

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – JUNE 9, 2008
VETERANS MEMORIAL HALL - 6:00 P.M.

Mayor Peters called the meeting to order at 6:00 p.m.

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| PRESENT: | Janice Peters | Mayor |
| | Melody DeMeritt | Councilmember |
| | Rick Grantham | Councilmember |
| | William Peirce | Councilmember |
| | Betty Winholtz | Councilmember |
| STAFF: | Andrea Lueker | Interim City Manager |
| | Robert Schultz | City Attorney |
| | Bridgett Bauer | City Clerk |
| | Bruce Ambo | Public Services Director |
| | Bill Boucher | Capital Projects Manager |
| | John DeRohan | Police Chief |
| | Rachel Grossman | Associate Planner |
| | Damaris Hanson | Engineer Technician |
| | Bruce Keogh | Wastewater Treatment Plant Manager |
| | Sue Lichtenbaum | Harbor Business Coordinator |
| | Rob Livick | City Engineer |
| | Kimberly Peeples | Housing Programs Coordinator |
| | Mike Pond | Fire Chief |
| | Susan Slayton | Finance Director |
| | Dylan Wade | Senior Civil Engineer |

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR'S REPORTS & ANNOUNCEMENTS

CLOSED SESSION REPORT – There was no Closed Session meeting.

PUBLIC COMMENT

Bill Black stated he placed a solar system on his house two years ago and now his electric bill is \$4.41 per month.

Ani Lyn, Membership Director for the Chamber of Commerce, reviewed the statistics report for the month of May.

Nancy Johnson stated Dahlia Days sponsored by Morro Bay Garden Club would be held on August 23, 2008 at St. Timothy's Hall.

Rochelle Bento, Chamber of Commerce, discussed the upcoming trip to Greece. She said these trips are to promote trade and commerce to bring into this region.

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Hank Roth stated Morro Bay Neighborhood Watch would hold their annual barbeque on April 21, 2008 at Del Mar Park.

Keith Taylor on behalf of the Morro Bay Friends of the Police Department and Friends of the Fire Department thanked those who helped with the Music Festival on June 7, 2008.

Richard Sadowski referred to the City's dilapidated collection system and supplied Council with copies of his reports.

Marla Jo Bruton stated the reports prepared by she and Mr. Sadowski should have been provided to the public so they could see the condition of the City's aquifer. She said they filed an appeal with the Coastal Commission and other agencies that should have been involved in this process.

Jamie Irons referred to the Management Partners Study and stated the City should establish service priorities through a Business Improvement District. He said it is time to support the City by enhancing its revenue base perhaps by pursuing a Measure on the November ballot.

Cathy Novak referred to Item A-4 (Resolution No. 28-08 Approving Assignment of Lease Site 34W Located Adjacent to 225 Main Street) stated the California Coastal Commission issued a Coastal Development Permit on March 10, 1983 for 225 Main Street. This permit was subject to terms and conditions including the deed restriction, which language and original permit conditions should be included in the Covenants. Ms. Novak noted the Council approved lease amendment #1 on December 10, 2007 with a modification that specifically deleted the reference to the parking located at 206 Main Street. Ms. Novak requested Council bring back an amendment for Lease Site 34W at the next meeting that will address the parking at 206 Main Street.

David Nelson stated once through cooling should not be a consideration for the power plant. He said there is evidence that proves this process is damaging the estuary, and urged the City Council to reconsider this process.

Bob Crizer addressed Item A-4 and requested Council's support in approving this lease assignment. He said it would be reasonable to discuss the parking issue at the next City Council meeting.

Phil Hill stated he is a liveaboard and talked about life on the harbor. He agreed that once through cooling is harming the estuary.

Dorothy Cutter addressed Item A-4 and requested the City Council not approve this lease assignment and requested reconsideration at a future meeting. She expressed concern with the parking at this location.

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Ken Vesterfelt stated directional signs are needed at the Harborwalk for bicycles and skateboards. He addressed the fact that the City Council is the third highest paid in the County and the Police Department is the lowest on the pay scale. Mr. Vesterfelt addressed locations where vehicles are parked for long periods.

Bill Martony addressed Item A-4 stating parking is a problem at this location. He said this issue should be reagendaized for public comment in order to resolve the parking problem. He also asked how the solar panels are performing at the Community Center.

John Barta stated there was a high turnout for being a first Primary Election. He thanked the candidates for participating in this election.

Candy Bottich addressed Item A-4 and noted she lives at 206 Main Street, and would appreciate the City Council resolving the issues with this lease site.

George Leage thanked those who participated in the Primary Election, and those who serve on the City Council.

Mayor Peters closed the hearing for public comment.

Mayor Peters called for a break at 7:06 p.m.; the meeting resumed at 7:17 p.m.

DECLARATION OF FUTURE AGENDA ITEMS

Councilmember DeMeritt requested to agendaize a discussion on GEM trucks; Councilmember Winholtz concurred.

Councilmember DeMeritt requested to agendaize a discussion on the Brown Act as it relates to the rights of the public; Councilmember Winholtz concurred.

Councilmember Winholtz requested to agendaize a discussion on placing a repeal of the Primary Election on the November 2008 Election ballot; Council concurred.

A. CONSENT CALENDAR

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

A-1 APPROVAL OF MINUTES FOR THE REGULAR CITY COUNCIL MEETING OF MAY 12, 2008, AND BUDGET MEETINGS OF MAY 8, 2008 AND MAY 15, 2008; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

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A-2 CASH AND FINANCIAL REPORT; (FINANCE)

RECOMMENDATION: Receive report for information.

A-3 RESOLUTION NO. 27-08 APPROVING TRANSACTIONS WITH RABOBANK;
(FINANCE)

RECOMMENDATION: Adopt Resolution No. 27-08.

A-4 RESOLUTION NO. 28-08 APPROVING ASSIGNMENT OF LEASE SITE 34W
LOCATED ADJACENT TO 225 MAIN STREET; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 28-08.

A-5 RESOLUTION NO. 30-08 ADOPTING THE MEMORANDUM OF
UNDERSTANDING WITH THE MORRO BAY FIREFIGHTERS
ASSOCIATION; (ADMINISTRATION)

RECOMMENDATION: Adopt Resolution No. 30-08.

A-6 RESOLUTION NO. 26-08 SUPPORTING PARTICIPATION IN THE
CALHOME HOME REHABILITATION PROGRAM AND AUTHORIZATION
TO SUBMIT THE GRANT APPLICATION; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution No. 26-08.

A-7 RESOLUTION NO. 31-08 IDENTIFYING AND DETERMINING THAT THE
MAIN/SAN JACINTO/ALDER INTERSECTION IS A LOW PRIORITY
CAPITAL IMPROVEMENT PROJECT AND SHOULD NOT BE PURSUED
AT THIS TIME AND IS NOT ON ANY WORKLIST; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution No. 31-08.

Councilmember Winholtz pulled Items A-1, A-3, A-4 and A-7 from the Consent Calendar.

MOTION: Councilmember Peirce moved the City Council approve Items A-2, A-5
and A-6 of the Consent Calendar. The motion was seconded by
Councilmember Grantham and carried unanimously. (5-0)

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A-1 APPROVAL OF MINUTES FOR THE REGULAR CITY COUNCIL MEETING
OF MAY 12, 2008, AND BUDGET MEETINGS OF MAY 8, 2008 AND MAY
15, 2008; (ADMINISTRATION)

Councilmember Winholtz made the following amendment to the minutes of the Budget Meeting on May 15, 2008 (page 5): “Councilmember Winholtz suggested taking ~~\$87,400~~ \$20,000 out of Police’s current fiscal year general fund budget and fully funding the VCB.”

MOTION: Councilmember Winholtz moved the City Council approve Item A-1 as amended. The motion was seconded by Councilmember DeMeritt and carried unanimously. (5-0)

A-3 RESOLUTION NO. 27-08 APPROVING TRANSACTIONS WITH RABOBANK;
(FINANCE)

Councilmember Winholtz stated she would meet with the Finance Director in her office to ask her question.

MOTION: Councilmember Winholtz moved the City Council approve Item A-3 of the Consent Calendar. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

A-4 RESOLUTION NO. 28-08 APPROVING ASSIGNMENT OF LEASE SITE 34W
LOCATED ADJACENT TO 225 MAIN STREET; (HARBOR)

City Attorney stated the only issue is the assignment of the lease agreement, and discussion on all other issues would need to be reagenized.

MOTION: Mayor Peters moved the City Council continue Item A-4 of the Consent Calendar to the June 23, 2008 City Council meeting. The motion was seconded by Councilmember DeMeritt and carried with Councilmember Peirce voting no. (4-1)

A-7 RESOLUTION NO. 31-08 IDENTIFYING AND DETERMINING THAT THE
MAIN/SAN JACINTO/ALDER INTERSECTION IS A LOW PRIORITY
CAPITAL IMPROVEMENT PROJECT AND SHOULD NOT BE PURSUED
AT THIS TIME AND IS NOT ON ANY WORKLIST; (PUBLIC SERVICES)

Councilmember Winholtz stated her intent on this issue was this is not considered a project.

City Attorney Robert Schultz clarified this project is listed in the City’s General Plan.

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MOTION: Councilmember Winholtz moved the City Council approve to go beyond 11:00 p.m. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

Councilmember Grantham expressed concern with this intersection, and stated he does not want to remove this project from the work list.

MOTION: Councilmember Winholtz moved the City Council approve Item A-7 of the Consent Calendar. The motion was seconded by Mayor Peters and carried with Councilmember Peirce voting no. (4-1)

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 STORM WATER MANAGEMENT PLAN UPDATE; (PUBLIC SERVICES)

City Engineer Rob Livick stated on August 25, 2003 the City Council approved Resolution No. 43-03, which adopted the City's Stormwater Management Plan (SWMP) pursuant to the National Pollution Discharge Elimination System (NPDES) program requirements. The City then submitted the plan to the California Regional Water Quality Control Board, which the Water Board has yet to review and provide comments to the City regarding the SWMP. On February 15, 2008 the City received a notice from the Water Board regarding the revised process for enrolling small Municipal Separate Storm Sewer Systems under the State's General Permit and development and implementation of a SWMP, which is due to the Water Board. Mr. Livick recommended the City Council review and approves the Draft Storm Water Management Plan for submittal to the Regional Water Quality Control Board by June 20, 2008.

Mayor Peters opened the hearing for public comment.

Noah Smukler stated water management and water resources are some of the most challenging resources in the state. He said the SWMP promotes solutions to the problem and beneficial impact on protecting the environment. Mr. Smukler stated the SWMP would help replenish the City's aquifers and reduce the need for water in landscaping. He said the City should move forward and see it as an investment in establishing promotional opportunity in ecotourism.

David Nelson stated this is an opportunity where low impact development should be encouraged. He said there are grants available for low impact development experiments. Mr. Nelson stated this report is going in a positive direction.

Andy Hampp asked what would it cost the City to implement this report in the future.

Mayor Peters closed the public comment hearing.

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MOTION: Councilmember Grantham moved the City Council approve the Draft Storm Water Management Plan for submittal to the Regional Water Quality Control Board by June 20, 2008. The motion was seconded by Councilmember Peirce and carried unanimously. (5-0)

B-2 RESOLUTION NO. 29-08 APPROVING FINAL ABANDONMENT OF AN UNDEVELOPED PORTION OF PALM AVENUE RIGHT-OF-WAY; (PUBLIC SERVICES)

City Engineer Rob Livick stated the City Council adopted Resolution No. 21-08 on May 12, 2008, which is a resolution of intention to abandon a portion of Palm Avenue. The May 12, 2008 agenda report included discussion of the various issues and requirements regarding abandonment and the Planning Commission's recommendation to the Council for conditional approval. Resolution No. 29-08 incorporates the prescribed conditions as modified, including the fact that it is not effective for recordation until all of the conditions have been satisfactorily met as determined by the City Engineer. Mr. Livick recommended the City Council adopt Resolution No. 29-08 approving final abandonment of an undeveloped portion of Pam Avenue right-of-way.

Cathy Novak, representing applicants, stated currently this section of Palm Avenue is barricaded at Walnut Street and only provides access for two homes from Main Street. It is visually degrading the neighborhood because the street is in disrepair and the balance of the right-of-way area is basically a weed patch. It is also a trash collector and on occasion the weeded area becomes an impromptu parking lot the construction workers. The applicants are requesting the City to vacate the 50x105 foot section of Palm Avenue and have this revert back to the property owners. In return, a 20-foot wide easement would be granted for emergency access, common driveway and the sewer line. Since the time this project was presented to the Planning Commission, a third driveway has been added for future access to the 242 Main Street parcel. The new private driveway would be able to serve three parcels off Palm Avenue; the fourth parcel on Palm and Walnut has access from Walnut therefore there is no need to provide access from Palm Avenue. The applicants have offered to accept a project condition that would keep the setback and lot coverage measurements based upon the exiting property boundaries. This condition would be implemented by a deed restriction on the four properties. Ms. Novak stated a landscape plan has been submitted for approval that include no plant material that would grow more than approximately six feet high; the plant materials will be native and drought tolerant; the plant material within the non-paved easement area would remain natural and will be limited to low ground cover; and, a maximum three-foot high removable fence is proposed along the easement line for the parcel at 224 Main Street. The responsibility of property owners would be to plant and maintain the landscaping on their property. Ms. Novak stated the property owners believe this abandonment would benefit both the City and the neighborhood. It will clean up the visual blight, provide attractive landscaping and remove a non-functional street that the City is now required to maintain with paving and weed control. The applicants will pay for the installation and upgrade of the parking area on Walnut Street.

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Mayor Peters opened the hearing for public comment.

David Nelson stated this easement is an asset to the neighborhood and should not be given to individual property owners.

Bill Martony stated he supports the abandonment of this property. He said it would be preserved and made into a park-like setting. Mr. Martony stated deed restrictions would prohibit personal expansion on this property.

Bob Crizer stated he supports the abandonment; however, he encouraged the property owners provide parking at this location.

Mayor Peters closed the public comment hearing.

Councilmember DeMeritt stated she is in opposition to this abandonment because the City should not give away anything of value. She said this could set a precedent for requests of abandonment of easements around the City.

Councilmember Grantham stated there is no value in the City holding onto this property. He said there would be a benefit of visual improvement, and the property owners would have to pay more in property tax, which would benefit the City.

Councilmember Peirce stated he supports the abandonment of the easement, and noted there is no reason to require a pedestrian walkway or parking space at this location.

Councilmember Winholtz stated this property is not a blight and there is no hazard in crossing Main Street from this location. She said she does not want to lose the public access, and the City should maintain this right-of-way. Councilmember Winholtz stated this would set a precedent, and requested not to abandon this easement unless there is a public walkway. She said she would not want to require parking on Walnut Street.

Mayor Peters stated she supports the pedestrian access and parking at this location as well as the driveway and landscaping improvements.

Councilmember DeMeritt stated she would be supportive if the property owners are agreeable with maintaining a public walkway through this easement.

MOTION: Councilmember Winholtz moved the City Council approve the abandonment with a condition that the City maintains a pedestrian walkway through the middle of the easement. The motion was seconded by Councilmember DeMeritt and carried with Councilmember Grantham voting no. (4-1)

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B-3 DISCUSSION ON WATER AND SEWER RATES AND THE
CALCULATIONS USED; (PUBLIC SERVICES)

Capital Projects Manager Bill Boucher stated this item has been placed on the agenda by Council request and intends to provide background and discussion on the genesis and calculations of the water and wastewater rate structures. The community's water rate structure was adopted in a two-step process in 1994 and 1995 and there have been no changes to the structure since that time. The most recent wastewater rate structure was adopted in November 2007 and will become effective on July 1, 2008. Any proposed changes to either rate structure must be done both with consideration of the public process required by Proposition 218 and adjusting portions of the rate structure upward if other portions are proposed to be lowered in order to generate the funding needed to pursue adopted programs and policies. The community's water and wastewater rates structures are both related to water consumption: water based upon direct meter readings and wastewater upon estimates of what portion of water delivered is "returned" to the sewer system. Wastewater rates also incorporate the constituents that the various types of customers add to the wastewater stream, such as detergents from laundry businesses and food products from restaurants. Mr. Boucher recommended the City Council receive this report for information, and direct staff accordingly.

Mayor Peters opened the hearing for public comment; there were no comments, and Mayor Peters closed the public comment hearing.

This was an informational item, and no action was taken.

Mayor Peters called for a break at 8:50 p.m.; the meeting resumed at 9:00 p.m.

B-4 DISCUSSION ON PLACING AN INITIATIVE ON THE NOVEMBER 2008
GENERAL ELECTION BALLOT IN REGARD TO A UTILITY USER TAX
AND/OR A TRANSIENT OCCUPANCY TAX AND/OR AMENDING
MEASURE D; (CITY ATTORNEY)

City Attorney Robert Schultz stated at previous City Council meetings, Council has requested information on placing a voter measure on the November 2008 General Election ballot in regard to increasing transient occupancy tax, establishing a Utility User Tax, and amending or repealing Measure D. Mr. Schultz requested Council direction regarding whether to proceed with preparing any measure, as the full text of the measure and the exact form of the question must be submitted to the San Luis Obispo County Clerk by July 23, 2008.

Mayor Peters opened the hearing for public comment.

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Cathy Novak, representing Virg's Fishing, suggested the City meet with a couple of business owners and members of the Commercial Fishermen's Association who could assist with language amending Measure D.

Bill Martony stated Council should consider the original passage of Measure D was to protect the fishing industry. He said there are some businesses that are grandfathered in, and the northern portion of Embarcadero brings tourists to see a working harbor front. Mr. Martony requested Council consider modification and not a repeal of Measure D.

Dorothy Cutter stated a repeal of the Primary Election should be placed on the November ballot.

Joan Solu stated she would prefer entering into a Business Improvement District instead of increasing transient occupancy tax. She said the transient occupancy tax is meant to promote tourism and not build-up the General Fund for other costs. Ms. Solu stated if there was an increase in transient occupancy tax, Council should consider placing 50% of the increase in a tourism fund that would be overseen by a committee such as the Oversight Committee for Measure Q funds.

Andy Hampp stated an increase in transient occupancy tax should be tabled because of the economy with the increase in fuel, food and other expenses that are passed on to the tourist.

David Weisman, Chair of Community Promotions Committee, stated an increase in transient occupancy tax would be premature with the Business Improvement District being proposed in September.

Mayor Peters closed the public comment hearing.

Councilmember Grantham, Councilmember Peirce and Mayor Peters expressed support for placing a measure increasing the Utility User Tax on the November ballot; Councilmember DeMeritt and Councilmember Winholtz stated they do not support this tax being placed on the ballot.

MOTION: Councilmember Grantham moved the City Council include a measure on the November 2008 ballot increasing the Utility User Tax by 5% on gas, electric, phone, cell phone, water, garbage and cable. The motion was seconded by Councilmember Peirce and failed with Councilmember DeMeritt, Councilmember Winholtz and Mayor Peters voting no. (2-3)

A majority of the City Council stated it was premature to place a measure increasing the transient occupancy tax on the November ballot with the Business Improvement District being proposed in September.

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The City Attorney noted the issue of placing a repeal of the Primary Election on the November 2008 ballot was not agendized for discussion.

Consensus of the City Council expressed support for placing a measure amending Measure D on the November ballot.

Councilmember DeMeritt suggested the following amendments be made to Measure D:

“The City shall not grant any permit, authorization or other approval of any stated owned tidelands subject to city lease between Beach Street and Target Rock, unless such development or use is primarily for the purpose of serving or facilitating licensed commercial fishing activities or ~~non~~commercial recreational fishing activities, or is clearly incidental thereto. For purposes of illustration only, and not by way of limitation, no approval shall be granted for ~~any new passenger for hire boats or supporting facilities, or~~ any new restaurant, café, gift shop or other retail establishments serving the general public, and any existing such uses shall hereafter be considered nonconforming and shall not be expanded or enlarged.”

Councilmember Peirce stated it would be appropriate to include in the Measure D language to allow a marine haul-out or dry dock storage for boats.

MOTION: Mayor Peters moved the City Council approve placing an amendment of Measure D on the November 2008 ballot based on the suggestions made by the City Council and any other appropriate input received. The motion was seconded by Councilmember Grantham and carried with Councilmember Winholtz voting no. (4-1)

C. UNFINISHED BUSINESS

C-1 COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING AND TECHNICAL ASSISTANCE GRANT OPPORTUNITIES FOR ECONOMIC DEVELOPMENT AND HOUSING PROGRAMS; (PUBLIC SERVICES)

Public Services Director Bruce Ambo stated potential grant funding to investigate the feasibility of forming a Redevelopment Project Area has been identified in the CDBG Planning and Technical Assistance grant program. The full formation study could easily be in the order of \$200,000 and require a substantial amount of staff time and consultant expense, and is likely to require successive funding cycles or identification of another funding source. For the amount of time, effort and expense, it is strongly recommended that Council determine the level of true interest and actual commitment that the Council is willing to invest in getting the potential tax increment to grow and translate to changes that stimulate private investment and economic development. Mr. Ambo recommended the City Council direct staff to prepare CDBG Planning and Technical Assistance grant

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applications in anticipation of the notice of funding availability to conduct a feasibility study for forming a Redevelopment Project Area; and, direct staff to schedule a public hearing and provide staff authorization to submit the Planning and Technical Assistance grant applications when the notice of funding availability is released.

MOTION: Councilmember Grantham moved the City Council direct staff to prepare CDBG Planning and Technical Assistance grant applications in anticipation of the notice of funding availability to conduct a feasibility study for forming a Redevelopment Project Area; and, direct staff to schedule a public hearing and provide staff authorization to submit the Planning and Technical Assistance grant applications when the notice of funding availability is released. The motion was seconded by Councilmember Peirce and carried unanimously. (5-0)

D. NEW BUSINESS

D-1 UPDATE ON STATUS OF PROGRESS ON URBAN ENVIRONMENTAL ACCORDS; (PUBLIC SERVICES)

Associate Planner Rachel Grossman stated on May 8, 2006, the City Council adopted three action items from the Urban Environmental Accords. These action items address environmental goals relevant to tree canopy, air quality and hazardous materials. Over the past two years, City staff has been moving forward with the implementation of these action items to the maximum extent feasible. City staff has made significant progress towards achieving compliance with the three action items adopted from the Urban Environmental Accords. Staff will continue to address these action items in the coming years. Ms. Grossman recommended the City Council implement components of the action items to the maximum extent feasible by incorporating them into various state mandated projects.

MOTION: Councilmember Grantham moved the City Council implement components of the action items from the Urban Environmental Accords to the maximum extent feasible by incorporating them into various state mandated projects. The motion was seconded by Councilmember Winholtz and carried unanimously. (5-0)

D-2 APPROVAL OF SETTLEMENT AGREEMENT WITH SPRINT PCS ASSETS, LLC, IN REGARD TO THE CONSTRUCTION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT 545 SHASTA AVENUE AND ADOPTION OF AN URGENCY INTERIM ORDINANCE PROHIBITING WIRELESS TELECOMMUNICATIONS FACILITIES PENDING COMPLETION OF AN UPDATE TO THE CITY'S ZONING ORDINANCE CODE; (CITY ATTORNEY)

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City Attorney Robert Schultz stated on October 22, 2007, the City Council denied Sprint's application to construct a Wireless Telecommunications Facility at 545 Shasta Avenue. In response to the denial, on November 21, 2007, Sprint filed a Federal Complaint against the City entitled *Sprint PCS Assets, L.L.C. v. City of Morro Bay*. It is the City Attorney's opinion, based upon the advice of outside counsel, that the denial of Sprint's application might result in a violation of Section 332©(7) of the Federal Telecommunications Act of 1996, and that a federal court could, in the face of such violation, issue injunctive relief compelling the City to grant the application. Mr. Schultz recommended the City Council approve the Settlement Agreement in order to prevent further application for the construction of wireless facilities; and, adopt Urgency Interim Ordinance No. 541 prohibiting wireless telecommunication facilities pending completion of an update to the City's Zoning Ordinance Code.

A majority of the City Council requested this item be opened to public comment.

Ann Travers requested the approval of a temporary moratorium prohibiting wireless telecommunication facilities pending an update to the City's Zoning Ordinance. She also requested the City not approve the settlement agreement with Sprint which would allow placement of three cell phone towers at St. Peter's Episcopal Church.

Barbara Nordin requested a continuation of this item so they have adequate time to review the matter.

John Barta addressed the frustration of people with the process of this City's government.

Mayor Peters closed the public comment hearing.

MOTION: Councilmember Grantham moved the City Council approve the Settlement Agreement with Sprint PCS Assets, LLC, in regard to the construction of a Wireless Telecommunications Facility at 545 Shasta Avenue; and, adopt Urgency Interim Ordinance No. 541 prohibiting wireless telecommunications facilities pending completion of an update to the City's Zoning Ordinance Code. The motion was seconded by Councilmember Peirce and carried unanimously. (5-0)

D-3 APPOINTMENT OF TWO COUNCIL MEMBERS TO AN AD-HOC COMMITTEE TO DISCUSS THE JOINT POWERS AGREEMENT WITH CAYUCOS SANITARY DISTRICT; (CITY ATTORNEY)

City Attorney Robert Schultz stated Councilmember DeMeritt has requested to be removed from the Morro Bay/Cayucos Sanitary District Ad-Hoc Committee, and recommended the City Council appoint either the Mayor or a Council Member to fill this vacancy.

Mayor Peters requested to be appointed to this vacancy.

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Councilmember DeMeritt recommended Councilmember Winholtz be appointed to this vacancy.

Mayor Peters was appointed to fill the vacancy on the Morro Bay/Cayucos Sanitary District Ad-Hoc Committee with a vote from Councilmember Grantham, Councilmember Peirce and Mayor Peters.

ADJOURNMENT

The meeting adjourned at 11:05 p.m.

Recorded by:

Bridgett Bauer
City Clerk