

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – JUNE 9, 2015  
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Noah Smukler	Councilmember
	John Heading	Councilmember
	Christine Johnson	Councilmember
	Matt Makowetski	Councilmember
STAFF:	David Buckingham	City Manager
	Joe Pannone	City Attorney
	Sam Taylor	Deputy City Manager
	Susan Slayton	Administrative Services Director
	Rob Livick	Public Works Director
	Scot Graham	Community Development Manager
	Eric Endersby	Harbor Director
	Amy Christey	Police Chief
	Steve Knuckles	Fire Chief

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:00 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

Councilmember Makowetski complimented Harbor Department Director Eric Endersby for getting him and Deputy City Manager Sam Taylor tours on the Dredge Yaquina. The council member noted Taylor had created a video posted on the City’s YouTube page for the public to see the dredge and the tour. He inquired when the dredge would be finished with its annual work. Endersby said they were likely finished around July 14 or July 15.

Councilmember Johnson shared work related as liaison to the Homeless Services Oversight Council in which the organization is working to place homeless people in housing in the county. She also said the Economic Vitality Corporation recently heard from Grover Beach on its economic development strategy. She encouraged the public to review Grover Beach’s work and the economic development strategic plan that City has had for some years.

Mayor Irons welcomed new Deputy City Manager Sam Taylor.

City Manager David Buckingham welcomed Taylor to the City and shared his various duties related to Recreation Services, Information Technology, Economic Development and more.

Taylor thanked the council and Mr. Buckingham for their support and bringing his family to Morro Bay.

#### PUBLIC PRESENTATIONS

[https://youtu.be/fLOvdeh\\_5-k?t=12m46s](https://youtu.be/fLOvdeh_5-k?t=12m46s)

MOTION: Mayor Irons moved to remove from consent a proclamation and presentation related to living with Type 1 diabetes and placing it on the regular meeting agenda. The motion was seconded by Councilmember Makowetski and carried unanimously, 5-0.

#### Living with Type 1 Diabetes Presentation

Fifth grader Claire Haslett shared her experience of being diabetic and the importance of research related to juvenile diabetes and Type 1 diabetes.

#### Presentation of Proclamation

Mayor Irons presented the proclamation related to the work of the Juvenile Diabetes Research Foundation International to find a cure for Type 1 diabetes to local fifth grader Claire Haslett.

#### PUBLIC COMMENT

[https://youtu.be/fLOvdeh\\_5-k?t=29m2s](https://youtu.be/fLOvdeh_5-k?t=29m2s)

John Elling, owner of Mike's Barbershop and Tiny Mike's Barbershop, provided business spot. He announced the opening of the new location at 2300 N. Main St. He also noted that with Mike's Barbershop celebrating its 75<sup>th</sup> anniversary in 2016 that the business has been converted into an eco-friendly establishment with solar power. The community can learn more at the business's website. He also noted that he hosts a radio show giving haircut tips and playing music.

Linna Thomas, business owner, submitted additional signed pages of a parklet petition asking that the facility be removed from Main Street. She requested that the council consider the concerns of Main Street businesses regarding the parklet.

Barry Brannin encouraged the City to hire the code enforcement position soon. He said there are current concerns that need to be addressed now, perhaps through the fire department.

The public comment period was closed.

#### A. CONSENT AGENDA

[https://youtu.be/fLOvdeh\\_5-k?t=38m38s](https://youtu.be/fLOvdeh_5-k?t=38m38s)

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

The public comment period for the Consent Agenda was opened; seeing none the public comment period was closed.

A-1 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON MAY 18, 2015; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-2 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON MAY 20, 2015; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted**

A-3 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON MAY 26, 2015; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted**

A-4 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON MAY 26, 2015; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

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

**RECOMMENDATION: Receive and file.**

A-6 WATER RECLAMATION FACILITY (WRF) PROJECT UPDATE; (PUBLIC WORKS)

**RECOMMENDATION: Receive and file.**

A-7 RESOLUTION NO. 35-15 APPROVING THE SAN LUIS OBISPO REGIONAL HAZARDOUS MATERIALS (HAZMAT) COOPERATIVE AGREEMENT; (FIRE)

**RECOMMENDATION: Adopt Resolution No. 35-15 and authorize the Mayor to sign the agreement on behalf of the City.**

A-8 RESOLUTION NO. 36-15 AFFIRMING COMPENSATION POLICIES FOR FIRE PERSONNEL AS REQUIRED BY THE CALIFORNIA FIRE SERVICE AGREEMENT (CFAA) REIMBURSEMENT PLAN; (FIRE)

**RECOMMENDATION: Adopt Resolution No. 36-15.**

A-9 APPROVAL OF RESOLUTION NO. 37-15 FOR A LEASE AGREEMENT WITH STATE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR EXCLUSIVE TIE-UP SPACE ON THE NORTH T-PIER FOR A PATROL VESSEL ACCOMMODATION DOCK; (HARBOR)

**RECOMMENDATION: Approve Resolution No. 37-15.**

A-10 APPROVAL OF AMENDMENT NO. 2 TO CONTRACT SERVICES AGREEMENT WITH ALESHIRE & WYNDER, LLP FOR CITY ATTORNEY SERVICES; (ADMINISTRATION)

**RECOMMENDATION: Approve Amendment No. 2, as presented.**

A-11 RESOLUTION NO. 38-15 AUTHORIZING AND DIRECTING THE INSTALLATION OF ALL WAY STOP SIGNS ON MAIN STREET AT PACIFIC STREET; (PUBLIC WORKS)

**RECOMMENDATION: Approve Resolution No. 38-15**

A-12 APPROVAL OF FACILITY USE AGREEMENT WITH THE SENIOR NUTRITION PROGRAM OF SAN LUIS OBISPO COUNTY FOR PROVIDING MEAL SERVICE TO ELDERLY CITIZENS OF MORRO BAY; (RECREATION)

**RECOMMENDATION: Approve Facility Use Agreement with the Senior Nutrition Program.**

A-13 RESOLUTION NO. 39-15 AUTHORIZING FORMATION OF A GENERAL PLAN/LOCAL COASTAL PROGRAM ADVISORY COMMITTEE (GPAC); (ADMINISTRATION)

**RECOMMENDATION: Approve Resolution No. 39-15**

A-14 PROCLAMATION SUPPORTING JDFR'S MISSION TO FIND A CURE FOR TYPE 1 DIABETES

**RECOMMENDATION: Approve as submitted.**

Mayor Irons opened the public comment period for the Consent Agenda; seeing none, the public comment period was closed.

Mayor Irons requested that Item A-11 be removed from consent and placed on the regular meeting agenda.

Councilmember Smukler requested that Item A-6 be removed from consent and placed on the regular meeting agenda.

Councilmember Makowetski requested that Item A-5 be removed from consent and placed on the regular meeting agenda.

MOTION: Councilmember Headding moved the Council approve the Consent Agenda as amended. The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

A-5 STATUS REPORT OF A MAJOR MAINTENANCE & REPAIR PLAN (MMRP) FOR THE EXISTING WASTEWATER TREATMENT PLANT; (PUBLIC WORKS)  
[https://youtu.be/fLOvdeh\\_5-k?t=39m39s](https://youtu.be/fLOvdeh_5-k?t=39m39s)

Councilmember Makowetski requested additional detail related to maintenance projects.

Public Works Director Rob Livick provided detail related to various maintenance projects. He noted that the flood wall project was required by the City's federal National Pollution Discharge Elimination System permit.

Mayor Irons complimented the work of staff related to maintenance projects.

MOTION: Councilmember Makowestki moved approval of item A-5. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

A-6 WATER RECLAMATION FACILITY (WRF) PROJECT UPDATE; (PUBLIC WORKS)  
[https://youtu.be/fLOvdeh\\_5-k?t=45m1s](https://youtu.be/fLOvdeh_5-k?t=45m1s)

Director Livick provided an update on the Water Reclamation Facility project. Community members can review information on the project on the City's website, he shared.

MOTION: Councilmember Smukler moved approval of item A-6. The motion was seconded by Councilmember Headding and carried unanimously, 5-0.

A-11 RESOLUTION NO. 38-15 AUTHORIZING AND DIRECTING THE INSTALLATION OF ALL WAY STOP SIGNS ON MAIN STREET AT PACIFIC STREET; (PUBLIC WORKS)  
[https://youtu.be/fLOvdeh\\_5-k?t=51m29s](https://youtu.be/fLOvdeh_5-k?t=51m29s)

Mayor Irons noted the City will be authoring a Downtown Specific Plan and that will include information related to intersections. With that in mind, he asked council to withhold approval of the four-way stop at this time.

Community Development Director Scot Graham said he would likely not be addressing traffic issues in the Downtown Specific Plan as that would be addressed in the Circulation Element of the General Plan when that document is updated.

Councilmember Smukler pointed out the council had a significant debate on this issue and a citizen petition with many neighbors in the area of the intersection caught his eye. While a stop sign may not be the best solution, he suggested citizens who signed the petition may at this point be expecting the resolution to be approved.

Councilmember Makowestki agreed a stop sign may not be the best solution, but he also recognized the debate that occurred and support from neighbors of the petition.

Councilmember Johnson agreed that while data may not support the stop signs at the intersection, she supported the resolution due to concerns from the public.

Councilmember Heading recalled the vocal outcry of citizens who were concerned about safety of the intersection. He supported the traffic calming after hearing from citizens, but in thinking of the issue now, he wondered if a pattern was being set where the “squeaky wheel” in the community gets approval of items without having normal, appropriate and routine study.

Mayor Irons said he recognized the support for the petition but he thought it would be important to consider the issue holistically through a planning process.

**MOTION:** Councilmember Smukler moved approval of item A-11. The motion was seconded by Councilmember Makowetski and carried 3-2, Mayor Irons and Councilmember Heading opposed.

**B. PUBLIC HEARINGS - NONE**

**C. UNFINISHED BUSINESS / SECOND READING AND ADOPTION OF ORDINANCES**

Mayor Irons opened items C-1, C-2, C-3 and C-4 all at once.

[https://youtu.be/fLOvdeh\\_5-k?t=1h5m31s](https://youtu.be/fLOvdeh_5-k?t=1h5m31s)

C-1 RESOLUTION NO. 31-15 ADOPTING THE FISCAL YEAR 2015/16 OPERATING BUDGETS; (ADMINISTRATIVE SERVICES)

C-2 RESOLUTION NO. 32-15 RESCINDING RESOLUTION NO. 13-10, AND ESTABLISHING THE RISK MANAGEMENT INTERNAL SERVICE FUND, AND COMMITTED FUND BALANCE; (ADMINISTRATIVE SERVICES)

C-3 RESOLUTION NO. 33-15 RESCINDING SECTION 5 OF RESOLUTION NO. 55-93, RESCINDING RESOLUTIONS NO. 27-10 AND 42-11 IN THEIR ENTIRETY, AND ESTABLISHING THE GENERAL FUND EMERGENCY RESERVE FUND POLICY AND ACCEPTING THE MANAGEMENT PARTNERS’ FINANCIAL FORECAST ASSUMPTIONS; (ADMINISTRATIVE SERVICES)

C-4 RESOLUTION NO. 34-15 ESTABLISHING THE STRATEGIC INVESTMENT SPENDING PLAN; (ADMINISTRATIVE SERVICES)

City Manager Buckingham presented on the adoption of the budget and the various resolutions related to budget adoption and responded to Council inquiries.

The public comment period for Items C-1 through C-4 was opened.

Dawn Beatty, resident, noted prior councils had a 27.5% General Fund reserve and now there is discussion about going to a 16.5% reserve. She wondered why previous councils thought a higher reserve was appropriate because the change is substantial.

The public comment period for Items C-1 through C-4 was closed.

City Manager Buckingham said the resolution will affirm the reserve goal at 27.5%. The City will allow itself to drop to the 16.5% rate for a specific amount of time to deal with upcoming fiscal constraints in order to avoid the reduction in community services.

Councilmember Smukler noted the council will revisit the reserves forecast annually and at this point the City is adding to its reserves. That is a good direction to go.

Councilmember Headding thanked staff for the outstanding presentations over time related to the budget. The purpose and rationale for how the budget is approached is very clear and in the past it wasn't as clear. He said that was not disparagement, but wanted to recognize that the process utilized this year allowed for a significant amount of input not only from the council but also staff and the public. There were multiple public opportunities to come forward and receive all presentations and information the council received. Councilmember Headding also applauded the prioritization of spending, which is critical. He advocated for a City dashboard in the future to track goals and metrics that are set out.

Councilmember Makowetski thanked staff for the work on the budget and how easy it was to understand the documents. The process and documents will really help the community understand the budget.

Councilmember Johnson said the proposed budget was based on a 10-year budget forecast – a new tool for the City – and this is a methodical, thought-out, data driven plan. She also supported the proposed modifications to the General Fund reserves with the requirement that the council will have an annual review of reserves. She also supported modifications of the Risk Management Fund with the thought that the City is covered for emergencies and Morro Bay is covered by a risk management pool. The one-time use of those funds is very transparent and will make it easy for the council to explain to residents how the money is spent.

Mayor Irons thanked staff for working so hard on the budget. He wanted to recognize staff for continuing to be flexible in authoring the budget, highlighting the fact that they went and reduced proposed expenditures by an additional 1 percent, which is a lot for the City. He thanked Councilmember Johnson for advocating for strategic, one-time investments in the budget during work sessions.

MOTION: Mayor Irons moved the Council approve Items C-1 through C-4 as amended. The motion was seconded by Councilmember Makowetski and carried unanimously, 5-0.

D. NEW BUSINESS

D-1 RESOLUTION NO. 40-15 ADOPTING A PAID SICK LEAVE POLICY PURSUANT TO THE HEALTHY WORKPLACE HEALTHY FAMILY ACT OF 2014 FOR UNREPRESENTED, UNBENEFITED, PART-TIME EMPLOYEES; (ADMINISTRATIVE SERVICES)  
[https://youtu.be/fLOvdeh\\_5-k?t=3h16m41s](https://youtu.be/fLOvdeh_5-k?t=3h16m41s)

Administrative Services Director Slayton presented the report and responded to Council inquiries.

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

No members of the public spoke during public comment.

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

Councilmember Headding noted the policy was required and was another unfunded mandate from the state.

MOTION: Councilmember Johnson moved the Council adopt Resolution 40-15. The motion was seconded by Mayor Irons and carried unanimously, 5-0.

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS  
No future agenda items were discussed.

ADJOURNMENT

The meeting adjourned at 9:20 p.m.

Recorded by:

Sam Taylor, CMC  
Deputy City Manager