

AGENDA NO: A-1

MEETING DATE: 5/28/2013

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – MAY 14, 2013
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Jamie Boucher	City Clerk
	Amy Christey	Police Chief
	Steve Knuckles	Fire Chief
	Eric Endersby	Harbor Director
	Susan Slayton	Administrative Services Director
	Joe Woods	Recreation & Parks Director

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

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT – There was no closed session.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS &
PRESENTATIONS
PUBLIC PRESENTATIONS

PUBLIC COMMENT

Colleen Wall, Choir Director at Morro Bay High School, thanked everybody for their support and commitment to the MBHS Music program. She advertised the upcoming Bands on the Run event. She then introduced the Chamber Choir who sang “Chattanooga Choo Choo”

Betty Winholtz spoke on Item B-4, the Toro Lane Abandonment proposal stating that this disturbed her for 3 reasons: ~the community is completely 99% saying don’t abandon; ~the City Council directed staff to come back with options; and, ~there are no options to choose from.

Steve Shively sat on the Selection Committee for the New WRF Consultant and wanted to thank all 5 Councilmembers for giving him the opportunity. He felt the process worked well and that the committee was able to select a very good consultant to move forward with. He encourages the City utilize this same process in the future. And he also encourages more of the community, for and against, to be part of the process as it is the way to be heard.

Debbie Clark, President of the MBHS Music Boosters, advocated for music on behalf the booster's program as they provide for the needs of the MBHS music department and students, filling the gap between the school budget and the needs of the music program, education and scholarships. She invited the community to their inaugural event, Bands on the Run with a spaghetti feed being held on Friday, May 24th and the Fun Run on Saturday, May 25th.

Rigmore thanked the City for the sidewalk repair on Market Avenue between Beach and Surf, it was a beautiful job. She is now looking forward to tree planting. She also hopes the City will grant her son a permit to put concrete by the windows on the Sun Bulletin building.

Brian Stacy is looking for help as he feels he has no civil rights and is being blocked access to law enforcement and civil liberties. He is hopeful that the Council can help get his civil liberty back.

Trina Dougherty spoke on behalf of Eco Rotary advertising their upcoming event – Green Light Eco Faire benefitting Unite to Lights solar reading lights which are distributed worldwide to underdeveloped areas where there is little to no electricity. The event is being held on Sunday, June 2nd from noon – 5pm at St. Timothy's. This is a zero waste event, admission is free, and to date, they have over 30 Eco-focused vendors attending.

Lynda Merrill spoke in support of Item B-2 and B-3, approving the intent to levy the assessments at North Point and Cloisters. She also spoke on Item B-4, the Toro Land Abandonment proposal and she asked Council to terminate the abandonment proceedings as open space is rare, this is priceless property and there may be wonderful future uses. She also supports Item D-1, allowing the Library to use a City facility; she says no to Item D-2 as she says no special privileges please and asked Council to carry on with Item D-3, the WRF Status Report.

John Dinunzio spoke on behalf of the Chamber of Commerce/Economic Development Program advertising 3 upcoming activities/events: ~Morro Bay City Services and Retail Needs Survey urging residents to please fill it out; ~Event Planners Meeting being held on Wednesday, May 29th from 830-1030am at the Fire Dept; and a Job Seeker Academy on June 9th from 830am-430pm at the Veteran's Hall.

Michele Jacquez, Chair of the MBTBID, urged Council's continued support of the Tourism Bureau by passing the Resolution levying the TBID assessments.

Joan Solu, on behalf of the Community Foundation, promoted a fundraising event being sponsored by Studio Fitness benefitting the Community Foundation. She also thanked the City for their ongoing support of the Foundation. Regarding Item B-1, the MBTBID Assessment, she stressed that Morro Bay and the MBTBID has a wonderful, open-line of communication with the Hoteliers and are happy to hear from them at any time. Also, regarding Item A-5, she supports the Morro Creek project feeling it is a wonderful project for the community.

Dawn Beattie, resident at the Cloisters, brought up a request to direct staff to provide history of and further direction to, get the raised overlook at the south end of the Cloisters community beach access rebuilt. And if staff doesn't have the information, to let the Cloisters residents know who they can contact in order to move forward.

Carrie Burton spoke on Item D-5, History and Status of Water Rights Issues in the Chorro Valley. She stated that when these issues started in the Chorro Valley, residents were told they had no contracts, they had no rights and they were done. Since that time, she has found 3 contracts issuing her water on 3 different dates. Her issue lately is - does the City even know what their rights are. She has recently dug up 2 Resolutions from back in 1964 where the County of SLO transferred over a water district to the City of Morro Bay which also included assets such as her wells, her pipelines, her property, the land, etc. The Resolutions also talk about incorporated boundaries and service boundaries of the Chorro Valley.

Susan Stewart encouraged everybody to fill out the Survey that was mailed to residents. It's almost a duplicate of a survey done 20 years ago; the value will be in the comparison from then to now. This is an important way to look at what residents are wanting and feel they are missing in town.

Mayor Irons closed the public comment period.

A. CONSENT AGENDA

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

A-1 APPROVAL OF MINUTES FOR THE JOINT CITY COUNCIL/PLANNING COMMISSION MEETING OF APRIL 23, 2013; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF CITY COUNCIL MINUTES FOR THE CITY COUNCIL MEETING OF APRIL 23, 2013; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPOINTMENT OF ONE (1) RECREATION & PARKS COMMISSION MEMBER TO A CURRENT BOARD VACANCY; (ADMINISTRATION)

RECOMMENDATION: Appoint Bob Swain to the vacancy on the Recreation & Parks Commission for the remainder of the term which expires January 31, 2014.

A-4 AUTHORIZATION TO FILE NOTICE OF COMPLETION FOR PROJECT NO. MB2012-WC01: MORRO BAY LIFT STATION 3 AND SSFM UPGRADE (PUBLIC SERVICES)

RECOMMENDATION: Authorize staff to file the Notice of Completion for Morro Bay Lift Station 3 and Sanitary Sewer Force Main Upgrade Project and transfer required funds from the Sewer Accumulation fund to the Lift Station 3 SSFM Upgrade project..

A-5 RESOLUTION AUTHORIZING MATCHING FUNDS AND GRANT AGREEMENT FOR THE MORRO CREEK MULTI-USE TRAIL AND BRIDGE PROJECT; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution 29-13 authorizing execution of the grant agreement and approving matching requirements amounting to 20% of project costs.

Mayor Irons opened up the public comment period for items on the Consent Calendar; seeing none, the public comment period was closed.

Councilmember Christine Johnson pulled Items A-3 and A-5 from the Consent Calendar.

MOTION: Councilmember Nancy Johnson moved the City Council approve Items A-1, A-2, and A-4 of the Consent Calendar as presented. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

A-3 APPOINTMENT OF ONE (1) RECREATION & PARKS COMMISSION MEMBER TO A CURRENT BOARD VACANCY; (ADMINISTRATION)

Councilmember Christine Johnson pulled this item to recognize Bob Swain for his desire to serve on the Commission. Councilmember Noah Smukler thanked Bob Swain for his perseverance.

MOTION: Councilmember Smukler moved the City Council approve Item A-3. The motion was seconded by Councilmember Nancy Johnson and carried unanimously 5-0.

A-5 RESOLUTION AUTHORIZING MATCHING FUNDS AND GRANT AGREEMENT FOR THE MORRO CREEK MULTI-USE TRAIL AND BRIDGE PROJECT; (PUBLIC SERVICES)

Councilmember Christine Johnson pulled this item stating that in 2012, the bridge over Morro Creek was the #1 unmet bike and pedestrian need in the City. She feels it would be wonderful if it were open by July 4, 2014. She thanked staff for bringing this forward. Councilmember Smukler added that the RFP for this project has been released.

MOTION: Councilmember Christine Johnson moved the City Council approve Item A-5. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

PUBLIC HEARINGS

B-1 RESOLUTION NO. 28-13 CONTINUING THE PROGRAM AND LEVYING THE ASSESSMENTS FOR THE 2013/14 FISCAL YEAR FOR THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT (MBTBID); (ADMINISTRATIVE SERVICES)

Administrative Services Director Susan Slayton presented the staff report.

Mayor Irons opened the public comment period for Item B-1; seeing none, the public comment period was closed.

Councilmember Smukler recognized the work put in getting to this point and has been impressed to see the new leadership of the Director of Tourism.

Mayor Irons stated there has been positive movement and the transition has been swift and positive.

MOTION: Councilmember Christine Johnson moved approval of Resolution 28-13, levying the assessments for the 2013/14 fiscal year for the MBTBID. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

B-2 RESOLUTION APPROVING THE ENGINEERS REPORT AND DECLARING THE INTENT TO LEVY THE ANNUAL ASSESSMENT FOR THE NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (RECREATION & PARKS)

Recreation & Parks Director Joe Woods presented the staff report.

Mayor Irons opened the public comment period for Item B-2; seeing none, the public comment period was closed.

MOTION: Councilmember Christine Johnson moved to approve Item B-2, approving the Engineers Report and declaring the intent to levy the annual assessment for the North Point Natural Area Landscaping and lighting Maintenance Assessment District. The motion was seconded by Mayor Irons and carried unanimously 5-0.

B-3 RESOLUTION APPROVING THE ENGINEERS REPORT AND DECLARING THE INTENT TO LEVY THE ANNUAL ASSESSMENT FOR THE CLOISTERS LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (RECREATION & PARKS)

Recreation & Parks Director Joe Woods presented the staff report.

Mayor Irons opened up the public comment period for Item B-3.

John Lauffer, a Cloisters resident, urged the Council to review the Engineer's Report for accuracy and determination of which costs are applicable. He also supplied a list of questions that he hoped would assist Council in their review. Is the report current, complete and accurate? Which of the estimated costs are to maintain areas that are a special benefit to the residents of the special tax district that are not available to the general public? He maintains that the only special benefit is the watering and maintenance of each of the parcel parkways, between the sidewalk and curb.

Dawn Beattie, a Cloisters resident, questioned the dollar amount in the Engineer's Report. The \$148,944 amount never changes, year to year. She states that the residents have never seen a

true-bottoms up estimate of what contractually needs to get done at how much that will cost. She also states that the breakout of dollar amounts in excess of the outside contractor amount have been hard to come by. Before approving this year's Engineer's Report, she requests that the last section of the report titled "extra work" be expanded to include items in the budget that are not described anywhere else in the report, especially deferred maintenance.

The public comment period for Item B-3 was closed.

Mayor Irons requested that the questions raised by citizens in public comment be answered in the next staff report.

MOTION: Councilmember Smukler moved to approve Item B-3, approving the Engineer's Report and declaring the intent to levy the annual assessment for the Cloisters Landscaping and Lighting Maintenance Assessment District. The motion was seconded by Councilmember Christine Johnson and carried unanimously, 5-0.

B-4 PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS, AND PROVIDE FURTHER DIRECTION TO STAFF AND APPLICANT REGARDING A REQUEST FOR AN ABANDONMENT (E00-103) AND COASTAL DEVELOPMENT PERMIT (CP0-391) TO ALLOW THE ABANDONMENT OF A PORTION OF THE PUBLIC RIGHT OF WAY (ROW) NOT USED FOR PUBLIC STREET PURPOSES USING THE PROCEDURES PROVIDED BY THE CALIFORNIA STREETS AND HIGHWAYS CODE, SECTION 8300 ET SEQ. THE ABANDONMENT IS LOCATED WESTERLY OF THE EXISTING BACK OF CURB OF TORO LANE, BETWEEN YERBA BUENA AND NORTH POINT SUBDIVISION. (GREG FRYE, 3420 TORO LANE, APPLICANT); (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

Applicant Greg Frye made a presentation in which he offered an option for the surplus land which he felt would provide more usable land for use by the City as well as sell a smaller, less usable portion of the surplus land. His proposal would require a lot line adjustment trading a section of his land for a section of City owned land. This proposal would increase the land depth from 25 – 40 feet on the northern end and from 20-30 feet on the southern end. The City land would now have a much greater usefulness for our community compared with what the City owns and is more than adequate for additional perpendicular parking increasing the current 4 spaces to possibly as many as 10 spaces with room for loading and unloading. In addition to the lot line adjustment, he would be interested in purchasing the remainder of the surplus land adjacent to his Parcel 1. This surplus land has very little additional use for the City due to the topography, slope and ESH. The City can also generate some revenue from the sale. He feels that this proposal represents a win-win solution for both parties. He requests that Council proceed with a vote for this proposal tonight so that the process can be completed in an efficient and timely manner. He also requests an appraisal to establish the square footage price of the surplus land.

Mayor Irons opened up the public comment period for Item B-4.

Bill Martoney has spoken in the past against the abandonment. He can possibly understand the tradeoff for parking; but doesn't want to sell the northern piece as it is the prime piece. That said, he also doesn't think that any of this should be abandoned. Before considering abandonment, the City has options regarding parking and using this property in total without abandoning it. He would use the northern part as a pocket park.

Dorothy Cutter feels you should save the property until you can think creatively about its future or keep it and sell it for real market price. This property contains more than just the 6000 square feet; it is ocean view and could be sold for hundreds of thousands of dollars. There is no benefit to give it away but it can be of benefit for the future.

Barbara Doerr spoke stating that this idea is short-sighted and counter-productive. She also requested that we look into something environmentally positive for our community; don't transfer public lands to benefit private property owners to create more pollution, hardscape and urban runoff to pollute the ocean and environmentally sensitive natural areas. She requested we plan ahead, do an inventory of vacatable lands and then set policy.

Barry Brannin stated that this City property has a path that runs diagonally through it to the beach. Those that live on the east side of Highway 1 use the path to go down to the beach; this path is also used by surfers. If the Coastal Commission sees that we've cut off coastal access to the beach, they will be confused. There is no public access being proposed on this project.

Nancy Bast agrees wholeheartedly with the previous speakers. This is one of the most picturesque ocean view pieces of land in Morro Bay and we own it; keep it for us.

Bob Geller agrees with the previous speakers. He requests denial of the abandonment. The land is one of our greatest resources, once we give it away, we can never take it back. He urged Council consider all benefits we could lose by doing this tonight.

Applicant Greg Frye responded to questions raised by those speaking in public comment. First, when they went into escrow on this property, the prospect of abandonment had already been raised by the previous owner and had never been on their radar. Second, the City owns the strip of land and while there is a path that goes across their property, there is trespassing across there; providing some kind of public access is fine but giving up the surplus land doesn't change the access. Third, as far as degrading it, right now it's been unmaintained for 50 years; any development would include beautification which could only be a plus. He feels that parking is a big issue and he has done his best to provide something feasible.

The public comment period for Item B-4 was closed.

Councilmember Nancy Johnson likes the proposed changes the applicant has recommended as it gives us additional parking that people want and gives him access and property he can use for his front yard and/or driveway. If we agree to his idea, we aren't cutting people off to the beach as there is access up at North Point as well as access on Yerba Buena.

Councilmember Smukler feels that if we want to move forward we need some more details to include some better understanding of public access possibilities, the parking component as well

as preliminary financial estimates. He also wants to focus on the strength of the public benefit today and in the long term. He is interested in moving forward and evaluating the various options. Knowing the range of property value to both the City and the applicant would be important when making this decision.

Councilmember Leage likes the idea of the property swap. He agrees its 2 transactions and yes, there is benefit for the property owner but there is also a lot of benefit to the City. We need to find out if Mr. Frye is willing to do these separately.

Mayor Irons recognizes that this proposal brings public benefit in the form of additional parking.

Councilmember Smukler feels it's possible to satisfy the historical public access and that we can greatly increase the parking opportunities for the public and we can come up with a fair land value that could be traded or sold. He feels we are fairly close to a win-win situation. His thought is to direct staff to go back to pursue development scenarios with the applicant, reach out to the Coastal Commission and come back with a more clear presentation of the existing public access and the possible new public access and some different parking scenarios.

Councilmember Nancy Johnson feels this is taking more time than it needs to. She thinks we have a really good compromise out there and wants to move forward with the Resolution of Intention to Abandon.

Councilmember Leage agrees with moving forward with the Abandonment.

Councilmember Christine Johnson feels that the applicant has had the benefit of time to prepare a plan while the City hasn't and we do need to do our due diligence. This North Point parking lot will be one of the access points for the Cayucos Morro Bay Bike Path. She feels we need to think about day use parking needs. She also wants to take enough time to ensure we take into account the public benefit. She would like staff come back with 2 or 3 options for parking; better maps, clean daytime photos, what the beach access would be; and possible some proactive dialogue with the neighbors. She also doesn't feel that the Yerba Buena access point is comparable to the access point at this property.

Mayor Irons agrees that moving forward in a continuation type of manner as we work out all the details along with providing a Resolution of Intention. He summarized the item as follows: explore what setback would look like at 20 feet and compare that to the North Point development area; since we are talking about the Coastal Trail, we should reach out to SLOCOG to get their input which can only make it better; parking options; reaching out to the Coastal Commission; public access through the ESH area; fair value of the property; better maps; daytime photos; and reaching out to neighbors. He feels we should challenge ourselves to come to the next meeting with all that information and be prepared.

Staff was directed to bring back the Resolution of Intention along with a staff report answering the questions above to the next Council meeting.

C. UNFINISHED BUSINESS – NONE

D. NEW BUSINESS

D-1 CONSIDERATION OF ALLOWING THE COUNTY OF SAN LUIS OBISPO TO USE THE FACILITY AT 535 HARBOR STREET FOR AN INTERIM LIBRARY DURING THE MORRO BAY LIBRARY REMODEL; (ADMINISTRATION)

City Manager Andrea Lueker present the staff report.

Mayor Irons opened up the public comment period for Item D-1.

Barbara Doerr requested Council do anything SLO County wants to assist in preserving our City's library access during construction. One of our most valuable public assets in this City is our library and we should do what we can to accommodate them.

The public comment period for Item D-1 was closed.

Councilmember Smukler agrees it's a very important service and he is glad we are able to help them.

Councilmember Christine Johnson presented some library facts. She also stated that reasons to have a temporary library location is that it will serve as a delivery location for ordered books and dvd's. There is also a very vibrant book club/discussion group that will be meeting there. The ability to check out some books and dvd's will also be available. There should also be at least 1 public computer on-site. She appreciates the City partnering with the County.

Councilmember Leage approves of this temporary use.

MOTION: Councilmember Christine Johnson moved to approve Item D-1, alternative #3, allowing the County of SLO to use the facility at 535 Harbor Street for an interim library during the Morro Bay Library remodel. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

D-2 REVIEW OF THE MASTER FEE SCHEDULE AS IT RELATES TO MINOR USE PERMIT FEES FOR THE BUSINESS PROPOSED FOR 1700 PARK AVENUE. (TROSS MOBILE AUTOMOTIVE AND R/V REPAIR BUSINESS); (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

Mayor Irons opened the public comment period for Item D-2.

Applicant Steve Tross has been trying to get his business started since December 2012 and this permit fee is holding him up. It's a lot of money to pay; he even had to show staff where the location was, they didn't know as it isn't on the address book. These types of fees aren't good for business as they deter people from opening a business in Morro Bay.

Barbara Doerr realizes that we can't waive the fees but maybe we can set up a payment plan if he truly can't afford them. She also felt it necessary to establish a moratorium on any further development of new businesses in that area until we come up with a new General Plan and Local Coastal Plan.

The public comment period for Item D-2 was closed.

Councilmember Nancy Johnson doesn't see any reason to waive the fees; she mentioned that there is an empty auto repair shop on Quintana that wouldn't necessitate a use permit fee.

Councilmember Smukler stated it would be dangerous for the City to waive fees as it opens the door to additional requests. The City is only trying to recover its costs. In this case however it offers up the opportunity to track staff costs as they deliver these kinds of processes which could allow us to be more efficient.

Mayor Irons remembered that the last time a fee waiver was requested, we denied the waiver but offered up a payment plan; he thinks the same can be done here. He also thought it might be a good idea for the applicant to check out other locations that might not require the permit fees. He would also support staff tracking their time and materials but doesn't want the applicant to have to pay more than the specified fee.

MOTION: Councilmember Smukler moved to deny the application for waver of permit fees; work with the applicant on a payment plan; and direct staff to track all building and planning permit staff time across the board and return to council in an appropriate period with a review of the results of that tracking and in this case, do not exceed \$698. The motion was seconded by Mayor Irons and carried unanimously 5-0.

D-3 WATER RECLAMATION FACILITY (WRF) PROJECT STATUS AND DISCUSSION; (ADMINISTRATION)

City Manager Andrea Lueker presented the staff report/time line.

Mayor Irons opened up the public comment period for Item D-3.

Don Boatman thanked the Council for electing him to the WRF Selection Committee. The discussions held were honest and fair and he was extremely impressed with the selection committee's choice.

The public comment period for Item D-3 was closed.

There was no Council discussion on this item.

D-4 AUTHORIZE PUBLIC SERVICES DIRECTOR TO FINALIZE THE CONTRACT FOR THE PLANNING CONSULTANT FOR THE NEW WRF AND APPROVE THE DRAFT "SCOPE OF WORK"; (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

Mayor Irons opened up public comment for Item D-4; seeing none, the public comment period was closed.

Councilmember Smukler recognizes how good he feels about this process. He would like to see additional opportunities to include the public in this sort of capacity whether it's advisory, technical or financial committees. He thinks it would be beneficial to have site tours be public in the form of special public meetings in order to create better understanding and help all of us to be able to come to the best choice.

Councilmember Christine Johnson stated it was important to recognize that the 5 citizen's served the City very well. It should be viewed as a model for the future; by incorporating professionals who live in Morro Bay into the process was very fortunate for us. This also allowed the process to be viewed as professional, transparent and rigorous to the applicant. Based on the interview process, she is confident the team understands Morro Bay and is happy to see the balance that they bring; they have great project management experience and have lots of technical advisors as well.

Mayor Irons had some questions with the provided scope of work, amendments were made as follows: Page 3, Task #3, add ...stakeholder group will be identified with the assistance of City staff **and City Council**...; Page 6, Deliverables, add ...our team will meet with City staff **and Coastal staff** to go over the preliminary conclusions...; and Page 10, Task #13, ...meeting with staff and **Coastal staff**....

MOTION: Councilmember Christine Johnson moved for approval of Item D-4, authorizing the Public Services Director to finalize the contract for the planning consultant services for the new WRF and approve the draft "scope of work". The motion was seconded by Mayor Irons and carried 5-0.

D-5 HISTORY AND STATUS OF WATER RIGHTS ISSUES IN THE CHORRO VALLEY; (CITY ATTORNEY/PUBLIC SERVICES)

This item was moved down on the agenda so Council could address Items D-6 and D-7.

Mayor Irons opened up public comment for Item D-5 and Item D-8.

Lexie Bell who works at the Morro Bay National Estuary Program thanked the City for continuing to work at coming into compliance with their requirements on flow monitoring. They wanted to let the City know they are working on a number of projects in Chorro Valley and working with water users there to look at innovative solutions to winter water storage and other water conservation measures.

Barbara Doerr stated that it appears we are in violation by not having continuous flow monitoring for Chorro Creek; she suggested that if we postpone this item then we need to do something about the continuous flow monitoring in the creek.

The public comment period for Items D-5 and D-8 was closed.

This item was never heard and was continued to a future meeting.

D-6 COUNCIL CONSIDERATION OF REQUESTS FOR PROPOSALS FOR CURRENTLY VACANT LEASE SITES 138-139 (BETWEEN NORTH T-PIER PUBLIC RESTROOM AND CRILL'S), 107W-108W (ADJACENT TO SOUTH T-PIER), AND 49/49W (SOUTH OF ASSOCIATED PACIFIC CONSTRUCTORS); (HARBOR)

Harbor Director Eric Endersby presented the staff report.

Mayor Irons opened the public comment period for Item D-6.

Bill Martoney stated that the three lease sites have potential but haven't been rented due to limitations. He also brought up the fact that the Morro Bay Marina has 10 more years left on it; if the Harbor Department is looking at generating revenue, it may be a site that the City can take over as it's only slips and shouldn't be a big add-on to operate. The money could supplement the loss of income from the power plant.

Barbara Doerr spoke advocating postponement of any action on these RFP's until you have reviewed and established suitable building standards for these parcels. She feels the sites are too small for any development and if developed, may degrade surrounding currently profitable sites. She also thought that once the Library was done using the 535 Harbor site, then the Harbor Department could move up there, in a more central City location and leave the coastal dependent Harbor employees along the Embarcadero.

The public comment period for Item D-6 was closed.

Councilmember Nancy Johnson would like to see the RFP's put out; with the power plant closing we need to move forward, even with small projects. You never know when something has the potential for development unless you try. She does have a small concern with parking at the 138-139 lease site as there is limited parking there.

Councilmember Smukler thinks it doesn't hurt to put these RFP's out. In 138-139, we need to recognize that there could be a loss of parking.

Mayor Irons spoke on lease site 138-139 stating that he knows this site is being used for parking and for storage. He questioned whether or not site 107W-108W was useable or not leading to consideration if the City could build slips on that site. Regarding 49-49W has the potential for recreational fishing slips there.

MOTION: Councilmember Nancy Johnson moved for approval of Item D-6, consideration of requests for proposals for currently vacant lease sites 138-139, 107W-108W, and 4-/49W. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

D-7 DISCUSSION ON OPENING THE BATHROOM AT LIFT STATION 2 ON THE EMBARCADERO DURING SUMMER MONTHS; (RECREATION & PARKS)

Recreation & Parks Director Joe Woods presented the staff report.

As the time was approaching 11:00pm, there was Council discussion on continuing the meeting or not.

MOTION: Mayor Irons moved to continue the City Council meeting past the 11:00pm hour. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

Mayor Irons opened up the public comment period for Item D-7.

Barbara Doerr urged Council open this new restroom to the public for year round use. The waterfront should serve visitors of all economic levels and that means numerous, clean restrooms.

The public comment period for Item D-7 was closed.

Councilmember Leage has mixed emotions; any relief for people using restrooms at the restaurants would be nice but this particular restroom is in a funny location and he doesn't feel it will get used very much.

Councilmember Christine Johnson is supportive of opening this restroom on a trial basis over the summer; she also likes that it will give us the opportunity to sign it and sign the nearby parking lot.

Councilmember Nancy Johnson is in favor of opening the restroom for visitors and residents alike. She wants the restroom opened on a year-round basis or at least on weekends in the off tourist season. She agreed we need to sign the parking lot. If a motion was made to only open this for the summer, she would have to vote no as she needs to be responsible to the residents who have repeatedly asked her for this.

Councilmember Smukler definitely agrees with initiating summer usage now, especially pairing it with signage for the parking lot. Then for next year, take a look during budget for beyond the summer months.

MOTION: Mayor Irons moved approval of Alternative #2, opening the bathroom at Liftstation #2 from Memorial Day through Labor Day to include way finding public restroom and parking lot signs with staff to come back with analysis for additional review. The motion was seconded by Councilmember Christine Johnson and carried 4-1 with Councilmember Nancy Johnson voting no.

D-8 REVIEW OF THE 2008 MANAGEMENT PARTNER STUDY (ASSESSMENT OF CITY ORGANIZATION AND FINANCIAL OPTIONS), INCLUDING PROGRESS ON THE 21 EXPENDITURE CONTROL STRATEGIES, 13 REVENUE CREATION

STRATEGIES AND 4 LONG RANGE STRATEGIES AND PROVIDE FURTHER
DIRECTION TO STAFF; (ADMINISTRATION)

Mayor Irons opened up public comment for Items D-6 and D-8 earlier in the meeting; there was no public comment for Item D-8 and the public comment period was closed.

This item was never heard and was continued to a future meeting.

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

Councilmember Smukler requested a status report of the State Park Marina Agreement as it relates to Operations and Management; Mayor Irons and Councilmember Christine Johnson concurred.

Mayor Irons requested the preparation and discussion of a Parking Plan for uses at the Power Plant Parking Lot; Councilmembers Christine Johnson and Leage concurred.

ADJOURNMENT

The meeting adjourned at 11:19pm.

Recorded by:

Jamie Boucher
City Clerk