

**AGENDA
GROVER BEACH CITY COUNCIL
GROVER BEACH CITY HALL - COUNCIL CHAMBER
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
MONDAY, MARCH 5, 2018, 6:00 PM**

*Next Resolution No. 18-14
Next Ordinance No. 18-03*

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**

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.

CLOSED SESSION ANNOUNCEMENTS

None at this time as the Closed Session item scheduled on February 20, 2018 was cancelled.

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 New Public Works Supervisor Cesar Zarate.**

PRESENTATION

2. **Regional Groundwater Sustainability Project Update – Public Works Director/City Engineer Ray**

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Items withdrawn from the Consent Agenda will be heard after the rest of the Consent Agenda is approved.

3. **Treasurer's Report for the Period February 13 - February 23, 2018.**
(Recommended Action: Approve the Treasurer's Report as submitted.)
VOICE VOTE
4. **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 February 13 - February 23, 2018.**
(Recommended Action: Approve the Treasurer's Report as submitted.)
VOICE VOTE
5. **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 February 13 - February 23, 2018.**
Recommended Action: Approve the Treasurer's Report as submitted.
VOICE VOTE
6. **Minutes of the City Council Meeting on December 4, 2017.**
(Recommended Action: Approved the minutes as submitted or revised.)
VOICE VOTE
7. **Second Reading and Adoption of Ordinance No. 18-02 to Amend Article III, Chapter 9 of the Grover Beach Municipal Code Regarding Massage Therapy Regulations – Police Chief Peters.** The City Council will consider taking formal action to amend the City's massage therapy regulations.
(Recommended Action: Conduct the second reading of Ordinance No. 18-02, by title only, and adopt the Ordinance amending the Grover Beach Municipal Code regarding therapy massage regulations in the City.)
ROLL CALL VOTE
8. **Award of Construction Management Contract for CIP 2295-5 and CIP 2295-7 Street Rehabilitation and Repair Projects - Public Works Director/City Engineer Ray.** The City Council will consider entering into an agreement with MNS Engineers, Inc., for day-to-day construction management services associated with street rehabilitation and repair projects funded with Measure K-14 bond funds.
(Recommended Action: Adopt the Resolution authorizing the City to enter into a Professional Services Agreement with MNS Engineers, Inc., for construction management, inspection, and materials testing associated with the CIP 2295-5 and CIP 2295-7 Measure K-14 Street Rehabilitation and Repair Projects; and authorize the Mayor to execute the agreement on behalf of the City.)
ROLL CALL VOTE

9. **Award of Construction Contract, Street Improvements (CIP 2295-5, Long Branch Avenue)** – Public Works Director/City Engineer Ray. The City Council will consider awarding a contract for the construction of street repairs and rehabilitation of Long Branch Avenue from 3rd Street to 10th Street.
(Recommended Action: Adopt the Resolution awarding the contract for construction of CIP 2295-5, Long Branch Avenue, to JJ Fisher Construction, Inc., in the amount of \$1,322,176.77 for the Base Bid and Bid Additive 2; authorize the City Manager to sign and affirm construction change orders up to an aggregate of \$135,000; and authorize the Mayor to execute the contract on behalf of the City.)
ROLL CALL VOTE
10. **Acceptance of the Conduit Installation for the Grover Beach Municipal Broadband Network Project (CIP 6389)** - Public Works Director/City Engineer Ray. The City Council will review the installation of the conduit for the Broadband Project for Leo Tidwell Excavating Corporation (CIP 6389) for notice of completion.
(Recommended Action: Adopt the Resolution formally accepting the conduit installation for the Grover Beach Municipal Broadband Network Project (CIP 6389), authorize the City Manager to sign the Notice of Completion, and provide direction for staff to send the Notice of Completion to Leo Tidwell Excavating Corporation.)
ROLL CALL VOTE
11. **Award of Design Services for Ramona Square Parking Lot Rehabilitation (CIP 3393)** – Public Works Director/City Engineer Ray and CIP Project Manager Wiggin. The City Council will consider awarding the contract for professional engineering services for work associated with CIP 3393, Ramona Square Parking Lot Rehabilitation Project.
(Recommended Action: Adopt the Resolution authorizing the City to enter into a Consulting Services Agreement with Praxis Engineering for the Ramona Square Parking Lot Rehabilitation (CIP 3393) in an amount not to exceed \$46,720 for the Phase 1 design services and authorize the Mayor to execute the agreement on behalf of the City.)
ROLL CALL VOTE

PUBLIC HEARINGS

12. **Development Application 17-39 - Request for a Use Permit and Commercial Medical Cannabis Permit to Establish a Commercial Cannabis Facility with Retail, Manufacturing, and Distribution Uses.**
Location: 923 Huber Street (APN 060-544-013); Applicant: The Milkman LLC

The City Council will consider recommendations from the Planning Commission for a Use Permit to operate a commercial medical cannabis retailer, manufacturing, and distribution facility.
Recommended Action:
 - 1) Adopt the Resolution approving Development Application 17-39, establishing a commercial medical cannabis facility with retail, manufacturing, and distribution uses located at 923 Huber Street; and
 - 2) Adopt the Resolution approving a Commercial Cannabis Permit for Milkman LLC.ROLL CALL VOTE
13. **Development Application 17-21 - Request for a Use Permit and Commercial Medical Cannabis Permit to Establish a Commercial Cannabis Facility with Retail, Manufacturing, and Distribution Uses.**
Location: 1053 Highland Way (APN 060-546-027); Applicant: 805 Beach Breaks, Inc.

The City Council will consider recommendations from the Planning Commission for a Use Permit to operate a commercial medical cannabis retailer, manufacturing, and distribution facility.

Recommended Action:

- 1) Adopt the Resolution approving Development Application 17-21, establishing a commercial medical cannabis facility with retail, manufacturing, and distribution uses located at 1053 Highland Way;
- 2) Adopt the Resolution approving a Commercial Cannabis Permit for 805 Beach Breaks, Inc.; and
- 3) Provide direction for staff to initiate a right-of-way abandonment based on options provided by staff.

ROLL CALL VOTE

14. Development Application 17-38 - Request for a Use Permit and Commercial Medical Cannabis Permit to Establish a Commercial Cannabis Facility with Manufacturing and Distribution Uses.

Location: 949 Highland Way (APN 060-545-022); Applicant: The Hive Laboratory LLC

The City Council will consider recommendations from the Planning Commission for a Use Permit to operate a commercial medical cannabis manufacturing and distribution facility.

Recommended Action:

- 1) Adopt the Resolution approving Development Application 17-38, establishing a commercial medical cannabis facility with manufacturing and distribution uses located at 949 Highland Way; and
- 2) Adopt the Resolution approving a Commercial Cannabis Permit for The Hive Laboratory, LLC.

ROLL CALL VOTE

REGULAR BUSINESS

15. Introduction and First Reading of Ordinance that Amends Certain Provisions of Chapter 18, Article III of the Grover Beach Municipal Code that Brings the City's Establishment, Operation and Regulations of Commercial Cannabis Uses Consistent with State Law for the Cultivation, Manufacturing, Dispensation, Transportation and Testing of Medical Marijuana and Medical Marijuana Products – City Attorney Hale. The City Council will consider amending certain regulations regarding commercial medical cannabis businesses consistent with recent changes in state law and to address time-sensitive matters before the initial retail establishments are open for business.

Recommended Action:

- 1) Conduct the first reading, by title only, and introduce the Ordinance amending Chapter 18, Article III of the Grover Beach Municipal Code to change the age for purchase and consumption of medical cannabis products to 18 years of age and to amend the current Ordinance Nos. 17-05, 17-06, 17-09, and 17-10 to require the issuance of both a local and State license before a cannabis business may operate.
- 2) Schedule a second reading and adoption of the Ordinance at the next regularly scheduled City Council meeting.

ROLL CALL VOTE

- 16. Resolution in Opposition to Offshore Oil and Gas Leasing Program** – City Manager Bronson. The City Council will consider the request to adopt a resolution formally opposing inclusion of the California coast in a draft proposed five-year offshore oil and gas leasing program as proposed by the U.S. Bureau of Ocean Energy Management.

Recommended Action: Consider approving a Resolution opposing the Bureau of Ocean Energy Management’s 2019-2024 Draft Proposed National Oil and Gas Leasing Program and the expansion of offshore oil drilling off the coast of California.

ROLL CALL VOTE

- 17. Second Reading and Adoption of Ordinance No. 17-07 to Amend the California Public Employees’ Retirement System (CalPERS) Retirement Contract for all Classic Sworn Personnel** – Management Analyst/Human Resources Mattocks. The City Council will consider taking formal action to amend the City’s contract with the California Employees’ Retirement System for all Classic Sworn Personnel.

Recommended Action: Conduct the second reading, by title only, and adopt Ordinance No. 17-07 to amend the City’s contract with CalPERS to include a 3% increased cost sharing for all Classic Sworn Personnel.

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

AGENDA
GROVER BEACH FINANCING AUTHORITY
GROVER BEACH CITY HALL - COUNCIL CHAMBER
154 SOUTH EIGHTH STREET, GROVER BEACH, CALIFORNIA

MONDAY, MARCH 5, 2017

*(Meeting begins immediately following the Regular City Council Meeting
scheduled on this date only if there are items scheduled for discussion.)*

Notice of Meeting Cancellation

**Notice is Hereby Given that there will be
no meeting of the Grover Beach
Financing Authority on this date.**

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to this regularly scheduled meeting date.

Posted:

/s/

Donna L. McMahon, City Clerk

Dated: Thurs, March 1, 2018



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.