

**AGENDA NO: V**

**MEETING DATE: 12/10/2012**

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – NOVEMBER 13, 2012  
VETERAN’S MEMORIAL HALL – 6:00P.M.

Mayor Yates called the meeting to order at 6:00 p.m.

PRESENT:	William Yates	Mayor
	Carla Borchard	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Jamie Boucher	City Clerk
	Rob Livick	Public Services Director
	Amy Christey	Police Chief
	Mike Pond	Fire Chief
	Susan Slayton	Administrative Services Director
	Eric Endersby	Harbor Director
	Joe Woods	Recreation & Parks Director
	Cindy Jacinth	Assistant Planner
	Janeen Burlingame	Management Analyst

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR AND COUNCIL MEMBERS REPORTS, ANNOUNCEMENTS & PRESENTATIONS

CLOSED SESSION REPORT – City Attorney Robert Shultz reported that City Council met in Closed Session and no reportable action under the Brown Act was taken.

PUBLIC COMMENT

Marvin Sosna, a 22 year resident, commented on the horrible state of his street wondering when it would be repaired. He doesn’t agree with the City’s street repair policy which he says is “those in need of repair the most are last to get fixed.”

Rick Grantham and Bill Black advertised the upcoming Annual Thanksgiving Day Dinner which is co-sponsored by Morro Bay Rotary and the Morro Bay Peace Officers Association. They thanked the major sponsors as well as the many volunteers it takes to put the event on. They also thanked both Mayor Yates and Councilmember Borchard for all their work on the City Council on behalf of the residents.

Garry Johnson thanked the Armed Service members for their selfless service to our Country. He also thanked both Mayor Yates and Councilmember Borchard for their time and hard work over the years. He provided a very extensive listing of all their successes on behalf of the City.

John Solu wanted to recognize all sitting Councilmembers for their service but especially Mayor Yates and Councilmember Borchard for all their efforts on behalf of Morro Bay. They have been stewards for growing business in Morro Bay.

John Dinunzio, the City's new Economic Development Director introduced himself, providing a short bio on his qualifications. He considers it an honor to be a part of the Chamber and the Economic Development Team.

Pat O'Daniels invited everybody to John Duran's Art Show being held on Saturday, November 17<sup>th</sup> and Sunday, November 18<sup>th</sup> at 280 Harbor (the old Morro Bay Brewery location).

Tom Martin spoke on the Cold Canyon Landfill stating that there will be a hearing on November 20<sup>th</sup> in front of the Board of Supervisors. While they received a permit, there were conditions levied that were entirely discretionary and very costly. Whatever decision is made will be borne by the rate payer. He encouraged the public to speak on their behalf.

Joan Solu stated publicly how much she appreciates all that the Councilmembers do; she especially focused on Mayor Yates and Councilmember Borchard both who are giving of their time and resources.

Keith Taylor spoke promoting the Fire Department Dedication being held on Saturday, December 8<sup>th</sup> starting at 1130am. They have worked for the last 8 years to get this project completed and wanted to thank the community for their part in passing Measure Q.

Mayor Yates closed the public comment period.

A. CONSENT CALENDAR

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion.

A-1 APPROVAL OF CITY COUNCIL MINUTES FOR THE REGULAR MEETING OF OCTOBER 23, 2012; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-2 DIRECTION TO ALLOCATE \$50,000 RECEIVED THROUGH THE CITY'S LICENSE AGREEMENT WITH X2 TELECOM LLC TOWARD CITY'S TECHNOLOGY NEEDS; (ADMINISTRATION/CITY ATTORNEY)

**RECOMMENDATION: Direct the expenditure of one time monies in the amount of \$50,000 on City technology needs.**

A-3 APPROVAL OF RESOLUTION 57-12 REGARDING CITY'S INTENTION TO SELL THE CITY-OWNED PROPERTY AT 1320 MAIN STREET IN MORRO BAY, CALIFORNIA; (CITY ATTORNEY)

**RECOMMENDATION: Adopt Resolution No. 57-12.**

A-4 REVIEW AND ADOPT DRAFT FUNDING RECOMMENDATIONS FOR THE 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS; (PUBLIC SERVICES)

**RECOMMENDATION: Review and adopt draft funding recommendations for the 2013 Community Development Block Grant (CDBG) funds and forward recommendations to the San Luis Obispo County Board of Supervisors. Additionally, authorize the City Manager to make pro rata adjustments to the allocation based on final funding amount from San Luis Obispo County.**

A-5 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA REAFFIRMING COMMUNITY SUPPORT OF THE LOCAL COMMERCIAL FISHING INDUSTRY; (CITY ATTORNEY)

**RECOMMENDATION: Adopt Resolution 56-12.**

Councilmember Smukler pulled Items A-1, A-2 and A-4 from the Consent Calendar.

MOTION: Councilmember Smukler moved the City Council approve Items A-3 and A-5 of the Consent Calendar as presented. The motion was seconded by Councilmember Borchard and carried unanimously 5-0.

A-1 APPROVAL OF CITY COUNCIL MINUTES FOR THE REGULAR MEETING OF OCTOBER 23, 2012; (ADMINISTRATION)

Regarding item C-1, Councilmember Smukler doesn't recall that there was Council direction for staff to request design monies for sidewalk enhancements from SLOCOG. City Clerk was directed to go back to the AGP tape for clarification and bring the item back to the next meeting for approval.

A-2 DIRECTION TO ALLOCATE \$50,000 RECEIVED THROUGH THE CITY'S LICENSE AGREEMENT WITH X2 TELECOM LLC TOWARD CITY'S TECHNOLOGY NEEDS; (ADMINISTRATION/CITY ATTORNEY)

Councilmember Smukler feels that how and where the money is spent should be brought back to Council for approval. There was no Council consensus for that concept.

MOTION: Mayor Yates moved for approval of Item A-2 as presented, allowing the City to spend the \$50,000 on technology needs. The motion was seconded by Councilmember Johnson and carried 4-1 with Councilmember Smukler voting no.

A-4 REVIEW AND ADOPT DRAFT FUNDING RECOMMENDATIONS FOR THE 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS; (PUBLIC SERVICES)

Councilmember Smukler noted that last year the Council carved out a small amount of money for the Maxine Lewis Memorial Shelter which he would like to see continued; he would also like to see some funds go to the Senior Nutrition Program. Public Services Director Rob Livick noted that this is a draft document which then goes to the County and back to the Council for adoption. It was also noted by Assistant Planner Cindy Jacinth that only 15% of the allowable monies can go to Public Services requests of which both the Maxine Lewis Center and the Senior Nutrition are a part of. Councilmember Johnson stated that while she can support monies to the Senior Nutrition Program, at this time she can't support funding CAPSLO until they change the way they allocate spending their monies. Based on those comments, Councilmember Smukler recommends funding the Senior Nutrition Program request.

MOTION: Councilmember Smukler moved to tentatively approve the CDBG funding requests with an adjustment to fund the Senior Nutrition Program at the maximum amount requested. The motion was seconded by Councilmember Borchard and carried 3-2 with Mayor Yates and Councilmember Leage voting no.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 RESOLUTION NO. 55-12 APPROVING MORRO BAY GARBAGE SERVICE INTERIM RATE YEAR ADJUSTMENT APPLICATION AND ADJUSTING SOLID WASTE COLLECTION RATES; (PUBLIC SERVICES)

Management Analyst Janeen Burlingame presented the staff report.

Mayor Yates opened the hearing for public comment; seeing none, the public hearing was closed.

MOTION: Councilmember Borchard moved to Approve Resolution 55-12. The motion was seconded by Councilmember Johnson and carried 5-0.

C. UNFINISHED BUSINESS - NONE

D. NEW BUSINESS

D-1 REVIEW OF CONCEPT PLAN FOR IMPROVEMENTS TO CENTENNIAL STAIRCASE; (CITY ATTORNEY)

City Attorney Rob Schultz presented the staff report.

Mayor Yates is in favor of moving forward with the funicular concept.

Councilmember Johnson is also in favor the funicular and hopes we can move forward with an approval without having to send it to other boards for their input.

Councilmember Borchard also likes the funicular concept and thinks that it would definitely enhance the property.

Councilmember Leage liked the funicular concept but he had a fiscal concern. If Council moved forward with approving the funicular and it was discovered that concept was considerably more expensive than the elevator concept, would the City have to pay the difference since they were the ones requesting it? City Attorney Rob Schultz feels that both projects are similar in costs; in addition, it would be the City's assertion that all costs for this project will be borne by the applicant.

Councilmember Smukler feels it's important to confirm who would bear those cost differences. He had a discussion with Mr. Stowasser who asserted that the decision was the City's to make. On another note, he would like to see the wood from the staircase that would be removed used appropriately as it has historical significance.

MOTION: Mayor Yates moved for support of the Funicular, to communicate the Council's decision to Mr. Stowasser and send the project directly to the Planning Commission. The motion was seconded by Councilmember Leage and passed unanimously 5-0.

E. DECLARATION OF FUTURE AGENDA ITEMS -

Councilmember Smukler requested an item be sent to the Recreation & Parks Commission focusing on the appropriate use of the historically significant materials from the demolition of the Centennial Staircase. There was consensus from Councilmembers Borchard and Leage.

Councilmember Smukler requested a discussion on the Harbor Advisory Board's request to re-establish the New Futures Committee to help influence the future of the power plant. There was consensus from Councilmembers Johnson and Borchard as long as it wasn't called the "New Future's Committee".

ADJOURNMENT

The meeting adjourned at 7:39 p.m.

Recorded by:

Jamie Boucher  
City Clerk