

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – MARCH 11, 2014
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Edward Kreins	Interim City Manager
	Joe Pannone	City Attorney
	Jamie Boucher	City Clerk
	Rob Livick	Public Services Director
	Cindy Jacinth	Associate Planner

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 – Interim City Attorney Joe Pannone reported that with regards to the Closed Session Item: Government Code Section 54956.8, Conference with Real Property Negotiators regarding portions of APN No. 066-331-039 (Lila Keiser Park, Cal Poly Storage, Fisherman’s Gear Storage and nearby areas) the Council did not take any reportable action pursuant to the Brown Act.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS

Morro Bay 50th Committee Presentation of Programs, Events and Financials – Joan Solu presented a Morro Bay 50th Celebration Community Planning Committee report. They are working with a wide variety of community groups, clubs, individuals, organizations and societies to provide this celebration. There have been 2 events, both more than self-sustaining – First Hike Morro Bay in conjunction with State Parks as well as the Morro Bay 50th Kick-off Celebration Dinner. She presented the financials and it is their goal that the entire 50th will be self-sustaining and as much money as possible will be returned to the City. The beneficiary for all events is the Central Coast Women for Fisheries legacy project “For those Who Wait” as well as future projects for the Morro Bay 50th. She provided a schedule of events, many of which are in collaboration with other organizations, which include Dahlia flower planting, Emergency Vehicle Car Show partnership, Morro Bay Car Show partnership, Community Bike Ride in partnership with the Citizen’s Bike Committee, Fisherman’s Pop Art Tunity partnership, Founder’s Day Picnic, Celebrate Morro Bay History and Dahlia and Cypress Parade, Plant 50 Trees and Community Quilt Project. She said that everybody can help, you can friend their

Facebook page, volunteer for a program or event by contacting a board member and encouraged everybody to visit their web page – morrobay50th.com .

PUBLIC COMMENT

Joie Fenton, owner of Expedia CruiseShipCenters presented the business report. Joie, a Cruise and Vacation consultant, runs the business out of her home and can help you find your perfect vacation – cruises, escorted tours, flight, hotel, car, train - almost any reservation you may need. They are a Chamber of Commerce member.

Julianna Epperly advertised the Annual City-wide Yard Sale put on by Morro Bay Beautiful. The event is being held the weekend of April 5th and 6th from 8am-2pm. Their goal is to reduce the landfill, have people visit town staying overnight and eating out, making money and having fun. The Police and Fire Departments have an incredibly hard time that day and hopes that sellers encourage their buyers not block driveways and mail boxes. She also asked that signs not be put on telephone poles and nails not be put into trees. She thanked their sponsors.

Susan Stewart thanks the entire community for Morro Bay's 50th, a great celebration bringing everybody together. There was a good sign ordinance meeting and there will be subsequent meetings for other areas of the town. The next Business Forum will be an Economic Roundtable. She also stated that the Police Department has a dedicated staff person to deal with fraudulent credit card charges. The Botso movie has been doing very well worldwide. Mrs. Tognazinni passed away. She asked for a status report on the opening of Grandma's Frozen Yogurt and Gathering Place.

Joan Solu advertised the upcoming 25th Annual Dixon Spaghetti Dinner being held Friday, March 14th at the Community Center. All proceeds go to the Morro Bay Community Foundation which offers scholarships to children so they can participate in City sponsored youth activities.

Barry Brannin questioned why we are in such a bad water situation. He stated that if 5 years ago we had moved the plant we'd have water pumped back into our aquifer and we'd have water. He'd like to see a 4 year plan instead of a 5 year plan which he believes can be done with the innovative technology of a packaged plant.

Carla Wixom announced she is running for Mayor of Morro Bay. She pledges to run a positive and fact based campaign. She encouraged voters to educate themselves to fully understand the issues facing our community. She provided her phone number, 441-7057, should anybody have questions on her position on the issues. She looks forward to visiting with you as she walks the neighborhoods.

Paul Nagy stated that there is no easy way to fix the water problem and hopes that tomorrow's PWAB meeting will be helpful in finding good ideas. He proposed possible ideas for both water savings as well as locating new water. He stated that if Council makes the demands on new construction too great it could discourage new building which will result in a loss of development fees. He asked Council to keep in mind that new homes are a tiny addition to Morro Bay's total residential water use. Over the past 10 years, Morro Bay has averaged only 29 new homes/units a year, of which the addition to water usage is less than ½ of 1% per year.

Lastly, it would be unfair to applicants who already have filed for permits and paid fees to be included in whatever the Council decides in changes in permit requirements and retrofits.

The public comment period was closed.

A. CONSENT AGENDA

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

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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 SPECIAL CLOSED SESSION CITY COUNCIL MEETING HELD ON FEBRUARY 25, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 25, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 AUTHORIZATION TO FILL PUBLIC SERVICES DEPARTMENT VACANCIES (PLANNING MANAGER AND OFFICE ASSISTANT III/IV), RESTORATION OF THE PERMIT TECHNICIAN TO FULL TIME FROM $\frac{3}{4}$ TIME AND POTENTIAL RECRUITMENT TO FILL ANY RESULTING VACANCIES; (PUBLIC SERVICES)

RECOMMENDATION: Authorize an internal/external recruitment for the Planning Manager and Office Assistant III/IV positions; restore the Permit Technician Position to full time and depending on the outcome of the recruitments, an internal/external recruitment for any potential vacancy created.

A-4 WATER RECLAMATION FACILITY (WRF) PROJECT STATUS; (PUBLIC SERVICES)

RECOMMENDATION: Receive and file.

A-5 STATUS REPORT OF A MAJOR MAINTENANCE & REPAIR PLAN (MMRP) FOR THE EXISTING WASTEWATER TREATMENT PLAN (PUBLIC SERVICES)

RECOMMENDATION: Receive and file.

A-6 ADOPTION OF ORDINANCE NO. 584; AMENDING TITLE 17 OF THE CITY OF MORRO BAY MUNICIPAL CODE (ZONING ORDINANCE #A00-018); (PUBLIC SERVICES)

RECOMMENDATION: Adopt Ordinance No. 584; amending Title 17 of the City of Morro Bay Municipal Code (Zoning Ordinance #A00-018) approving amendments to the text of the Zoning regulations intended to implement programs in the adopted 2009-2013 Housing Element of the Morro Bay General Plan.

A-7 2013 TROLLEY SEASON SUMMARY; (PUBLIC SERVICES)

RECOMMENDATION: Receive and file.

A-8 DEFERRAL OF DYNEGY COMMUNITY DEVELOPMENT FUND PAYMENT; (CITY ATTORNEY)

RECOMMENDATION: Authorize second deferral of Dynegy's Community Development Fund ("CDF") Payment originally due January 21, 2014, and once deferred to March 14, 2014, for approximately two more months until May 16, 2014, together with waiver of any applicable late fees or default claims related to the deferral.

A-9 REVIEW AND APPROVE THE PUBLIC ART PROPOSAL FOR A MURAL TO BE APPLIED ON TWO ELECTRICAL BOXES AT THE CORNER OF MAIN STREET AND QUINTANA BLVD IN MORRO BAY; (RECREATION & PARKS)

RECOMMENDATION: Review and approve the proposal from Ms. Morin and Ms. Britton to place a mural on two electrical boxes at the corner of Main Street and Quintana Blvd in Morro Bay. Staff recommends Alternative #1 below.

A-10 RESOLUTION 19-14 APPROVING THE PURCHASE OF A RIGHT OF WAY EASEMENT AND AUTHORIZING MAYOR TO ACCEPT THE OFFER OF DEDICATION/GRANT OF EASEMENT FOR CONSTRUCTION OF THE MUTLI-USE TRAIL THROUGH APN 066-416-002 ALONG THE DIRT EMBARCADERO; (CITY ATTORNEY)

RECOMMENDATION: Adopt the attached Resolution No. 19-14 authorizing the purchase and acceptance of an easement for right of way purposes through a piece of real property with the Assessor's Parcel Number 066-461-002 along the Dirt Embarcadero.

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

Mayor Irons pulled Items A-2, A-4 and A-10; Councilmember Nancy Johnson pulled Item A-7.

MOTION: Councilmember Christine Johnson moved the City Council approve Items A-1, A-3, A-5, A-6, A-8 and A-9 of the Consent Calendar as presented. The motion was seconded by Councilmember Nancy Johnson and carried unanimously.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-2 APPROVAL OF MINUTES FOR THE REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 25, 2014; (ADMINISTRATION)

Mayor Irons pulled the minutes for an amendment to page 7, Item C-1 adding the phrase in bold; “Initially when it came before us, **we had a HAB advisory board member speak before us and request we send it** back for further evaluation...”

MOTION: Mayor Irons moved approval of Item A-2 with the amendments as proposed. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-4 WATER RECLAMATION FACILITY (WRF) PROJECT STATUS; (PUBLIC SERVICES)

Mayor Irons requested 2 changes to the calendar of events of the Water Reclamation Facility. The first was to add on 1/3/13 “City Adopted Resolution No. 07-13 ~~recommending denial of the WWTP Project~~ **supporting the California Coastal Commission staff recommendation for denial.**” The second was to add: **02/13/14 - WRF Sub-Committee meeting to discuss the 5 time schedule and grant opportunities.**

MOTION: Mayor Irons moved approval of the WRF Project status as amended. The motion was seconded by Councilmember Christine Johnson and carried 4-1.

Ayes: Irons, C. Johnson, Leage, Smukler

No's: N. Johnson

Councilmember Nancy Johnson stated she will be voting no as she disagrees with the changes to the 1/3/13 description.

A-7 2013 TROLLEY SEASON SUMMARY; (PUBLIC SERVICES)

Councilmember Nancy Johnson recalls that this item was to be brought back to Council as a discussion item, not a Consent Item.

MOTION: Councilmember Nancy Johnson moved to defer discussion of this item until we get to Item D-1 - Consideration of Morro Bay Transit Options for Weekend Service. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-10 RESOLUTION 19-14 APPROVING THE PURCHASE OF A RIGHT OF WAY EASEMENT AND AUTHORIZING MAYOR TO ACCEPT THE OFFER OF DEDICATION/GRANT OF EASEMENT FOR CONSTRUCTION OF THE MUTLI-USE TRAIL THROUGH APN 066-416-002 ALONG THE DIRT EMBARCADERO; (CITY ATTORNEY)

Mayor Irons pulled this item so that City Attorney Joe Pannone can make the record clear. Mr. Pannone stated that no cash is going to transfer from the City to Dynegy, it is just credits.

MOTION: Councilmember Leage moved to approve Item A-10. The motion was seconded by Councilmember Christine Johnson and carried unanimously 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

B. PUBLIC HEARINGS - None

C. UNFINISHED BUSINESS

C-1 CITY COUNCIL 2014 ANNUAL MEETING SCHEDULE AS WELL AS DISCUSSION OF ALTERING THE PLANNING COMMISSION MEETING SCHEDULE; (ADMINISTRATION)

Interim City Manager Ed Kreins presented the staff report.

The public comment period for Item C-1 was opened.

Carla Wixom reminded Council that Ms. Winholtz was adamant that the City Attorney be available for Planning Commission hearings so that legal issues could be addressed on the spot. Whatever night the meetings are held, we need consistency of our City Attorney's attendance.

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

Councilmember Smukler remembers meeting Mr. Fox, the City's Assistant City Attorney and recalls that his resume had a very impressive background in land use and planning; he doesn't see a problem with Mr. Fox being a Planning Commission representative. He is comfortable with moving forward on the Council side with our calendar as traditionally scheduled and leave it up to the Mayor and City Manager look at future agenda items and workload as we get closer to the months of cancelled meetings to assess whether we need a special meeting to ensure City business moves forward. While he regrets we may lose our Chair, he sees the benefit of moving the Planning Commission meetings to Tuesdays in an effort to synchronize the meetings and give our Planning Department as much of a benefit as possible.

Councilmember Nancy Johnson stated that before she can agree to moving Planning Commission meetings, she wants to discuss other options with Mr. Livick. She asked about the possibility of having Planning Commission on the first and third Mondays of the month. It was brought up that the Monday Community Dinners were held at the Vet's Hall on Mondays. Councilmember Johnson asked about the possibility of holding Planning Commission meetings at the Community Center.

Councilmember Christine Johnson is comfortable with maintaining the current City Council schedule. She believes that Council and staff appreciate the break in the summer and meetings can always be scheduled if needed. As far as the Planning Commission meetings, Public Services is asking for a more efficient way of doing business, it's hard to deny that request.

Mayor Irons stated that the original discussion was to determine the most efficient way to conduct the most business. It was determined that it would be helpful for Planning Commission meetings to line up which is the discussion we are having now. If you want to make the decision to change, you have to do it; either now or continue with the same schedule knowing that in January, 2015 everybody on Planning Commission knows it will change. He is willing to consider going with the status quo until January 2015 with the condition that we are noticing our Planning Commissioner's now. In the spirit of consistency with Mr. Grantham's work on the Planning Commission, he is willing to go with that.

Councilmember Nancy Johnson would agree with a motion to not change until January. If we are talking about efficiency, she still thinks that by moving the meeting to the Community Center on a Monday, we are giving the Planning Department another entire work day.

MOTION: Councilmember Leage moved to approve the 2014 schedule as it currently is. The motion was seconded by Councilmember Nancy Johnson and carried 3-2.

Ayes: Irons, N. Johnson, Leage

No's: C. Johnson, Smukler

Councilmember Smukler heard the need to help expedite projects and the flow of meetings; he is inclined to try and focus on that further and so will be voting no.

Councilmember Christine Johnson reaffirmed that the vote would be to maintain our current schedule for both the Council meetings and the Planning Commission meetings; no other recommendations. That was confirmed by staff.

D. NEW BUSINESS

D-1 CONSIDERATION OF MORRO BAY TRANSIT OPTIONS FOR WEEKEND SERVICE; (PUBLIC SERVICES)

Public Services Management Analyst Janeen Burlingame presented the staff report.

The public comment period for Item D-1 was opened; seeing none, the public comment period was closed.

Councilmember Smukler stated that we heard from riders that weekend service is necessary and would be appreciated. It would be nice to get this going sooner than requested; off season of the trolley is our biggest need. He would like to see us be able to pull some of the TDA funds from the Senior Limo project and put them towards weekend service so it could start now instead of waiting until July 2014. Ms. Burlingame surmised it would take approximately \$4,200 to start the service by March 29th. Councilmember Smukler liked that idea as with a March 29th start date, it would allow for some time to advertise.

Councilmember Nancy Johnson is in favor of getting Saturday service started; she just wants to ensure the \$4200 comes from TDA funds and not the general fund.

Councilmember Christine Johnson appreciated Ms. Burlingame's staff report. She sees a real need for the weekend service and agrees with the transfer of funds from TDA so it can begin earlier. She also appreciates the champion organization, the Lions Club, moving forward with the senior limo service which she emphasized, won't compete with our current transit system.

MOTION: Councilmember Smukler moved to authorize the reallocation of a portion of 13/14 TDA funds to enable Saturday service as recommended as soon as possible. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-7 2013 TROLLEY SEASON SUMMARY; (PUBLIC SERVICES)

Management Analyst Janeen Burlingame was asked to provide a brief summary of this item.

Councilmember Nancy Johnson wondered how soon you will be able to present the recommendations listed in the report. In the past, we've been given this information right before budget time and it's usually been too late to do anything about them. Ms. Burlingame stated that these recommendations aren't City recommendations but instead things generated from the North Coast Surveying Project. She hasn't had the time to meet with MV to go through each of them to determine what the best course of action on them would be. She hoped these discussions could occur in the next month and be brought back to Council by late April.

The public comment period for Item A-7 was opened; seeing none, the public comment period was closed.

MOTION: Councilmember Nancy Johnson moved approval of Item A-7. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

MOTION: Mayor Irons moved to reconsider Item C-1, Annual Meeting Schedule. The motion was seconded by Councilmember Christine Johnson and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

Mayor Irons wanted to reconsider the item, when it first came up it was all about scheduling and being more efficient. When it comes down to it, the planning schedule is more efficient on Tuesdays; it's prudent to act on that now and move the Planning Commission schedule to Tuesdays.

The public comment period was re-opened for Item C-1; seeing none, the public comment period was closed.

MOTION: Mayor Irons moved to approve the Planning Commission schedule and move the meetings to the first and third Tuesday's of the month. The motion was seconded by Councilmember Smukler and carried 3-2.

Ayes: Irons, C. Johnson, Smukler

No's: N. Johnson, Leage

Councilmember Nancy Johnson stated that she had offered a compromise that would give planning an extra day by moving to Mondays. She will be voting no on the motion.

MOTION: Mayor Irons moved to keep City Council meetings at its current schedule for 2014 as discussed in the staff report. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

D-2 REVIEW AND APPROVAL OF CITY OF MORRO BAY RECREATION AND PARKS DEPARTMENT PARTNERSHIP POLICY - RESOLUTION 18-14; (RECREATION & PARKS)

Interim City Manager Ed Kreins presented the staff report.

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

Chuck Stowell asked whether or not this policy will make it more difficult or easier for volunteers or organizations. He has a concern that sometimes there are too many steps needed to take place to try and do something good. Mr. Kreins replied that he feels it will make it easier as it stipulates up front what is necessary in order to proceed with a program.

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

Councilmember Nancy Johnson feels this is a fabulous idea and likes the fact there will be clarity and steps from and for both sides to take.

Councilmember Smukler feels this consistency will be favorable for anybody coming forward.

Councilmember Christine Johnson stated it's good to begin with a policy and work with it having the ability to modify it when necessary.

Mayor Irons stated that it's the department's mission to help build strong communities and neighbors. Based on that, the scope of this policy identifies that path and is in support of this policy. He did question the possible need to send it back to the Recreation & Parks Commission in a year for review.

MOTION: Mayor Irons moved to approve Item D-2, Resolution 18-14, providing a Partnership Policy as reviewed and recommended by the Recreation & Parks Commission and include having the policy come back in one year for review by the

Recreation & Parks Commission. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

Mayor Irons requested a review of the County Declaration of Local Emergency due to drought; discuss our water projections and resources including the desal plant; discuss and consider declaring a local emergency for Morro Bay to come back within 30 days; Councilmembers Smukler, Leage and Christine Johnson concurred.

ADJOURNMENT

The meeting adjourned at 8:41pm.

Recorded by:

Jamie Boucher
City Clerk