

City of Morro Bay

City Council Agenda

Mission Statement

The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life. The City shall be committed to this purpose and will provide a level of municipal service and safety consistent with and responsive to the needs of the public.

REGULAR MEETING – DECEMBER 10, 2007

**CLOSED SESSION – DECEMBER 10, 2007
CITY HALL CONFERENCE ROOM - 5:00 P.M.
595 HARBOR ST., MORRO BAY, CA**

CS-1 GOVERNMENT CODE SECTION 54956.8; REAL PROPERTY

TRANSACTIONS: Instructing City's real property negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease of real property as to three (3) parcels.

- **Property:** Lease Site: 30W-33W
Negotiating Parties: Jay and Mereline Coakley and the City of Morro Bay
Negotiations: Lease Terms and Conditions
- **Property:** Lease Site 34W
Negotiating Parties: Norman Arnold and the City of Morro Bay
Negotiations: Lease Terms and Conditions
- **Property:** Morro Bay Dunes.
Negotiating Parties: Doug Claassen and City of Morro Bay.
Negotiations: Lease Terms and Conditions.

CS-2 GOVERNMENT CODE SECTION 54957; PERSONNEL ISSUES:

Discussions regarding Personnel Issues including one (1) public employee regarding appointment, specifically the City Manager.

CS-3 GOVERNMENT CODE SECTION 54957.6; CONFERENCE WITH LABOR NEGOTIATOR:

Conference with City Attorney, the City's Designated Representative, for the purpose of reviewing the City's position regarding the terms and compensation paid to the City Manager and giving instructions to the Designated Representative.

CS-4 GOVERNMENT CODE SECTION 54957; PERSONNEL ISSUES:

Discussions regarding Personnel Issues including two (2) public employees regarding evaluation, specifically the City Attorney and Interim City Manager.

**IT IS NOTED THAT THE CONTENTS OF CLOSED SESSION MEETINGS
ARE CONFIDENTIAL AND EXEMPT FROM DISCLOSURE.**

**PUBLIC SESSION – DECEMBER 10, 2007
VETERANS MEMORIAL HALL - 6:00 P.M.
209 SURF ST., MORRO BAY, CA**

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
MAYOR AND COUNCILMEMBERS ANNOUNCEMENTS & PRESENTATIONS
CLOSED SESSION REPORT

PUBLIC COMMENT PERIOD - Members of the audience wishing to address the Council on City business matters (other than Public Hearing items under Section B) may do so at this time.

To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

- When recognized by the Mayor, please come forward to the podium and state your name and address for the record. Comments are to be limited to three minutes.
- All remarks shall be addressed to Council, as a whole, and not to any individual member thereof.
- The Council respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the City Council to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in City Council meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (805) 772-6205. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

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 MINUTES FOR THE NOVEMBER 13, 2007 CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 RESOLUTION NO. 61-07 APPROVING AMENDMENT #1 TO THE LEASE AGREEMENT FOR LEASE SITE 34W LOCATED ADJACENT TO 225 MAIN STREET; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 61-07.

A-3 RESOLUTION NO. 62-07 APPROVING SECOND AMENDMENT TO THE LEASE AGREEMENT FOR LEASE SITE 30W-33W LOCATED ADJACENT TO 201 MAIN STREET; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 62-07.

A-4 RESOLUTION NO. 63-07 ACCEPTING DEDICATION OF RIGHT-OF-WAY OFFERED IN CONJUNCTION WITH A PROJECT LOCATED AT 461 PINEY WAY; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution No. 63-07.

A-5 AUTHORIZATION TO AMEND CONDITIONAL USE PERMIT CONDITIONS ON TRACT MAP 1996 AND ASSOCIATED PRECISE PLAN; (PUBLIC SERVICES)

RECOMMENDATION: Authorize the removal of conditional of approval number 18 from Conditional Use Permit No. 28-90.

A-6 ACCEPTANCE OF LETTER OF RESIGNATION FROM HARBOR ADVISORY BOARD MEMBER RODGER ANDERSON; (ADMINISTRATION)

RECOMMENDATION: Accept letter of resignation.

A-7 RESOLUTION NO. 60-07 OF INTENT TO PURCHASE THE FINANCIAL SOFTWARE UPGRADE; (FINANCE)

RECOMMENDATION: Adopt Resolution No. 60-07.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 EXTENSION OF AN INTERIM URGENCY ORDINANCE PROHIBITING THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES; (CITY ATTORNEY)

RECOMMENDATION: Adopt Interim Urgency Ordinance No. 536, which would extend for an additional one year to the moratorium on the establishment of a Medical Marijuana Dispensary in Morro Bay.

B-2 CONTINUED PUBLIC HEARING ON A BED AND BREAKFAST/MIXED-USE PROJECT LOCATED AT 214 BEACH STREET; (PUBLIC SERVICES)

RECOMMENDATION: Conditionally approve the project.

B-3 RECONSIDERATION OF CITY'S INVOLVEMENT IN THE BUSINESS IMPROVEMENT DISTRICT; (ADMINISTRATION)

RECOMMENDATION: Consider information provided and advise staff on the current payment of \$10,000 requested by the San Luis Obispo County Visitors and Conference Bureau for fiscal year 2007/2008.

B-4 RECONSIDERATION OF PAYMENT TO THE VISITORS AND CONFERENCE BUREAU; (ADMINISTRATION)

RECOMMENDATION: Consider the consent given to the County of San Luis Obispo to form the San Luis Obispo County Tourism Business Improvement District.

C. UNFINISHED BUSINESS

C-1 AUTHORIZATION FOR STAFF TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR AN ORGANIZATIONAL ANALYSIS OF THE CITY STRUCTURE; (CITY ATTORNEY)

RECOMMENDATION: Review the two proposals, choose a firm, and authorize staff to negotiate and enter into an Agreement to perform an Organizational Analysis of the City structure.

D. NEW BUSINESS

D-1 PROPOSAL TO AUTHORIZE STAFF TO NEGOTIATE AN AGREEMENT WITH A WEB DEVELOPMENT COMPANY TO UPDATE AND PROVIDE A NEW WEBSITE FOR THE CITY; (CITY COUNCIL)

RECOMMENDATION: Review proposal and authorize staff to contract with a web development company to develop a new city website.

D-2 REQUEST TO SOLE SOURCE A FIRE ENGINE REPLACEMENT; (FIRE)

RECOMMENDATION: Authorize the sole source purchase of a 1,500 gpm Type I fire engine from Pierce Manufacturing in an amount not to exceed \$445,000.

D-3 AUTHORIZATION FOR FUNDING TO DEFEND LAWSUIT ENTITLED LINKER & PATTERSON VS. CITY OF MORRO BAY; (CITY ATTORNEY)

RECOMMENDATION: Authorize \$7,500 out of the Risk Management Fund to fund the defense of the stated lawsuit.

E. ADJOURNMENT

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 CLERK'S OFFICE AT 772-6200 FOR FURTHER INFORMATION.

COPIES OF STAFF REPORTS OR OTHER PUBLIC DOCUMENTATION RELATING TO EACH ITEM OF BUSINESS REFERRED TO ON THIS AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND AVAILABLE FOR PUBLIC INSPECTION AND REPRODUCTION AT COST AT CITY HALL, LIBRARY, AND MILLS STATIONERY.

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 AT LEAST 24 HOURS PRIOR TO THE MEETING TO INSURE THAT REASONABLE ARRANGEMENTS CAN BE MADE TO PROVIDE ACCESSIBILITY TO THE MEETING.