

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – AUGUST 13, 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
	Dana Swanson	Deputy City Clerk
	Amy Christey	Police Chief
	Steve Knuckles	Fire Chief
	Susan Slayton	Administrative Services Director
	Eric Endersby	Harbor Director
	Joe Woods	Recreation & Parks Director
	Rob Livick	Public Services Director

Mayor Irons called the meeting to order at 6:07 p.m.

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

CLOSED SESSION REPORT – City Attorney Robert Schultz reported that City Council met in a Special Closed Session on August 13, 2013 on the following items:

Government Code Section 54956.8: Property Transactions related to two lease sites located at 571 Embarcadero and 725 Embarcadero; Conference with legal counsel due to anticipated litigation, noting that the correct Government Code Section is 54956.9 (d)(2): Exposure to litigation exists based upon existing facts and the advice of legal counsel as to one matter - First American Title Company/First California Bank and City of Morro Bay; concerning development at 600 Morro Bay Blvd, bank foreclosure and threatened litigation if the City does not remove the Affordable Deed Restriction; and Government Code Section 54957.6: Conference with Labor Negotiator regarding terms and compensation paid to the following employee organizations: Firefighters Association (FFA), Police Officer’s Association (POA), Service Employee’s International Union, SEIU Local 620, Management and Confidential Employees. With regard to these agenda items, no reportable action under the Brown Act was taken.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS

Quarterly Report from the Economic Development Program

Craig Schmidt and John DeNunzio presented the Quarterly Report on the Economic Development Program. They are currently working with 15 businesses that are interested in Morro Bay, including a couple of industrial sites. 157 new business licenses have been issued since the first of the year, 63% of those are located outside of Morro Bay.

The Chamber of Commerce has a new website: <http://www.dobusinessinmorrobay.com/> where they are able to track prospective businesses. Along with the Tourism Bureau, they held an event planners workshop and are developing materials that will be handed out by the Recreation & Parks Department.

They performed a retail survey, and discussed how the results compare to a similar survey performed in 1995. The results show that while shopping trips to the City of SLO have remained about the same, we are shopping less in Morro Bay than 18 years ago. This may be attributed to online shopping and development of other retail outlets around the County.

A free consultation program for current and emerging business is being offered through the Economic Development Program and the SLO County Economic Vitality Corporation. Thus far, 33 businesses have used this service.

There are currently two incubator businesses at the Chamber office: Central California Seafood Marketing Association and Fishline.com. The initial agreement with an incubator business is for a 12 month period, with 36 months being the maximum.

Event Summary from the Morro Bay 4th Committee

Daniel Podesto, on behalf of the 4th of July committee, provided an event summary, thanking those that helped make the event happen. The Tourism Bureau financial contribution and City accommodations were tremendous. He also thanked Stax Wine Bar and Tognazzaini's Dockside Too for the fantastic fundraising events which donated 100% of proceeds to the 4th of July. Numerous businesses were also involved including Morro Dunes RV Park, Embarcadero Inn and Morro Bay Mobil. Donations received from residents were also greatly appreciated.

These donations helped to secure advertising monies. The organization partnered with El Dorado Broadcasters (4 stations) who ran ads for three months promoting fundraisers and the event. Advertising was also done through Bakersfield Clear Channel Radio, KSBY, a Morro Bay Facebook page, and other social media outlets.

Although there was no head count, this year seemed to be one of the best attended events. The crowd came early and stayed all day. The transient occupancy tax numbers are not yet available, but anecdotally many hotels and restaurants have done great business in the last month. The Morro Bay Albertson's store is rumored to have the highest grossing store in the California chain during the 4th of July weekend.

There are currently seven volunteers that meet year round to put on the event. They are looking for more volunteers and support from the business community.

With regard to event costs, Mr. Podesto noted that this year's event cost \$35,000 and was planned similar to 2010. The fireworks are more than half of total budget at \$20,000. Music makes up about 15% of the budget. This is as trim as they can get. The maximum spent on the event was \$47,000 but the added expense did not pay off, so they trimmed down for this year's event.

Anyone interested in getting involved should contact Mr. Podesto or any of the current board members. You can also visit the website <http://morrobay4th.org> for more information.

PUBLIC COMMENT

David Schultz, owner of The Bike Shop, presented the Morro Bay business report. The Bike Shop is located at 842 Main Street, across from Coalesce Book Store. He offers complete bikes as well as bike products, parts and service. Tune ups start at \$20. The phone number is 772-2697 and website is www.thebikeshopmb.com

Garry Johnson spoke about the Morro Bay Junior Lifeguard program. The Morro Bay Recreation & Parks Department and Morro Bay Harbor Department put on this three week program which is a great opportunity for our youth. The program teaches them the right way to have fun in the ocean. For younger kids, a one week Beach Camp is available.

Annie K. Rocci, 10 years old, shared that she is attending Morro Bay Beach Camp. In addition to attending the Beach Camp, she also helped with Project Surf Camp.

John Solu, the new President of Harbor Festival shared that the Harbor Festival is on its way to recovery from a painful process of catching up on debt from prior years, including the City bill. The 32nd annual event will be held October 5th and 6th, with a new look and lineup of entertainment including Queen Nation on Sunday afternoon. The Harbor Festival will continue to highlight our working fishing port, local wines, and craft beer, with sales that account for 30% of event revenue equaling \$90,000 for the weekend. After expenses, all proceeds go to local non-profits. Last year, \$25,000 was given to local non-profit groups. With regard to Item C-3 on the Council Agenda, Solu noted that until 2004 the City was a full partner in the Harbor Festival. Removing the City from the partnership discourages non-profit groups from hosting events. Year-end reports show that TOT for FY 12-13 exceeded projections. He encourages Council to invest in local events.

Don Doubledee, a Morro Bay resident of 44 years, spoke regarding local events. He volunteers for the Morro Bay Car Show and Harbor Festival. The volunteers work hard to bring monies into the City and he encourages Council to partner in local events. This year's Harbor Festival will feature the Young Dubliners on Saturday and Queen Nation on Sunday. Please co-sponsor, join in our effort to do good things in Morro Bay.

Don Henderson of 620 Fresno Avenue presented images of overgrown vegetation at the intersection of Fresno and Marina Streets. He also presented a petition with 45 signatures asking the City to address the need for traffic control at this location.

Liz Klinzman stated that she was in a car accident on the intersection of Fresno and Marina Streets six weeks ago. She is pleased that the shrubs have been cut back but asks the City to put in a yield sign at that location. Her son was involved in an accident there six years ago.

Sonja Flores is interning with the Morro Bay Economic Development Program as an Associate Planner. Her background is working as an advocate for the creation of more affordable housing for farm workers and low income families. Since then she entered the Cal Poly Masters of City and Mutual Planning Program and is half way through that program. Since early July, she has been working to create a draft economic development action plan. It is intended to guide future economic development activities in Morro Bay for 2013-2018, setting the framework to continue to revitalize the City's economy and business oriented design.

Gary Hixon shared that he has shortened the movie Innerspace to 30 minutes. This, along with the Gary Mirror Show can be found on You Tube. He thinks everyone is doing a great job.

Kim O'Brien spoke regarding the RFP for the Aquarium. She feels that AZA accreditation should be required, not desired. She also suggests having a specialty consultant in marine design as part of the selection team.

Keith Taylor thanked volunteers on all levels. He also noted that the City is losing a really good person as Mary Sponhaltz will be leaving the Police Department after 12 years of service. He's happy for her but sad for us; she's a really great person.

Councilmember Christine Johnson asked Public Services Director Rob Livick what the follow up would be on Mr. Henderson's petition. Director Livick noted this intersection had been studied previously by staff and does not meet the criteria for stop signs. The next step would be for Council to agendize this issue and, if desired, determine by Resolution or Ordinance to install a stop sign there. Mayor Irons asked for clarification on petitions being used for this purpose. Director Livick states the City does not currently have a petition process, but that traffic control can be added by Council action.

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 CITY COUNCIL MINUTES FOR THE SPECIAL CLOSED SESSION MEETING HELD ON JULY 9, 2013; (CITY ATTORNEY)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF THE CITY COUNCIL MINUTES FOR THE REGULAR COUNCIL MEETING HELD ON JULY 9, 2013; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 STATUS REPORT OF A MAJOR MAINTENANCE & REPAIR PLAN (MMRP) FOR THE EXISTING WASTEWATER TREATMENT PLANT; (PUBLIC SERVICES)

RECOMMENDATION: Receive report as submitted.

A-4 RESOLUTION 44-13 AUTHORIZING EXECUTION OF A DEED OF TRUST FOR THE LEASE AGREEMENT ON LEASE SITE 65-66/65W-66W (ABBA IMANI); (HARBOR)

RECOMMENDATION: Approve Resolution 44-13 authorizing the execution of a Deed of Trust for the Lease Agreement on Lease Site 65-66/65W-66W (Abba Imani).

A-5 REQUST FOR APPROVAL OF ASSIGNMENT OF LEASE AGREEMENT FOR LEASE SITES 87-88/87W-88W FROM VIOLET LEAGE TO B & L FLASH, INC. (833 EMBARCADERO); (HARBOR)

RECOMMENDATION: Approve the Assignment of the Lease Agreement for Lease Sites 87-88/87W-88W.

Mayor Irons opened up the public comment period for Items on the Consent Calendar.

Richard Sadowski spoke on Item A-3 noting that Cayucos Sanitary District had recently released a report, stating that the most economical option for Cayucos would be for the WWTP to stay in the current location. A rebuttal to that report can be found on the Slo Coast Journal. Regarding MMRP, it appears citizens of Morro Bay could be subsidizing repairs for Cayucos; he asks Council to put a stay on this item and address the joint powers agreement as it appears they are going in two different directions.

The public comment period for Items on the Consent Calendar was closed.

Mayor Irons pulled Items A-4 and A-5 from the Consent Calendar to allow Councilmember Leage to recuse himself.

MOTION: Councilmember Nancy Johnson moved the City Council Approve Items A-1, A-2 and A-3 of the Consent Calendar as presented. The motion was seconded by Councilmember Christine Johnson and carried 5-0.

Councilmember Leage recused himself for Items A-4 and A-5 due to a conflict of interest.

A-4 RESOLUTION 44-13 AUTHORIZING EXECUTION OF A DEED OF TRUST FOR THE LEASE AGREEMENT ON LEASE SITE 65-66/65W-66W (ABBA IMANI); (HARBOR)

RECOMMENDATION: Approve Resolution 44-13 authorizing the execution of a Deed of Trust for the Lease Agreement on Lease Site 65-66/65W-66W (Abba Imani).

City Attorney Schultz explained that this is a routine matter as loans are required for major improvement projects and through the loan process the Lender requires that they be entitled to any notice of default on the property. Council has asked that other items regarding lease compliance be addressed in a lease amendment that will be brought back in two weeks. Staff asks Council to approve the estoppel certificate, subject to a lease amendment that will be brought back in two weeks. Staff will not execute the estoppel certificate until the lease amendment has been approved.

MOTION: Councilmember Nancy Johnson moved the City Council approve Item A-4, subject to a lease amendment that will come back to Council in two weeks. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Leage having recused himself.

A-5 REQUEST FOR APPROVAL OF ASSIGNMENT OF LEASE AGREEMENT FOR LEASE SITES 87-88/87W-88W FROM VIOLET LEAGE TO B & L FLASH, INC. (833 EMBARCADERO); (HARBOR)

RECOMMENDATION: Approve the Assignment of the Lease Agreement for Lease Sites 87-88/87W-88W.

MOTION: Councilmember Nancy Johnson moved to approve the Assignment of Lease Agreement for Lease Sites 87-88/87W-88W from Violet Leage to B & L Flash, Inc. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Leage having recused himself.

B. PUBLIC HEARINGS

B-1 APPEAL OF ADMINISTRATIVE DECISION REGARDING REQUEST FOR PAYMENT OF REDUCED IMPACT FEES FOR A RESIDENTIAL PROJECT LOCATED AT 281 MAIN STREET (APPLICANT: JOHN AND ALAIR HOUGH); (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

Cathy Novak spoke on behalf of the Appellants, providing a detailed timeline of project submittal dates as well as Council action related to Resolution 52-12, pointing out that without an appeal to the Coastal Commission, a reasonable expectation to submit for a building permit would have been in September 2012, making the project eligible for a reduction in impact fees. However, due to delays with Coastal Commission the hearing did not occur until March 6, 2013 where they voted unanimously for a No Substantial Issue determination, thereby denying the appeal.

Mayor opened up public comment for Item B-1.

Betty Winholtz stated that she had appealed the Hough project to Coastal Commission. She asks Council to remember that this couple is not being penalized, they are being asked to pay what

everyone else is expected to pay. Their application was submitted before Council took action to reduce impact fees. She asks that Council uphold the staff recommendation.

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

Councilmember Leage stated this is a unique project and kind of border line but he feels they deserve a break. Councilmember Christine Johnson added that it's easy to feel emotional about the process being extended, but important to leave emotions aside. The first application was March 16, 2012 which was quite a bit before the deadline. She also noted the August 14th date in Ms. Novak's report, which is still prior to October 2012 council action. Logically, the decision to build was prior to the council action.

Councilmember Nancy Johnson stated this project goes beyond logic and dates. It was subject to unfounded appeals which extended their time and cost them a lot of money. She would like to determine findings to reduce impact fees and support people who want to build and add to the economy in Morro Bay.

Councilmember Smukler stated the property owners are in the process of building a home, and agrees with staff decision; he is particularly concerned about extending a benefit that would not be available to others. Impact fees are fair and important for maintaining our City services.

Mayor Irons stated that based on the facts of the matter and timeline, he believes that Resolution 14-13 was thoughtful and addressed any project that was in the pipeline. This project just fell outside of that, according to the timeline. He agrees with staff recommendation and moves that we proceed with staff recommendation.

MOTION: Councilmember Smukler moved to uphold staff decision and denial of the reduced impact fees per City Council Resolution 14-13. The motion was seconded by Christine Johnson and carried 3-2 with Councilmembers Nancy Johnson and Leage voting no.

C. UNFINISHED BUSINESS

C-1 APPROVAL OF DRAFT REQUEST FOR PROPOSALS FOR LEASE SITE 69-70/69W-70W (MORRO BAY AQUARIUM); (HARBOR)

Harbor Director Eric Endersby presented the staff report.

Mayor Irons opened up public comment for Item C-1.

Marla Jo Bruton of Morro Bay takes issue with Harbor Advisory Board involvement in the selection process and asks Council to keep an ear to the ground on those discussions. Since it is Tidelands Grant area with outfalls at that sight, if not used for an aquarium, those outfalls should be used for storm water catchment/treatment.

Betty Winholtz states that the City is presuming that all applicants or projects will need AZA approval, but that may not be true. We are about 5 years out which may allow time for

applicants to be prepared for AZA compliance. Process wise, she suggests that changes in RFP that were not specifically requested by Council should not be included in the final document.

Public Comment for Item C-1 was closed.

Mayor Irons commented regarding liberties by staff in the draft RFP and noted that interaction happens during the motion and during discussions with staff.

Councilmember Leage asked how staff will determine how much parking is needed. Director Livick explained that it is common during redevelopment projects that calculations are based on square footage and parking requirements in place at the time of the development. Different uses have different calculations and parking is either provided with actual parking spaces or parking in-lieu.

Councilmember Christine Johnson is looking forward to refining the RFP and noted this is a draft document and an opportunity for input from the community and Council to refine the process. On page six, in the bold paragraph, 3rd sentence, she would like to add, “however, it is not currently operating as a rehabilitation center.” On page 9, regarding the selection panel, she likes the model used for the WRF Consultant Selection. A ten person committee worked well, and provided a wide variety of input. She suggests two Harbor Advisory Board members be included, and possibly staff from SLO County Animal Services Division. She also suggests that having that input would replace sending the top two candidates to the Harbor Advisory Board. She would also like to discuss the point values on page 12-13 and putting the final numbers in priority order.

Councilmember Nancy Johnson agrees with Councilmember Christine Johnson’s suggestion to add a statement that the aquarium is not currently operating as a rehabilitation center. In addition, she doesn’t believe the statement about the Tylers being named Living Treasures should be included, and supports the selection committee model used for WRF, as it brought forward citizens with a variety of expertise.

Councilmember Smukler agrees with changes on page 6, as well as comments by Councilmembers Christine Johnson and Nancy Johnson. On page 5, under Objectives, he suggests striking “economic return to Harbor Dept.” as this is generally a lower priority on this specific lease site. The benefit to the community is more important. With regard to the selection committee, he suggests two councilmembers, three staff, a marine specialist, possibly a Tourism Bureau or Chamber member, and Harbor Advisory Board or the fishing industry. With regard to page 5, he sees a potential for not charging the standard lease format. This language can be left in, but it’s something he wants to address.

Councilmember Nancy Johnson noted that a major part of the harbor income comes from the leases. She understands the importance of visitor serving, but wants to provide income to the Harbor Department. If the language on page 5 is standard, leave in.

Mayor Irons agrees. Councilmember Smukler supports keeping the language on page 5 in the document, but notes we want affordable public access and a well-designed, constructed and managed facility.

Council discussed the desired changes to the RFP document, and agreed on the following:

- Page 6 – Delete the last sentence of the bold paragraph, and add a statement clarifying the Aquarium is not currently operating as a rehabilitation center.
- Page 9 – Selection committee - after some discussion, Council agreed that a 10 member selection panel is best. Councilmember Leage suggested two councilmembers, two staff, two Harbor Advisory Board Members and four at large. Council agreed. City Attorney Schultz suggests this be advertised in January when new advisory board members are chosen.
- Page 12-13 – Council discussed and agreed that Selection criteria #5 is extremely important and would like to increase that to 20 points. A decision was made to reduce #3 to 10 points, reduce #4 to 10 points and increase #5 to 20 points, and add the following language to #7, “collaborating with other education partners, if feasible.” The selection criteria should be listed in descending order.

MOTION: Councilmember Christine Johnson moved to approve the RFP for Lease Sites 69-70/69W-70W as amended. The motion was seconded by Councilmember Leage and carried 5-0.

C-2 CONSIDERATION OF ADOPTION OF RESOLUTION NO. 43-13 SUPPORTING THE CALIFORNIA COASTAL COMMISSION STAFF RECOMMENDATION OF APPROVAL WITH CONDITIONS FOR THE MORRO STRAND STATE PARK CAMPGROUND PROJECT NO. A-3-SLO-13-0203; (ADMINISTRATION)

Councilmember Christine Johnson recused herself due to a conflict of interest in the matter.

City Manager Andrea Lueker presented the staff report.

Mayor Irons stated that he had contacted Brooke Guterrez from State Parks to discuss the project and Resolution.

Mayor opened up public comment for Item C-2.

Cathy Novak spoke on behalf of the Wiebenga’s and other residents, sharing that the appellants and neighbors had met with State Parks and were able to resolve some of the issues. The two major items remaining are the campfire rings and the number of RV spaces. She asked the Council to support the neighbors by including these two important items in the Resolution and also to authorize staff to attend the Coastal Commission meeting to speak on the City’s behalf.

Harold Wiebenga, Morro Bay resident, stated that Morro Strand State Park is a pollution park. He asks the City to join the residents to object to the project and to send staff to the Coastal Commission meeting to represent clean air.

Marla Jo Bruton reminded Council that during the rehabilitation at Morro Bay State Park Campground involving the removal of trees, State Parks did not address the collection system which had an added impact to the City due to an increased number of spaces. At that time, Schultz noted that State Parks is treated like any other customer. She asks if that policy is still

the same. With regard to Atascadero State Park campground, she asks how the State Park is being treated now and believes it should be a different agreement.

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

Mayor Irons asked staff if fire pits are allowed in the City limits. Director Livick stated that fire pits are allowed in the City limits so long as they meet fire code (distance from structures). Director Livick also notes that State Parks has offered to provide campfire educational materials (dry wood and no trash in fire pits).

City Attorney Schultz stated that the argument regarding fire pits is going on in southern California as well. Coastal Commission there supports allowing fire pits for campers, however the Air Pollution Control District is fighting it. This item was on the July Agenda for Coastal Commission.

Councilmember Nancy Johnson loves camping and campfires and notes that the mobile home park near her home has fire pits, as do many residents. She believes education is good and suggests that State Parks provide dry wood at lower cost. Also notes that some areas, Yosemite as an example, limit fires until late evening which might alleviate pollution.

Mayor Irons reminds Council that options have been provided in the Resolution for Council consideration.

Councilmember Smukler supports option #2 in last the “Whereas” paragraph. With regard to #3, he willing to go along with it, but believes there are larger issues that should be included. 1) public access, suggest “enhanced public access from Beachcomber and designated corridors”, 2) “expanded day use parking beyond what is proposed”, 3) require timeline for amenities to be improved (showers, restrooms, interior landscape screening), 4) designation and preservation of tent/motorcycle/car camping sites, 5) coastal bluff erosion control plan, 6) ensure protection plan for viewshed.

City Manager Lueker listed the following revisions for confirmation:

Eliminate #1 – Reduction of the number of fire rings at the RV sites to every other site.

Keep #2 - Removal of the fire rings at the RV sites.

Keep #3 – Reduction of the number of converted RV spots from the proposed 27 to 20.

Add the following:

1. Enhanced public access from Beachcomber Street and provide designated corridors through the park.
2. Expanded day use parking beyond the proposal.
3. Require a timeline for improvement of the restroom and showers and include interior landscape screening.
4. Preservation and designation of non-RV sites.
5. Preparation of a coastal bluff erosion plan.
6. Ensuring a view shed protection plan

MOTION: Councilmember Smukler moved to approve Resolution 43-13 as amended. The motion was seconded by Mayor Irons and carried 4-0-1 with Councilmember Christine Johnson having recused herself.

Staff asked for direction on whether to send staff to the August 15th Coastal Commission Meeting to speak on this item, adding that the City Manager and Public Services Director are not available due to the Water Reclamation Facility Community Workshop that evening. Council directed the City Attorney to attend.

C-3 REVIEW AND DISCUSSION OF CO-SPONSORSHIP OF SPECIAL EVENTS; (RECREATION & PARKS)

Councilmember Nancy Johnson asked if she should recuse herself as she is the chair of one of the events that is currently co-sponsored. City Attorney Schultz asked if she receives a stipend or other financial benefit from being on the Board. Councilmember Johnson confirmed that she does not. City Attorney Schultz stated as there is no financial benefit, she may hear the item.

Recreation & Parks Director Joe Woods presented the staff report.

Councilmember Christine Johnson believes that it would be good to be able to support special events but that it's difficult to know what the fiscal impact would be. She asked if this item should be brought back along with the Aid to Agencies. She wants to see this developed as a budgetary item and prioritized as such. City Manager Lueker explained that Aid to Agencies was not handled that way in the past, but it is an option.

Councilmember Nancy Johnson wants to move forward with this policy with a few changes. She does not support completely waiving fees for City support services.

Mayor Irons is concerned about the potential impact of supporting all 35 events listed in the staff report and asked for clarification on Aid to Agencies. City Manager Lueker confirmed that in the past Aid to Agencies could be awarded to any non-profit organization in the community, and that this policy could be expanded to include that.

Councilmember Smukler wants to also consider how a marketing plan through Tourism Bureau could help with sponsorships and revenues.

Council directed staff to bring this item back as a Public Hearing item, to encourage more public participation, and to include the fiscal impact of both the current policy and suggested policy. Information regarding sponsorship with the Tourism Bureau should also be discussed.

No action was taken on this item.

C-4 WATER RECLAMATION FACILITY (WRF) PROJECT STATUS AND DISCUSSION; (ADMINISTRATION)

City Manager Andrea Lueker presented the staff report.

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

Councilmember Smukler presented a slide presentation on the Santee Lakes “Recreation Preserve” and Water Recycling Facility to encourage the public to consider what values are important to Morro Bay and to bring ideas to the Community Workshop.

No action taken on this item.

D. NEW BUSINESS

D-1 REVIEW OF THE CITY OWNED PARKING LOT LOCATED ADJACENT TO THE DYNEGY POWER PLANT AND DISCUSSION OF PARKING OPTIONS AND FUTURE USES; (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report, and noted that whatever design is considered should consider a future bike path that may come through this area.

Councilmember Christine Johnson asked staff to clarify what parking-in-lieu funds can be used for, specifically whether it could be used for street repairs. Director Livick stated that parking-in-lieu funds can be used for improvements within the parking-in-lieu district for parking purposes only, not for street repairs. Nor can street paving monies be used for parking lots.

City Attorney Schultz noted that according to the parking management plan and zoning code, the Morro Rock parking lot is included in the parking-in-lieu area, but the Dynegy parking lot is not. However, that can be changed.

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

Mayor Irons restated the options are to consider rezoning the area for permanent parking, or amend for an interim use. Director Livick confirmed that interim use allows for no permanent improvements. Mayor Irons asked about driveway approach, and suggests that we consider aligning with the drive way on the other side of the road to allow for a crosswalk, along with improved signage. Continued use as a laydown or storage area should also be addressed for the short-term. Long term, need to consider the location of the bike path and maritime museum.

Councilmember Christine Johnson is leaning toward keeping it as interim use with minimal improvements and suggests bringing the item back in one year for discussion on a permanent use. She also asks that event planning teams coordinate use of that lot.

Councilmember Leage stated that this parking lot is an answer to a lot of problems. He believes that removing the gate and chain link fence will make it more user-friendly. He believes the signage is fine and that discussion on further improvements is premature.

Councilmember Nancy Johnson is pleased to have the additional parking and wants to see it set up for use before the Harbor Festival.

Councilmember Smukler agrees that we need to take a better look at some of the big uses that could end up there, such as boat haul out, maritime museum and the bike path. He agrees with minimal cost, interim use permit, and an update to parking in lieu map. Making the parking lot friendly and inviting is important and better signage, parking flow, and aesthetic improvements will help with that. He asks to be sure to include this lot on public transit maps and encourage restaurants to use it for employee parking.

MOTION: Councilmember Nancy Johnson moved to direct staff to process with interim use permit and change to parking in lieu map. Councilmember Christine Johnson seconded the motion.

Councilmember Smukler asked that the motion be amended to include an update on the proposed improvements and cost estimate. Staff confirmed this can be done after the interim use permit is processed. The amended motion was seconded by Councilmember Christine Johnson and carried 5-0.

MOTION: Councilmember Smukler moved to continue the meeting past 11:00, if needed. The motion was seconded by Councilmember Christine Johnson and carried 3-2 with Councilmembers Nancy Johnson and Leage voting no.

D-2 REVIEW OF PROPOSED MEMORANDUM OF UNDERSTANDING WITH THE MORRO BAY BIKE PARK ORGANIZATION FOR THE DESIGN AND PERMITTING OF A BIKE PARK IN MORRO BAY; (RECREATION AND PARKS)

Director Woods presented the staff report.

Mayor Irons opened up public comment on Item D-2, seeing none the public comment was closed.

As a matter of ex parte, Mayor Irons noted he is a member of CCCMB, and asked if that presented a conflict of interest. City Attorney Schultz stated that it does not.

Mayor Irons asks for Council permission to write letters on the City's behalf requesting funding for the Bike Park. Mr. Schultz notes that is allowed under Council Policies & Procedures so long as it's a direction that Council supports. Council concurs.

MOTION: Councilmember Nancy Johnson moved to approve the Memorandum of Understanding. The motion was seconded by Councilmember Leage and carried 5-0.

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

Mayor Irons requested a discussion regarding a traffic control device at the intersection of Marina and Fresno Streets. Councilmember Christine Johnson suggested this item be sent to PWAB first. Council concurred.

Mayor Irons requested a policy discussion regarding a public process to request traffic signs. This item would also be sent to PWAB first. Council concurred.

Mayor Irons requested a discussion regarding the parking-in-lieu Resolution for the downtown area, as the previous Resolution expired in July. Councilmembers Nancy Johnson and Christine Johnson concurred.

Councilmember Leage requested a discussion to form a subcommittee to talk to the Hartzells about the vacant lot on the Embarcadero. Mayor Irons, Councilmember Nancy Johnson and Councilmember Smukler concurred.

Councilmember Nancy Johnson requested Council review and possibly rescind Resolution 28-10. Councilmember Smukler and Mayor Irons concurred.

ADJOURNMENT

The meeting adjourned at 11:03 p.m.

Recorded by:

Dana Swanson
Deputy City Clerk