

REVISED

City of Morro Bay

City Council Agenda

Mission Statement

The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life. The City shall be committed to this purpose and will provide a level of municipal service and safety consistent with and responsive to the needs of the public.

REGULAR MEETING – FEBRUARY 8, 2010

**CLOSED SESSION – FEBRUARY 8, 2010
CITY HALL CONFERENCE ROOM - 5:00 P.M.
595 HARBOR ST., MORRO BAY, CA**

CS-1 GOVERNMENT CODE SECTION 54956.8; REAL PROPERTY TRANSACTIONS. Instructing City's real property negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease of real property.

- Property: Lease Site 86/86W; 801 Embarcadero
Negotiating Parties: City and Caldwell
Negotiations: Lease Terms and Conditions
- Property Lease Site 71-77/71W-77W; 601 and 699 Embarcadero
Negotiating Parties: City and Trapp
Negotiations: Lease Terms and Conditions

**IT IS NOTED THAT THE CONTENTS OF CLOSED SESSION MEETINGS
ARE CONFIDENTIAL AND EXEMPT FROM DISCLOSURE.**

**PUBLIC SESSION – FEBRUARY 8, 2010
VETERANS MEMORIAL HALL - 6:00 P.M.
209 SURF ST., MORRO BAY, CA**

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
MAYOR AND COUNCILMEMBERS ANNOUNCEMENTS & PRESENTATIONS
CLOSED SESSION REPORT

PUBLIC COMMENT PERIOD - Members of the audience wishing to address the Council on City business matters (other than Public Hearing items under Section B) may do so at this time.

To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

- When recognized by the Mayor, please come forward to the podium and state your name and address for the record. Comments are to be limited to three minutes.
- All remarks shall be addressed to Council, as a whole, and not to any individual member thereof.
- The Council respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the City Council to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in City Council meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (805) 772-6205. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

A. CONSENT CALENDAR

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 REGULAR CITY COUNCIL MEETING OF JANUARY 11, 2010; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 RESOLUTION NO. 06-10 CALLING A PRIMARY MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 8, 2010 FOR THE PURPOSE OF ELECTING CERTAIN OFFICERS OF SAID CITY; AND REQUESTING THE BOARD OF SUPERVISORS OF SAN LUIS OBISPO COUNTY TO CONSOLIDATE SAID ELECTION WITH THE CONSOLIDATED DISTRICTS ELECTION TO BE HELD IN THE COUNTY ON TUESDAY, JUNE 8, 2010; AND OTHER ELECTION MATTERS AS REQUIRED BY LAW; (ADMINISTRATION)

RECOMMENDATION: Adopt Resolution No. 06-10.

A-3 RESOLUTION NO. 05-10 ADOPTING THE MID-YEAR BUDGET AMENDMENTS; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 05-10.

A-4 RESOLUTION NO. 07-10 AUTHORIZING STAFF TO USE ENERGY CONSERVATION ASSISTANCE ACCOUNT LOAN FUNDING FROM THE CALIFORNIA ENERGY COMMISSION TO SUPPLEMENT THE ENERGY EFFICIENCY COMMUNITY BLOCK GRANT FUNDS ALLOCATED FOR THE CITY OF MORRO BAY; (RECREATION & PARKS)

RECOMMENDATION: Adopt Resolution No. 07-10.

A-5 PROCLAMATION DECLARING FEBRUARY 2010 AS “GRAND JURY AWARENESS MONTH”; (ADMINISTRATION)

RECOMMENDATION: Adopt Proclamation.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 CONSIDERATION OF AN AMENDMENT TO MORRO BAY MUNICIPAL CODE TITLE 5 ADDING CHAPTER 5.50 ESTABLISHING REGULATIONS AND PROCEDURES ENTITLED “MEDICAL MARIJUANA COLLECTIVES; (CITY ATTORNEY)

RECOMMENDATION: Review the Staff Report and attached draft Regulations and Procedures entitled “Medical Marijuana Collectives”, and direct staff to return with this item for Introduction and First Reading with any changes suggested by Council.

C. UNFINISHED BUSINESS

- C-1 APPROVAL OF THE 2010/11 BUDGET CALENDAR; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Discuss and set a date for the Goals/Council Budget Workshop, and review the remaining schedule of events leading to adoption of the 2010/11 annual budget.

D. NEW BUSINESS

- D-1 PRESENTATION FROM MIKE MANCHAK OF THE ECONOMIC VITALITY CORPORATION REGARDING THE SAN LUIS OBISPO REGIONAL AIRPORT

RECOMMENDATION: Receive presentation for information.

- D-2 CONSIDERATION OF RECOMMENDATIONS FROM THE CITIZENS OVERSIGHT COMMITTEE; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Review recommendations and direct staff accordingly.

ADDED ITEM:

- D-3 LETTER TO THE NUCLEAR REGULATORY COMMISSION REGARDING THE RE-LICENSING OF DIABLO NUCLEAR POWER PLANT; (COUNCIL)

RECOMMENDATION: Approve the letter as is or make appropriate changes.

E. DECLARATION OF FUTURE AGENDA ITEMS

F. ADJOURNMENT

THIS AGENDA IS SUBJECT TO AMENDMENT UP TO 72 HOURS PRIOR TO THE DATE AND TIME SET FOR THE MEETING. PLEASE REFER TO THE AGENDA POSTED AT CITY HALL FOR ANY REVISIONS OR CALL THE CLERK'S OFFICE AT 772-6200 FOR FURTHER INFORMATION.

MATERIALS RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION AT CITY HALL LOCATED AT 595 HARBOR STREET; MORRO BAY LIBRARY LOCATED AT 625 HARBOR STREET; AND MILL'S COPY CENTER LOCATED AT 495 MORRO BAY BOULEVARD DURING NORMAL BUSINESS HOURS.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN A CITY MEETING, PLEASE CONTACT THE CITY CLERK'S OFFICE AT LEAST 24 HOURS PRIOR TO THE MEETING TO INSURE THAT REASONABLE ARRANGEMENTS CAN BE MADE TO PROVIDE ACCESSIBILITY TO THE MEETING.



City of Morro Bay
Morro Bay, CA 93442
(805) 772-6200

February 9, 2010

Gregory B. Jaczko, Chairman
c/o Annette L. Vietti-Cook, Secretary of the Commission
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

RE: Re-licensing application for Diablo Canyon Nuclear Power Plant

Dear Chairman Jaczko,

As the elected representatives of a California community within the fallout zone of the Diablo Canyon Nuclear Power Plant, the City Council requests that the NRC support expediting the required seismic studies and places a “hold” on PG&E’s application until they are complete.

We have a significant interest in seeing that the seismic studies mandated by our elected state assemblyman, Dr. Sam Blakeslee, and facilitated through the requirements of the California Energy Commission and the decision of the California Public Utilities Commission, be completed before any further taxpayer or ratepayer monies are invested in the re-licensing process. At this time of serious fiscal crisis at all government levels, there are no extra funds available to spend on processes that may be redundant or counterproductive.

We would like to see the NRC work with our state legislature and regulators—combining their seismic expertise and resources—to expedite these thorough and up-to-date seismic studies before investing time and money in the subsequent re-licensing procedures. In 2008, another earthquake fault was discovered only 1800 feet offshore of Diablo Canyon Nuclear Plant. This is in addition to the Hosgri Fault 2 miles offshore and capable of a 7.5 magnitude quake. As a result, the California Energy Commission recommended, “PG&E should use three-dimensional geophysical seismic reflection mapping and other advanced techniques to explore fault zones near Diablo Canyon. PG&E should report on their progress and their most recent seismic vulnerability assessment for Diablo Canyon in the 2009 IEPR.” In addition, the California Public Utilities Commission conditioned funding of the PG&E license renewal feasibility study with the requirement that the utility bring the results back before the CPUC for analysis before the CPUC decides if it is cost

effective for the Utility to proceed. The Utility has yet to fulfill these requirements, and yet the NRC has accepted their application.

As a community whose principal economic base is derived from tourism, we are concerned that Morro Bay might suffer the same consequences as were experienced in Niigata, Japan, as a result of the July 16, 2007 earthquake, which shut down the neighboring Kashiwazaki-Kariwa nuclear plant. As the Associated Press reported on August 4, 2007,

“Hotels and inns in Kashiwazaki, the Niigata Prefecture city hardest hit by a magnitude-6.8 earthquake on July 16, have suffered roughly 30,000 cancellations for room reservations, city officials said Friday. According to the tourism office, sales at beach houses equipped with lodging facilities in the city are about 10 percent of those in a normal year. Even though there was no damage to the facilities from the quake, they suffered massive cancellations, with roughly 80 percent of the tourists citing concerns over a radiation leak.”

The seismic unknowns at Diablo Canyon could equal or surpass this. Further research is the only responsible action.

We are encouraged by the support shown for these expedited studies by our California regulators and state legislature. In the interest of openness and transparency, we invite the NRC to work in an efficient manner with California in order to move this process forward.

Respectfully Submitted,

Janice Peters
Mayor

cc: CEC
CPUC
Sam Blakeslee, Assembly Member
Barbara Boxer, US Senator
Diane Feinstein, US Senator
Abel Maldonado, State Senator