

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – FEBRUARY 9, 2016
VETERAN’S MEMORIAL HALL – 6:00 P.M.

PRESENT:	Jamie Irons	Mayor
	Matt Makowetski	Councilmember
	John Headding	Councilmember
	Christine Johnson	Councilmember
	Noah Smukler	Councilmember
STAFF:	Dave Buckingham	City Manager
	Joe Pannone	City Attorney
	Dana Swanson	City Clerk
	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 6:10 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT - No Closed Session Meeting was held.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

<https://youtu.be/Td55J6s0Orw?t=2m22s>

Councilmember Smukler reported out as the City’s representative to SLO County APCD, the Wood Burning Device Change-Out Program has been renewed and expanded to Morro Bay residents. Replacement of wood or pellet burning stoves are eligible for up to \$1,000 reimbursement, and conventional masonry, prefabricated, or zero-clearance open hearths are eligible for up to \$2,000. A total of \$160,000 is available on a first-come, first-served basis. For applications and more information, visit their website: www.slocleanair.org or contact Megan Field at 781-1003.

PUBLIC PRESENTATIONS - NONE

PUBLIC COMMENT

<https://youtu.be/Td55J6s0Orw?t=12m32s>

Jerry Appling, from All Natural Now and Homemade Healthy Meals, presented the business spot. All Natural Now is the parent company focused on health, well-being and nutrition. From

that, they created Homemade Healthy Meals, a personal chef delivery service that combines cooking and caretaking for residents of Morro Bay and the County. Their #1 goal is to help make healthy eating part of your everyday life. For more information, visit www.homemadehealthymeals.com

Rigmore, Morro Bay, encouraged more discussion with residents and merchants about future changes to parking. She was concerned about the perpendicular parking being implemented on Market Street but noted it seems to be working. She would like more information about the future boat haul-out, which she opposes.

Barbara Doerr, Morro Bay, spoke regarding Item C-3 and asked the Council to allow political free speech during the public comment period.

Bill Martony, Morro Bay, spoke in support of using the triangle property for a boatyard and suggested the Market Avenue property recently acquired by the City would be a good location for an aquarium.

Steve MacElvaine, Morro Bay, spoke regarding the potential siting of the WRF and stated the studies make Righetti the obvious location. He is comfortable with that position and thanked the City Council and staff for their work.

Erica Crawford, Chamber of Commerce, announced they are expecting an influx of non-residents for the Coastal Commission Meeting and encouraged all businesses to use the Visitor Center as a resource.

Nancy Castle, Morro Bay, announced the Coastal Commission meeting could bring hundreds or even thousands of visitors to Morro Bay. The meeting will be broadcast live on Channel 20 and slo-span.org, and livestreamed on cal-span.org.

Betty Winholtz, Morro Bay, spoke regarding Item C-3 and recommended the Council choose Option 2 provided by the City Attorney, adding that allowing political speech has not caused any problems.

David Nelson, Morro Bay, stated Morro Bay residents had voted in favor of allowing medical marijuana dispensaries and asked why they are still not allowed.

Lynda Merrill, Morro Bay, spoke regarding Item C-3 stating restricting political speech during public comment would be difficult to enforce. Regarding Item C-7, she cautioned the Council to do more research before supporting the item as homeless shelters are complicated and very expensive to operate.

Chuck Stoll, President of Morro Bay Senior Citizens, Inc., announced various item including the Senior Transportation Program kick-off on February 16 and support for pickleball which will be discussed at the next City Council meeting. Regarding Item C-7, he was hopeful the City will support a warming station and Morro Bay Senior Citizens Inc. would like to be involved.

Linda Fidell, Morro Bay, spoke in support of Item C-7 and suggested the Council allow residents an opportunity to investigate what is needed to provide a warming shelter. They are gathering information now and will bring information back to the Council in a couple of weeks.

The public comment period was closed.

A. CONSENT AGENDA
<https://youtu.be/Td55J6s0Orw?t=50m6s>

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 JANUARY 12, 2016; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON JANUARY 26, 2016; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON JANUARY 26, 2016; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 APPROVAL OF MINUTES FOR THE SPECIAL CLOSED SESSION CITY COUNCIL MEETING HELD ON JANUARY 27, 2016; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-5 AWARD OF PROFESSIONAL SERVICES CONTRACT WITH MENTAL MARKETING FOR TOURISM MARKETING AND PUBLIC RELATIONS SERVICES; (ADMINISTRATION)

RECOMMENDATION: Approve the selection of Mental Marketing for tourism marketing and public relations services and delegate the authority to execute said contract to the City Manager.

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

Councilmember Johnson pulled Item A-5 for a brief comment

MOTION: Councilmember Headding moved the Council approve Items A-1 through A-4 on the Consent Agenda. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

A-5 AWARD OF PROFESSIONAL SERVICES CONTRACT WITH MENTAL MARKETING FOR TOURISM MARKETING AND PUBLIC RELATIONS SERVICES; (ADMINISTRATION)

<https://youtu.be/Td55J6s0Orw?t=51m15s>

Councilmember Johnson highlighted the contract before the Council was approved by the Morro Bay Tourism Bureau and TBID Advisory Board. She was able to watch the presentations and selection process which were conducted in an open meeting and appreciated the quality of work by local marketing firms.

Councilmember Headding was glad to see marketing and promotions come together under one contract and appreciated the emphasis of social media and digital marketing.

MOTION: Councilmember Johnson moved the Council approve Item A-5. The motion was seconded by Councilmember Headding and carried unanimously, 5-0.

B. PUBLIC HEARINGS - NONE

C. BUSINESS ITEMS

C-1 RESOLUTION NO. 05-16 AUTHORIZING THE 2015/16 MID-YEAR BUDGET AMENDMENTS; (ADMINISTRATIVE SERVICES)

<https://youtu.be/Td55J6s0Orw?t=56m5s>

Barbara Spagnola, Citizens Oversight / Citizens Finance Committee Chair, provided the Measure Q overview and Committee recommendations, as well as quarterly budget review.

Chair Spagnola requested the Committee be expanded from five to seven members to allow for the creation of more sub-committees and that new members have a strong financial background. She also asked the Council to provide direction for prioritizing the Committee's workload.

As requested by the Citizens Finance Committee, Police Chief Christey provided an update on the School Resources Officer (SRO) at Morro Bay High School which is funded at the 50% level by Measure Q funds, with the balance paid by San Luis Coastal Unified School District. Officer Nicole Canby is currently serving in this role and looks forward to continuing.

Administrative Services Director Slayton presented the staff report and, along with Mr. Buckingham, responded to Council inquiries.

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

Erica Crawford, Morro Bay Chamber of Commerce, offered the Chamber's assistance with the quality of life survey.

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

The Council expressed its appreciation to the Citizens Finance Committee for their review and recommendations and supported the staff recommendation for mid-year budget amendments and requested expenditures. Councilmember Headding advised caution about TOT and sales tax projections, but understands staff will manage and address issues as they arise.

MOTION: Councilmember Johnson moved the Council adopt Resolution No. 05-16 authorizing the mid-year budget amendments and accept the Citizens Oversight / Finance Committee report. The motion was seconded by Councilmember Headding and carried unanimously, 5-0.

A brief recess was taken at 8:44pm; the meeting reconvened at 8:53pm.

C-2 DISCUSSION OF FY 16/17 PROGRAM OBJECTIVES ASSOCIATED WITH THE ADOPTED CITY GOALS; (ADMINISTRATION)
<https://youtu.be/EqTEPybkqTg?t=4s>

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

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

David Nelson, Morro Bay, asked about potential future uses for the power plant property. He understood there was a deed restriction in place that limits future use of the property to only power.

Erica Crawford, Morro Bay Chamber of Commerce, spoke to the proposed Downtown Friday Series noting the Chamber is focused on growing the Saturday Farmer's Market which could potentially include a concert series.

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

The Council supported the list of FY 16/17 program objectives, as presented, and appreciated staff included a list of removed items to keep in mind for next year. Councilmember Smukler reminded staff an integrated pest management policy will need to be established at some point in time.

No formal action was taken by the City Council.

C-3 DISCUSSION AND OPTIONS RE: PUBLIC COMMENT PERIOD DURING COUNCIL MEETING; (CITY ATTORNEY)
<https://youtu.be/EqTEPybkqTg?t=50m1s>

City Attorney Pannone presented the staff report and offered a third option which would be for the Council to determine subject matter jurisdiction includes City campaigns and no other campaigns.

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

David Nelson, Morro Bay, stated people have come to the podium to speak on both State and local issues and it hasn't been a problem. He urged the Council to keep public comment open for the public.

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

Mayor Irons noted the Council Policies and Procedures were amended when he came into office to allow the public an opportunity to speak on multiple items. The Council appreciated the City Attorney bringing this issue to their attention, however there was consensus to continue the current practice.

No formal action was taken by the Council.

C-4 2016 ANNUAL WATER REPORT AND DRAFT REVISIONS TO MORRO BAY MUNICIPAL CODE CHAPTER 13.20, AND CARRYOVER OF 2015 WATER EQUIVALENCY UNITS; (PUBLIC WORKS)

<https://youtu.be/EqTEPybkqTg?t=1h27m6s>

Public Works Director Livick presented the staff report and suggested the following timeline for amending MBMC Chapter 13.20: Draft ordinance to be reviewed by PWAB on March 16, 2016, followed by Planning Commission April 5, 2016, then return to Council for introduction and first reading on May 10, 2016. The WEUs for FY 16/17 would be established based on 2016 data and reviewed by the Council in late June.

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

The Council supported the staff recommendation and proposed timeline.

MOTION: Mayor Irons moved to adopt Resolution No. 06-16 allocating the unused remainder of WEUs as allocated in 2015; process allocation limits on a first-come, first-served basis, based on priorities contained in the current General Plan and Local Coastal Plan policies; require each new WEU resulting from development in 2016 to be offset on a two-to-one basis by providing retrofits or, if retrofit is infeasible, then by paying in-lieu fees; and direct staff to bring back revisions to MBMC Chapter 13.20 reflecting the realities of report preparation dates and changes, along with changes in the City's water supply portfolio in the timeframe presented by staff. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

C-5 ADOPTION OF ORDINANCE NO. 600 ADDING CHAPTER 8.17 TO THE MORRO BAY MUNICIPAL CODE REGULATING THE USE OF EXPANDED POLYSTYRENE PRODUCTS WITHIN THE CITY; (PUBLIC WORKS)

<https://youtu.be/EqTEPybkqTg?t=1h48m35s>

Mr. Livick presented the staff report.

The public comment period for Item C-5 was opened.

Janine Rands, SLO Foam Free, appreciated Morro Bay's support for the environment and shared San Luis Paper Supply will help local businesses replace Styrofoam and update their inventory.

The public comment period for Item C-5 was closed.

MOTION: Mayor Irons moved for adoption of Ordinance No. 600, An Ordinance of the City Council of the City of Morro Bay, California, amending the Morro Bay Municipal Code by adding Chapter 8.17 to regulate the use of expanded polystyrene products within the City, and waived further reading. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

C-6 ADOPTION OF ORDINANCE NO. 598 AMENDING SECTION 3.08.070 OF THE MORRO MUNICIPAL CODE RELATING TO BIDDING; (CITY ATTORNEY)
<https://youtu.be/EqTEPybkqTg?t=1h52m23s>

Mr. Pannone presented the staff report.

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

MOTION: Mayor Irons moved for adoption of Ordinance No. 598, An Ordinance of the City Council of the City of Morro Bay, California amending Section 3.08.070 of the Morro Bay Municipal Code relating to bidding, and waived further reading. The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

C-7 DISCUSSION OF HOMELESS SERVICES OVERSIGHT COUNCIL'S RECOMMENDATION TO DECLARE AN EMERGENCY SHELTER CRISIS; (ADMINISTRATION)
<https://youtu.be/EqTEPybkqTg?t=1h53m37s>

Mr. Buckingham presented the staff report and responded to Council inquiries.

The public comment period for Item C-7 was opened.

Nancy Castle, Morro Bay, sensed the shelter crisis has abated slightly and the number of those needing shelter in Morro Bay was not huge. She requested the Veteran's Hall or the former County public health building be made available.

The public comment period for Item C-7 was closed.

MOTION: Councilmember Johnson moved the meeting go past 11:00pm. The motion was seconded by Mayor Irons and carried unanimously, 5-0.

Councilmember Johnson provided the background and current status of warming shelters in San Luis Obispo County, as well as services offered by Estero Bay Alliance of Care (“EBAC”) and Community Resource Connections. She suggested the Council declare a shelter crisis that sunsets April 15, 2016, to send a message to the County that Morro Bay is willing to work toward a solution, then work with partners in the City and County to investigate options for sheltering people either in City or County buildings, or investigate options for transportation.

Councilmember Smukler commented the EBAC subcommittee had looked at this concept both two years ago and last year. The challenge is finding enough volunteers to put together a program that is safely managed. He supported the declaration and encouraged the community to step forward to volunteer. He opposed the financial contribution suggested by the County and supported the City’s continued financial support through Community Resource Connections.

MOTION: Councilmember Johnson moved the Council respond to requests from SLO County Homeless Services Oversight Council and SLO County Board of Supervisors to declare a shelter crisis pursuant to Government Code sections 8698-8698.2 which sunsets April 15, 2016; work with partners in the City as well as the County to consider options for sheltering people either in City or County buildings, or through transportation to existing shelters; and direct the City Manager to assess resources available, including working with the County to secure resources. The motion was seconded by Mayor Irons and carried unanimously, 5-0.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
<https://youtu.be/EqTEPybkqTg?t=2h23m29s>

Mayor Irons requested a report discussing the agenda for the C-MANC, Washington DC visit, and to reach out to staff members for Senator Boxer and Congresswoman Capps to craft resolutions acknowledging their retirement; the Council concurred.

Councilmember Makowetski acknowledged a request from the Harbor Advisory Board to discuss City support for further community workshops presenting alternate views on a national marine sanctuary and its impact on the community; Mayor Irons and Councilmember Heading supported the item.

E. ADJOURNMENT

The meeting adjourned at 11:24pm. The next Regular Meeting will be held on Tuesday, February 23, 2016 at 6:00 p.m. at the Veteran’s Memorial Hall located at 209 Surf Street, Morro Bay, California.

Recorded by:

Dana Swanson
City Clerk