

AGENDA NO: A-3

MEETING DATE: September 13, 2016

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – AUGUST 23, 2016
VETERAN'S MEMORIAL HALL – 6:00 P.M.

PRESENT:	Jamie Irons	Mayor
	John Headding	Councilmember
	Christine Johnson	Councilmember
	Noah Smukler	Councilmember
ABSENT:	Matt Makowetski	Councilmember
STAFF:	Dave Buckingham	City Manager
	Joe Pannone	City Attorney
	Dana Swanson	City Clerk
	Susan Slayton	Administrative Services Director
	Jennifer Little	Tourism Manager
	Rob Livick	Public Works Director
	Rick Sauerwein	Capital Projects Manager
	Scot Graham	Community Development Director
	Larry Todd	Interim Police Chief
	Steve Knuckles	Fire Chief
	Eric Endersby	Harbor Director

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:02 p.m., with all but Councilmember Makowetski present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION - None

CLOSED SESSION REPORT – City Attorney Pannone reported that with regard 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 REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PRESENTATIONS

Presentation of the Maritime Discovery Month Proclamation to Larry Newland of the Maritime Museum Association

<https://youtu.be/ovQSDbuezls?t=4m52s>

Presentation of Morro Bay Chamber of Commerce Quarterly Report for the 2nd Quarter of 2016

<https://youtu.be/ovQSDbuezls?t=10m24s>

PUBLIC COMMENT

<https://youtu.be/ovQSDbuezls?t=21m16s>

Joe Pettit of Fitness Works provided the business spot. Fitness Works is celebrating its 13-year anniversary with special events beginning September 13 through October 1. Call 772-8969 or visit www.fitnessworksmb.com for more information.

Betty Winholtz, Morro Bay, spoke regarding Item C-4 expressing concern about the lack of opportunities for public input and also opposed a roundabout at this location due to safety concerns.

Gary Wilbur, Morro Bay, asked the Council to review regulations regarding sober living facilities operating as boarding houses.

Don Doubledee, Morro Bay, announced the Harbor Festival to be held Saturday, October 1, from 11:00am – 8:00pm. Admission is free and this year's event will feature local vendors along with the Morro Bay fishing industry.

Janice House, Morro Bay, expressed concerns about the City's hiring practices.

Robert Davis, Morro Bay, thanked the Police Department and officer who investigated the open front door on Greenwood Avenue yesterday.

Walter Heath, Morro Bay, announced surfboard art pieces for the Morro Bay Surfboard Art Festival will be on exhibit from October 1 through December 1 at local businesses with an art sale to be held December 3. Exhibit maps will be available at the Visitors Center and at www.mbsaf.com.

Marlys McPherson, Chair of the Public Works Advisory Board, spoke regarding Item C-4 and reporting the Board reviewed this issue several times and voted unanimously to support the contract provided both the signal and roundabout alternatives will be evaluated during the engineering phase. The Board also wanted to be sure the public has opportunities to provide input.

The comment period was closed.

Staff responded to questions raised during the public comment period.

A. CONSENT AGENDA
<https://youtu.be/ovQSDbuezls?t=45m47s>

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

A-1 APPROVAL OF MINUTES FROM THE AUGUST 9, 2016 SPECIAL CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FROM THE AUGUST 10, 2016 SPECIAL CLOSED SESSION CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FROM THE AUGUST 15, 2016 SPECIAL CLOSED SESSION CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 APPROVAL OF PROCLAMATION DECLARING OCTOBER AS MARITIME DISCOVERY MONTH; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-5 ADOPTION OF RESOLUTION NO. 62-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2018 SURRENDERED AND ABANDONED VESSEL EXCHANGE GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$13,400 FOR REMOVAL OF ABANDONED/SURRENDERED VESSELS AND HAZARDS TO NAVIGATION; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 62-16.

A-6 ADOPTION OF RESOLUTION NO. 63-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2031 BOATING SAFETY AND ENFORCEMENT GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$18,437.00 FOR PURCHASE OF FLIR THERMAL IMAGING EQUIPMENT; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 63-16.

A-7 ADOPTION OF RESOLUTION 64-16, A RESOLUTION OF INTENTION TO SET A PUBLIC HEARING FOR THE ABANDONMENT (VACATION) OF A PORTION OF THE PUBLIC SERVICES (SEWER) EASEMENT ON THE NORTHEAST PORTION OF PROPERTY AT 219 MARINA (C.P. PARKER, 219 MARINA, APPLICANT) PERMIT NO. E00-000-107; (PUBLIC WORKS)

RECOMMENDATION: Adopt Resolution No. 64-16.

A-8 APPROVAL OF PROPOSED AMENDMENT #2 FOR WATER RECLAMATION FACILITY (WRF) MASTER PLAN CONTRACT WITH BLACK AND VEATCH; (PUBLIC WORKS)

RECOMMENDATION: Approve as submitted.

A-9 ADOPTION OF RESOLUTION NO. 65-16 IMPLEMENTING THE TENTATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE MORRO BAY POLICE EMPLOYEES AND RELATED COMPENSATION FOR THE PERIOD JULY 1, 2016 – JUNE 30, 2017; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 65-16.

A-10 ADOPTION OF RESOLUTION NO. 66-16 IMPLEMENTING THE TENTATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE MORRO BAY FIREFIGHTERS ASSOCIATION AND RELATED COMPENSATION FOR THE PERIOD JULY 1, 2016 – JUNE 30, 2017; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 66-16.

A-11 ADOPTION OF RESOLUTION NO. 67-16 IMPLEMENTING THE TENTATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL 620, AND RELATED COMPENSATION FOR THE PERIOD JULY 1, 2016 – JUNE 30, 2017; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 67-16.

A-12 APPROVAL OF UPDATED FY 16/17 CITY GOALS AND OBJECTIVES, INCLUDING ADDITION OF OBJECTIVE RELATED TO SKATE PARK IMPROVEMENTS; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

The public comment period for the Consent Agenda was opened.

Dana McClish, Morro Bay, encouraged those with fishing boats, sailboats, kayaks and paddle boards to join the flotilla that will greet and welcome the San Salvador on September 29. Also, this year's Harbor Festival will include the Harbor Fest Cup race hosted by the Yacht Club.

Gannon Campbell, Morro Bay, spoke regarding Item A-12 and voiced his support for a new skate park in Morro Bay.

Lori Lerian, on behalf of Arts Obispo and the San Luis Obispo County Arts Council, announced an Open Studios Art Tour will be held October 8-9 and 15-16 featuring five Morro Bay artists. They are honored to be part of Maritime Discovery Month and thanked the Council for its Proclamation.

Jason Linker, Morro Bay, read a statement prepared by Jack Smith, owner of the Morro Bay Skateboard Museum, voicing his support to update the existing or build a new skate park.

Steve Campbell, Morro Bay, spoke regarding Item A-12 and shared a better skate facility would be good for the kids and the community. He is willing to work with the City to make that happen.

Ken Twist, Morro Bay, spoke regarding A-12 in support of a new skate park in Morro Bay as it would enhance the family experience by providing another outdoor activity.

Jane Heath, Morro Bay resident, business owner and Board Member of the Maritime Museum Association, thanked the Council for its proclamation declaring October Maritime Discovery Month and shared her excitement about the San Salvador arrival later this month. Please visit www.morrobaymaritime.org for more information.

Mike Sherrod, Morro Bay, thanked neighbors and friends who encouraged the City to build an improved skate park and thanked the Council for listening.

The public comment period for the Consent Agenda was closed.

Mayor Irons pulled Item A-12 and commented briefly on Items A-9, A-10 and A-11. Councilmember Heading pulled Items A-5 and A-6.

MOTION: Councilmember Johnson moved the Council approve Items A-1 through A-4 and A-7 through A-11 on the Consent Agenda. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

A-5 ADOPTION OF RESOLUTION NO. 62-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2018 SURRENDERED AND ABANDONED VESSEL EXCHANGE GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$13,400 FOR REMOVAL OF ABANDONED/SURRENDERED VESSELS AND HAZARDS TO NAVIGATION; (HARBOR)

<https://youtu.be/ovQSDbuezls?t=1h4m7s>

Councilmember Heading pulled this item to call attention to the contract requirement for the City to have a drug-free work place policy in place. Staff confirmed a policy is in place and that policy will be updated as part of the new Personnel Rules and Regulations.

MOTION: Councilmember Heading moved for approval of Item A-5. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

A-6 ADOPTION OF RESOLUTION NO. 63-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2031 BOATING SAFETY AND ENFORCEMENT GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$18,437.00 FOR PURCHASE OF FLIR THERMAL IMAGING EQUIPMENT; (HARBOR)

<https://youtu.be/ovQSDbuezls?t=1h7m10s>

MOTION: Councilmember Heading moved for approval of Item A-6. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

A-12 APPROVAL OF UPDATED FY 16/17 CITY GOALS AND OBJECTIVES, INCLUDING ADDITION OF OBJECTIVE RELATED TO SKATE PARK IMPROVEMENTS; (ADMINISTRATION)

<https://youtu.be/ovQSDbuezls?t=1h7m34s>

The Council supported adding skate park improvements to the FY 16/17 goals and objectives but noted this year's effort would be limited to resurfacing the existing skate park and developing options for consideration during the FY 17/18 budget process. The Council expressed its appreciation for those who came to speak in support of this item and looks forward to a great partnership.

MOTION: Councilmember Smukler moved the Council to approve Item A-12. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

The Council took a short recess at 7:22 p.m.; the meeting reconvened at 7:29 p.m.

B. PUBLIC HEARINGS - None

C. BUSINESS ITEMS

C-1 APPROVAL OF ABSENCE OF COUNCIL MEMBER MATT MAKOWETSKI FROM ATTENDANCE AT COUNCIL MEETINGS FOR A 90-DAY PERIOD; (ADMINISTRATIVE SERVICES)
<https://youtu.be/ovQSDbuezls?t=1h21m37s>

City Manager Buckingham provided a brief report and responded to Council inquiries.

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

Bob Keller, Morro Bay, spoke in support of Councilmember Makowetski and urged the Council approve the requested leave of absence.

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

There was unanimous support for granting the approved leave of absence to allow Councilmember Makowetski time to focus on healing.

MOTION: Councilmember Smukler moved the Council grant Councilmember Makowetski's request for a 90-day leave of absence beginning today. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

C-2 FY 2015/16 GOALS REVIEW; (ADMINISTRATION)
<https://youtu.be/ovQSDbuezls?t=1h28m41s>

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

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

As this was a receive and file report, no formal action was taken.

C-3 DISCUSSION AND APPROVAL OF CITY ORGANIZATIONAL ITEMS AND APPROVAL OF FY 16/17 SALARY SCHEDULE; (ADMINISTRATION)
<https://youtu.be/ovQSDbuezls?t=2h13m5s>

Mr. Buckingham presented the staff report and pointed out edits and clarifications that will be made to the City Clerk, Recreation Division Coordinator, Finance Director and Tourism Manager job descriptions.

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

Councilmember Smukler requested the Environmental Programs Manager job description be edited to include responsibility for the Urban Forest Management Plan.

Councilmember Heading responded to questions raised during the earlier public comment period noting the hiring process being used is robust, the criteria is well laid out in advance, and known to both those who apply and those who participate in the interview process.

The Council discussed and expressed support for the planned reorganization of Utilities Division which is in line with the future One Water plan.

MOTION: Councilmember Heading moved the Council approve the staff recommendation, including proposed edits to the job descriptions. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

AMENDED MOTION: Councilmember Heading amended the motion to include approval of the FY 16/17 salary schedule. The amended motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

C-4 AUTHORIZE AWARD OF A CONSULTANT AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES FOR PROJECT 05-5391R, STATE ROUTE 1/MAIN STREET AT SR41 IMPROVEMENTS; (PUBLIC WORKS)

<https://youtu.be/ovQSDbuezIs?t=2h51m58s>

Capital Projects Manager Sauerwein presented the staff report and responded to Council inquiries.

The public comment period for Item C-4 was opened.

Robert Davis, Morro Bay, commented that if Measure J does not pass, the City won't receive the \$1 Million needed to construct a project at this intersection.

The public comment period for Item C-4 was closed.

The Council appreciated the clear outline of the process to date and future steps that provide multiple opportunities for public input on both alternatives. It was agreed having a shovel-ready plan in place was crucial to have the best opportunity to receive project funding.

MOTION: Councilmember Johnson moved the Council award a consultant agreement to Omni-Means, Ltd., as amended, for preliminary engineering services of Project 05-5391R, and authorize the Public Works Director to execute an agreement in the amount of \$260,213, including a 10-percent contingency in the amount of \$23,656. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

<https://youtu.be/ovQSDbuezIs?t=3h54m14s>

Councilmember Smukler requested discussion of options to amend the zoning code to allow chickens and other urban agricultural practices in residential areas. The Council supported this item.

E. ADJOURNMENT

The meeting adjourned at 10:07 p.m. The next Regular Meeting will be held on Tuesday, September 13, 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