

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – MAY 12, 2015  
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Noah Smukler	Councilmember
	John Headding	Councilmember
	Christine Johnson	Councilmember
	Matt Makowetski	Councilmember
STAFF:	David Buckingham	City Manager
	Joe Pannone	City Attorney
	Dana Swanson	City Clerk
	Rob Livick	Public Works Director
	Scot Graham	Community Development Manager
	Cindy Jacinth	Associate Planner
	Eric Endersby	Harbor Director
	Amy Christey	Police Chief

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:06pm

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

Mayor Irons reported that with regards to the Closed Session Meeting, the Council did not take any reportable action pursuant to the Brown Act.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS

<https://youtu.be/Ow0TurnRnWk?t=9m18s>

10 Year Budget Forecast Presentation

City Manager Buckingham presented a brief summary of the 10 year budget forecast report prepared by Management Partners and previously presented at a Special City Council Study Session on March 31, 2015.

Full video of March 31, 2015 Special City Council meeting can be found here:

<https://youtu.be/2aXt5LDKFLA>

The Management Partners 10-year Budget Forecast Report can be found here: <http://ca-morrobay.civicplus.com/DocumentCenter/View/8377>

## LEAP Update

Don Maruska presented an update on LEAP initiatives.

<http://ca-morrobay.civicplus.com/DocumentCenter/View/8471>

Highlights of recent activities include:

- Lighting up Downtown – several non-profits and local businesses banded together to install lights in the downtown area to make the area more inviting and engaging.
- The Sun Bulletin building will soon be occupied by Elemental Herbs, a local growing business.
- Future plans for the Morro Bay Aquarium involve collaborating with non-profit organizations and Cal Poly to provide a marine science and education center.
- The Boatyard evaluation is moving forward.

## PUBLIC COMMENT

<https://youtu.be/Ow0TurnRnWk?t=35m42s>

Chelsea Cutler, owner of Blissful Blossoms, provided the business spot. Blissful Blossoms is located 898 Main Street, #C, near Harbor Street. She has been in the floral business for five years and opened a storefront in January. She specializes in bouquets, weddings and large events. Please visit her website at [www.blissfulblossomsslo.com](http://www.blissfulblossomsslo.com) or call (805) 776-5067. Hours are Monday – Saturday, 10am – 5pm.

Susan Stewart, Morro Bay business owner and resident, expressed concern about tree maintenance and a shortage of available parking in the downtown area.

Jan Goldman, Morro Bay, announced the Chamber mixer will be held on Thursday, May 14<sup>th</sup> at Grandma’s Yogurt and the Business Forum will be held on Thursday, May 21<sup>st</sup> at the Grill Hut at its new location on Quintana from 7:30-9:00.

Linna Thomas, business owner, spoke in opposition to the location of the current parklet on Main Street and delivered 18 pages of petition signatures asking the parklet be moved.

Betty Winholtz, Morro Bay, spoke in opposition of rate increases until costs can be delineated, and with Cayucos withdrawing support for new sewer plant, the costs are more nebulous. This vote should be postponed until we know the costs for the sewer.

John Barta, Morro Bay, shared information regarding water costs and urged fellow citizens to file a protest on water rates.

The public comment period was closed.

City Manager Buckingham responded to questions and concerns raised during the Public Comment period.

A. CONSENT AGENDA  
<https://youtu.be/Ow0TurnRnWk?t=1h8m18s>

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 CITY COUNCIL MEETING HELD ON APRIL 28, 2015; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-2 STATUS REPORT OF A MAJOR MAINTENANCE & REPAIR PLAN (MMRP) FOR THE EXISTING WASTEWATER TREATMENT PLANT; (PUBLIC WORKS)

**RECOMMENDATION: Receive and file.**

A-3 RATIFICATION OF CONTRACT WITH SAM TAYLOR FOR SERVICES AS DEPUTY CITY MANAGER; (ADMINISTRATION)

**RECOMMENDATION: Ratify contract with Deputy City Manager.**

The public comment period for the Consent Agenda was opened.

Janice House, Morro Bay, expressed concern regarding Item A-3, noting the new position was never posted publically which denied local people the opportunity to apply for this job.

The public comment period was closed.

Mayor Irons pulled Item A-3.

MOTION: Councilmember Smukler moved the Council approve Items A-1 and A-2. The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

A-3 RATIFICATION OF CONTRACT WITH SAM TAYLOR FOR SERVICES AS DEPUTY CITY MANAGER; (ADMINISTRATION)  
<https://youtu.be/Ow0TurnRnWk?t=1h12m14s>

**RECOMMENDATION: Ratify contract with Deputy City Manager.**

City Manager Buckingham presented the staff report and responded to Council inquiries.

The public comment period for Item A-3 was opened.

Janice House, Morro Bay, shared she was not questioning need for the position, just the process.

Betty Winholtz, Morro Bay, shared that process is the key to government. She is also concerned about increasing salaries during a time when you're raising fees.

Joan Solu, Morro Bay, appreciates seeing great candidate and wanting to hire them, however, there should be an open and transparent process for hiring. She hopes some of the opaque things in the job description come to the advisory boards for discussion.

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

Councilmember Johnson understands internal changes with staff are always a challenge, especially for those with long-term relationships with the community. The Council is responsible for the City Manager and City Attorney. Council can express their opinions to the City Manager, but he makes decisions on staffing issues and is responsible for those changes. She also noted Mr. Buckingham received input and made adjustments to the severance package in response to that.

Councilmember Makowetski asked City Attorney Pannone if the process was legal. Mr. Pannone said the process followed was a legally acceptable, permitted process by the City's policies. Councilmember Makowetski stated that in terms of objectives and goals, this is a positive thing and he supports this hire.

Councilmember Heading shared he will support hiring of Mr. Taylor but was upset that when he received his Council packet there was a contract for hiring, not that the individual was recommended for hiring, but the process. This person has been significantly vetted by a large number of people. There was no need to hire a firm or go through a significant process when you have already found a person who has the skill set needed in Morro Bay. In the future, he recommends this presentation be made prior to the item being put on the agenda for approval. He has significant trust in the City Manager and his ability to discern the transferable skill set of this individual; this move this will help us achieve the goals set forth.

Councilmember Smukler appreciates that having the opportunity to review the contract after the fact is an odd situation; this is very much a trust situation. He believes we are adding a great member to the team, particularly the economic development aspect.

Mayor Irons takes the comments regarding process seriously. This pushes his process comfort zone as well. The presentation addressed some concerns and he appreciates the severance adjustments.

**MOTION:** Councilmember Johnson moved the Council ratify the contract, as amended, with Mr. Sam Taylor as Deputy City Manager. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

B. PUBLIC HEARINGS

- B-1 RESOLUTION NO. 22-15 DECLARING THE INTENTION TO CONTINUE THE PROGRAM AND LEVY ASSESSMENTS FOR THE 2015/16 FISCAL YEAR FOR THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT (MBTBID) AND SCHEDULING A PUBLIC HEARING TO LEVY THE ASSESSMENTS; (ADMINISTRATIVE SERVICES)  
<https://youtu.be/Ow0TurnRnWk?t=2h3m59s>

Director Slayton presented the staff report.

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

MOTION: Councilmember Headding moved the Council approve Resolution No. 22-15, as amended by staff. The motion was seconded by Councilmember Makowetski and carried unanimously, 5-0.

- B-2 RESOLUTION NO. 23-15 APPROVING THE ENGINEER'S REPORT AND DECLARING THE INTENT TO LEVY THE ANNUAL ASSESSMENT FOR THE CLOISTERS LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS)  
<https://youtu.be/Ow0TurnRnWk?t=2h7m17s>

Director Livick presented the staff report.

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

Councilmember Johnson expressed appreciation to staff for their efforts to solve customer-service issues. Councilmember Smukler concurs noting, in particular, the concern about sprinklers in the median strip and planting of annuals. Mayor Irons made note of building up capitol funds over a couple of hears to take on projects as they come up.

MOTION: Councilmember Johnson moved the Council approve Resolution 23-15 approving the Engineer's Report and declaring the intent to levy the annual assessment for the Cloisters Landscaping and Lighting Maintenance Assessment District and setting the public hearing for June 23, 2015. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

- B-3 RESOLUTION NO. 24-15 APPROVING THE ENGINEER'S REPORT AND DECLARING THE INTENT TO LEVY THE ANNUAL ASSESSMENT FOR THE NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS)  
<https://youtu.be/Ow0TurnRnWk?t=2h20m2s>

Director Livick presented the staff report.

The public comment period for Item B-3 was opened; seeing none, the public comment period was closed.

MOTION: Councilmember Headding moved the Council approve Resolution No. 24-15 approving the Engineer's Report and declaring the intent to levy the annual assessment for the North Point Natural Area Landscaping and Lighting Maintenance Assessment District and setting the public hearing for June 23, 2015. The motion was seconded by Councilmember Makowetski and carried unanimously, 5-0.

C. UNFINISHED BUSINESS / SECOND READING AND ADOPTION OF ORDINANCES

C-1 DISCUSSION AND DIRECTION FOR FUTURE MORRO BAY WATER RECLAMATION FACILITY (WRF) AND MONTHLY WRF PROJECT PROGRESS UPDATE; (PUBLIC WORKS)

<https://youtu.be/Ow0TurnRnWk?t=2h23m39s>

City Manager Buckingham presented the staff report and, along with Director Livick, responded to Council inquiries.

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

Bob Keller, Morro Bay, supports staff recommendation #1 and approval of Resolution 25-15.

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

Councilmember Smukler asked staff to continue its outreach to the community of Cayucos.

Mayor Irons suggested inserting, "Commit to 'working cooperatively with CSD'" in items J and K of the Resolution. He believes Cayucos is looking toward a package deal that they believe can be completed in 3 years. If that is successful, we will operate the current plant for two years alone.

Councilmember Johnson agrees it's good to stay in touch with Cayucos. She looks forward to a project that has received initial and early support from the State Water Board and Coastal Commission and stands by the April 30 Resolution and the Resolution presented tonight, including the Mayor's recommended edits to items J & K.

MOTION: Mayor Irons moved the Council approve Resolution No. 25-15 with amendments to items J and K, inserting, "working cooperatively with CSD." The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

C-2 ADOPTION OF ORDINANCE NO. 592 AMENDING SUBSECTION 14.08.090 O. OF THE MORRO BAY MUNICIPAL CODE RELATING TO *SALE AND USE OF FIREWORKS*; (POLICE)

<https://youtu.be/Ow0TurnRnWk?t=4h6m18s>

Chief Christey presented the staff report.

The public comment period for Item C-2; seeing none, the public comment period was closed.

MOTION: Mayor Irons moved the Council adopt Ordinance 592 after reading title only and waiving further reading. The motion was seconded by Councilmember Makowetski and carried unanimously, 5-0.

C-3 ADOPTION OF ORDINANCE NO. 593 ADDING CHAPTER 9.34 TO THE MORRO BAY MUNICIPAL CODE (MBMC) BANNING THE POSSESSION OF CERTAIN INTOXICATING COMPOUNDS KNOWN AS SYNTHETIC DRUGS; (POLICE)

<https://youtu.be/Ow0TurnRnWk?t=4h7m52s>

Chief Christey presented the staff report.

The public comment period for Item C-3 was opened; seeing none, the public comment period was closed.

MOTION: Councilmember Headding moved the Council adopt Ordinance 593 by reading title only and waiving further reading. The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

D. NEW BUSINESS

D-1 DISCUSS ADVISORY BOARD JOINT MEETINGS AND RECOGNITION EVENT FOR ADVISORY BOARD MEMBERS; (COUNCIL)

<https://youtu.be/Ow0TurnRnWk?t=4h9m30s>

Mayor Irons presented the report and responded to Council inquiries.

There was Council consensus for an annual recognition event to show appreciation for members of the City's Advisory Boards. City Manager Buckingham noted there will be a placeholder for this in the FY 16 budget. Council discussed having joint meetings with various advisory bodies, as needed, or requested.

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

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS - None

<https://youtu.be/Ow0TurnRnWk?t=4h20m32s>

ADJOURNMENT

The meeting adjourned at 10:36pm.

Recorded by:

Dana Swanson  
City Clerk