Amendment** – City Manager Bronson The City Council will consider the approval of the Resolution approving the revised Second Amendment to the Five Cities Fire Authority Joint Exercise of Powers Agreement.  
**(Recommended Action:** Adopt the Resolution approving the revised Second Amendment to the Five Cities Fire Authority Joint Exercise of Powers Agreement.)

## **PUBLIC HEARINGS**

10. **Proposed South County Sanitary Service Rate Increases** – City Manager Bronson and Administrative Services Director Purcell The City Council will consider the Proposition 218 public hearing regarding the request by South County Sanitary Service for rate increases for solid waste collection and disposal services.  
**(Recommended Action:** 1) Conduct the Proposition 218 public hearing and determine the official number of written protests received on proposed rate increase and 2) if the number of valid protests is below 50% of the number of property owners or customers authorized to vote, adopt the Resolution approving the request by South County Sanitary Service for rate increases for solid waste collection and disposal services pursuant to the City's Franchise Agreement effective July 1, 2019, January 1, 2020 and January 1, 2021.)  
ROLL CALL VOTE
11. **Approval to Vacate of a Portion of Highland Way Right-of-Way (1053 Highland Way)** – Public Works Director/City Engineer Ray The City Council will consider the approval of the vacation of a portion of Highland Way Right-of-Way.  
**(Recommended Action:** Conduct a public hearing to hear all persons interested in the proposed vacation and adopt the Resolution approving the vacation of the northernmost seven feet (7') portion of right-of-way on Highland Way along the property frontage of 1053

Highland Way and authorize the City Clerk to file the Grant Deed with the County Clerk Recorder.)  
ROLL CALL VOTE

## **REGULAR BUSINESS**

- 12. Proposed Revised Public Nuisance Ordinance** – City Manager Bronson and City Attorney Hale The City Council will consider the proposed revised Public Nuisance Ordinance.  
**(Recommended Action:** Review proposed revised Public Nuisance Ordinance and provide direction to staff.)

## **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.

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

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

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

## **CITY COUNCIL COMMUNICATIONS**

## **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:

#### **1. Conference with Legal Counsel--Anticipated Litigation**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Section 54956.9 (528 W. Grand Avenue)

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. 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)*

### **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.