

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – JULY 14, 2015
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Noah Smukler	Councilmember
	John Heading	Councilmember
	Christine Johnson	Councilmember
ABSENT:	Matt Makowetski	Councilmember
STAFF:	David Buckingham	City Manager
	Joe Pannone	City Attorney
	Dana Swanson	City Clerk
	Sam Taylor	Deputy City Manager
	Susan Slayton	Administrative Services Director
	Rob Livick	Public Works Director
	Scot Graham	Community Development Manager
	Cindy Jacinth	Associate Planner
	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 6:07pm

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT - Mayor Irons reported that with regards to the Closed Session Items, the Council did not take any reportable action pursuant to the Brown Act.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

City Manager Buckingham presented an update on recent staff assessments of parking in the downtown area.

PUBLIC PRESENTATIONS

<https://youtu.be/UOWYBA83zdk?t=21m20s>

Certificates of Appreciation for Citizen Heroes

Mayor Irons and the City Council presented certificates of appreciation to Tony Keith and Robert Fraser for their selfless act of service, rendering aid during a medical emergency prior to the arrival EMS personnel on the morning of June 18, 2015.

Tourism Bureau Quarterly Update

Brent Haugen, Morro Bay Tourism Executive Director provided the quarterly update for the Morro Bay Tourism Bureau and Visitor Center for the second quarter of 2015.

PUBLIC COMMENT

<https://youtu.be/UOWYBA83zdk?t=38m42s>

Sabin Grey of Hooray for Hollywood provided the business spot. He relocated recently from the West Hollywood area and his business offers an alternative to beachy items. Hooray for Hollywood is located at 601 Embarcadero on the water side of Marina Square. They are open daily from 11am - 7pm. Local specials for Morro Bay residents include buy a card, get a card free, and half price on all wrapping paper.

Rigmore, Morro Bay, encourages one of our local organizations to design a walking tour of Morro Bay to educate others on our wonderful, viable estuary.

Lonnie Lemons, Morro Bay, has learned some fascinating things about the history of Morro Bay and suggests creating a point of interest driving or walking tour (map) for tourists and locals that would include historical information, for the purpose of connecting downtown, the Embarcadero and the rock.

David Nelson, Morro Bay, asked the Council to look into the patented water treatment technology offered by EFD, noting that EFD will be in the area and would love to talk to staff or council members.

Don Maruska, Morro Bay business owner and board member of Festival Mosaic announced upcoming concerts on July 24th at Mission San Miguel and July 25th at Mission San Luis Obispo. More information is available at www.festivalmosaic.com.

Caroline Lewis, Morro Bay, invited all residents to attend National Night Out on August 4th from 5-7pm at City Park. The goal of this event is to heighten awareness of crime, generate support and participation in local anti-crime efforts, and strengthen community partnerships with the Police Department, Fire Department and Coast Guard.

Lynn Meissen, Morro Bay resident and member of Morro Bay Yacht Club, announced that on Thursday, July 17, a replica of the Schooner America will be arriving in Morro Bay. It will be open Friday for tours from 10am - 1pm and a cruise from 2pm - 5pm. Tickets are available online at americascuptours.com. This is a replica of the boat that started America's Cup Tour in 1851. Walk-thru tickets available at the Yacht Club. Cruise tickets available on-line only.

Janice House, Morro Bay, spoke regarding the City's hiring policies, noting the Personnel Rules & Regulations state the hiring policies do not apply to management personnel. She asks the City create a policy that covers management personnel.

Betty Winholtz, Morro Bay, stated there is currently a civil suit between two neighbors involving major vegetation and based on recent action by staff, asks the City Council agendaize this as a Closed Session item.

Bob Keller, Morro Bay, announced Project Surf Camp which started on July 10 through August 7, designed for kids with special needs, is in need of volunteers.

City Manager Buckingham provided information regarding the City's hiring policies in response to public comment.

City Attorney Pannone responded to public comment regarding the City Council's authority to direct staff to take legal action. There are two kinds of action a city can take in court -- civil and criminal. The City Council has no authority as to what types of criminal action (code enforcement) should be prosecuted. Political decision makers cannot participate in those types of decisions. Prosecutions are determined by the City Attorney's office, based on facts and legal analysis. Decisions regarding civil action are taken to the Council for direction.

The public comment period was closed.

A. CONSENT AGENDA
<https://youtu.be/U0WYBA83zdk?t=1h12m1s>

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 JUNE 23, 2015; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON JUNE 23, 2015; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

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

RECOMMENDATION: Receive and file.

A-4 WATER RECLAMATION FACILITY (WRF) PROJECT UPDATE; (PUBLIC WORKS)

RECOMMENDATION: Receive and file.

A-5 DESIGNATION OF VOTING DELEGATE AND ALTERNATE AT LEAGUE OF CALIFORNIA CITIES 2015 ANNUAL CONFERENCE BUSINESS MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-6 LETTER IN RESPONSE TO GRAND JURY REPORT TITLED “MORRO BAY MUNICIPAL CODE ENFORCEMENT: BAND-AID OR PROCESS?”; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-7 ACCEPTANCE OF AN OFFER OF DEDICATION OF PUBLIC PEDESTRIAN EASEMENT FOR SIDEWALK PURPOSES ON WALNUT STREET (505 WALNUT STREET); (PUBLIC WORKS)

RECOMMENDATION: Adopt Resolution No. 53-15 accepting the offer of dedication on behalf of the public.

MOTION: Councilmember Johnson moved the Council approve all items on the Consent Agenda. The motion was seconded by Councilmember Heading and carried unanimously, 4-0.

B. PUBLIC HEARINGS - NONE

C. UNFINISHED BUSINESS / SECOND READING AND ADOPTION OF ORDINANCES - NONE

D. NEW BUSINESS

D-1 WATER CONSERVATION STRATEGIES AND PROPOSED WATER CONSERVATION INCENTIVES; (PUBLIC WORKS)

<https://youtu.be/U0WYBA83zdk?t=1h12m51s>

Director Livick presented the staff report, and along with Engineering Tech Damaris Hanson, responded to Council inquiries.

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

Councilmember Smukler notes the State is very serious about achieving these mandates and we need to do everything we can to comply. He suggests the City move forward and be aggressive on existing opportunities. He would like to see us look harder at the green building and water conservation component, one example being the laundry-to-landscape reuse which is an easy

system to put in place, and suggests waiving this permit fee. He also asks staff to look into protection for renters who have green lawn requirements as part of their lease agreement.

Councilmember Heading feels it's important to look at greatest opportunities and given 70% of our water consumption comes from residents, it's important to know the greatest areas of improvement. One of the most effective programs in other cities has been a cash-back program.

Councilmember Johnson shared this is the kind of leadership the City needs to demonstrate and these new strategies will help in the long-run. She appreciates staff providing tools that show residents how to calculate their water use.

Mayor Irons noted there is Council consensus for the proposed rebate recommendations and other incentives suggested by Council.

Buckingham noted staff will continue to monitor and bring back reports on (perhaps) a quarterly basis. Mayor Irons asked these reports continue to go to PWAB as the entity to keep its finger on the pulse. Councilmember Smukler asked that staff keep the Council updated on specific changes in policy.

MOTION: Mayor Irons moved the Council approve the proposed water conservation incentives recommended by staff, with implementation of additional incentives as discussed, with regular reports to the Public Works Advisory Board. The motion was seconded by Councilmember Heading and carried unanimously, 4-0.

D-2 RESOLUTION NO. 54-15 RESCINDING RESOLUTION NO. 103-95, AND ESTABLISHING A UTILITY DISCOUNT PROGRAM FOR ELIGIBLE CUSTOMERS; (PUBLIC WORKS/ADMINISTRATIVE SERVICES)
<https://youtu.be/U0WYBA83zdk?t=2h3m18s>

Director Slayton presented the staff report and responded to Council inquiries.

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

MOTION: Mayor Irons moved the Council approve Resolution No. 54-15, rescinding Resolution No. 103-95, and establishing a utility discount program, amending Item 1.b. of the Policy to extend the enrollment period to September 30, 2015. The motion was seconded by Councilmember Johnson and carried unanimously, 4-0.

D-3 REVIEW AND ADOPTION OF INTERIM RESIDENTIAL DESIGN GUIDELINES; (COMMUNITY DEVELOPMENT)
<https://youtu.be/U0WYBA83zdk?t=2h17m5s>

Community Development Manager Graham presented the staff report and responded to Council inquiries.

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

Councilmember Johnson thanked the Planning Commission for their professionalism in dealing with this challenging issue. Spending the time now will help us get to a General Plan update in a more unified thought process and also demonstrates a good faith effort to work with applicants and neighbors to improve what can be a stressful process.

Councilmember Smukler noted this is something residents have wrestled with for some time and he appreciates having some structure to work with. He also appreciates the new noticing requirements.

Mayor Irons thanked the Planning Commission for their tedious work to ensure the level of detail is there. These interim design guidelines are robust and complete. He would like to amend the resolution so that any revisions are approved by the City Council, to demonstrate ownership of the policy.

MOTION: Mayor Irons moved the Council adopt Resolution No. 52-15 approving the Interim Residential Design Guidelines, eliminating Section 3 of the resolution so that all amendments will be approved by the City Council. The motion was seconded by Councilmember Smukler and carried unanimously, 4-0.

D-4 AWARD OF CONSULTANT CONTRACT FOR WRF FACILITY MASTER PLAN TO BLACK & VEATCH; (PUBLIC WORKS)
<https://youtu.be/UOWYBA83zdk?t=2h47m57s>

Director Livick presented the staff report and responded to Council inquiries.

Steve Foellmi, Vice President of Black & Veatch, discussed recent projects in Paso Robles and Orange County that were completed on time and under budget.

The public comment period for Item D-4 was opened; seeing none, the public comment period was closed.

Livick noted a workshop to discuss the various delivery models will be presented to WRFCAC and the City Council.

Council expressed appreciation to the WRFCAC and staff for the selection process.

MOTION: Councilmember Smukler moved the Council award the consultant contract for WRF Facility Master Plan to Black & Veatch as recommended by staff and the WRFCAC, and authorized the Public Works Director to execute an agreement in the amount of \$781,135. The motion was seconded by Councilmember Headding and carried unanimously, 4-0.

D-5 APPROVAL OF REGIONAL DISPATCH CONTRACT WITH SAN LUIS OBISPO COUNTY FOR THE FIRE AND HARBOR DEPARTMENTS; (FIRE)
<https://youtu.be/U0WYBA83zdk?t=3h58m29s>

Chief Knuckles presented the staff report and responded to Council inquiries.

The public comment period for Item D-5 was opened; seeing none, the public comment period was closed.

MOTION: Councilmember Headding moved the Council approve the Regional Dispatch Contract with San Luis Obispo County for the Fire and Harbor Departments, and authorize the City Manager to execute future contracts that fall within the same scope and financial obligation. The motion was seconded by Councilmember Johnson and carried unanimously, 4-0.

D-6 RESOLUTION NO. 55-15 ADOPTING THE FISCAL YEAR 2015/16 MASTER FEE SCHEDULE; (ADMINISTRATIVE SERVICES)
<https://youtu.be/U0WYBA83zdk?t=4h11m48s>

Director Slayton provided the staff report and responded to Council inquiries.

The public comment period for Item D-6 was opened; seeing none, the public comment period was closed.

Council shared appreciation for the work that had been done by staff and various advisory boards to provide input and improve the process and document.

MOTION: Councilmember Johnson moved the Council approve the change of timing of the Master Fee Schedule presentation to Council from July to February/March, approve changing the Consumer Price Index area to San Francisco-Oakland-San Jose and adopt Resolution No. 55-15 approving the Fiscal Year 2015/16 Master Fee Schedule. The motion was seconded by Councilmember Smukler and carried unanimously, 4-0.

D-7 RESOLUTION NO. 56-15 ESTABLISHING THE FISCAL YEAR 2015/16 BUSINESS TAX RATE SCHEDULE; (ADMINISTRATIVE SERVICES)
<https://youtu.be/U0WYBA83zdk?t=4h34m15s>

Director Slayton provided the staff report and responded to Council inquiries.

MOTION: Councilmember Johnson moved to continue the meeting past 11:00. The motion was seconded by Mayor Irons and carried unanimously, 4-0.

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

MOTION: Councilmember Smukler moved the Council adopt Resolution No. 56-15 approving the Fiscal Year 2015/16 Business Tax Rate Schedule. The motion was seconded by Councilmember Headding and carried unanimously, 4-0.

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

<https://youtu.be/UOWYBA83zdk?t=4h43m35s>

None

ADJOURNMENT

The meeting adjourned at 11:01pm to the next regular City Council meeting to be held on Tuesday, August 11, 2015 at 6:00pm at the Veteran's Memorial Hall, 209 Surf Street, Morro Bay, California.

Recorded by:

Dana Swanson
City Clerk