

MINUTES - MORRO BAY CITY COUNCIL
CLOSED SESSION – APRIL 26, 2010
CITY HALL CONFERENCE ROOM - 5:00 P.M.

Mayor Peters called the meeting to order at 5:00 p.m.

PRESENT:	Janice Peters	Mayor
	Carla Borchard	Councilmember
	Rick Grantham	Councilmember
	Noah Smukler	Councilmember
	Betty Winholtz	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney

CLOSED SESSION

MOTION: Councilmember Borchard moved the meeting be adjourned to Closed Session. The motion was seconded by Councilmember Grantham and unanimously carried. (5-0)

Mayor Peters read the Closed Session Statement.

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: 699 Embarcadero; Lease Site 75-77/75W-77W
Negotiating Parties: City of Morro Bay and Morro Bay Marina, Inc.
Negotiations: Lease Terms and Conditions.

CS-2 GOVERNMENT CODE SECTION 54957; PERSONNEL ISSUES.
Discussions regarding Personnel Issues related to the reorganization of City Public Services Department.

The meeting adjourned to Closed Session at 5:00 p.m. and returned to regular session at 5: 55p.m.

MOTION: Councilmember Winholtz moved the meeting be adjourned. The motion was seconded by Councilmember Grantham and unanimously carried. (5-0)

The meeting adjourned at 5:55 p.m.

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – APRIL 26, 2010
VETERANS MEMORIAL HALL - 6:00 P.M.

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

PRESENT:	Janice Peters	Mayor
	Carla Borchard	Councilmember
	Rick Grantham	Councilmember
	Noah Smukler	Councilmember
	Betty Winholtz	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Jamie Boucher	Deputy City Clerk
	Rick Algert	Harbor Director
	Rob Livick	Acting Public Services Director
	Tim Olivas	Police Chief
	Mike Pond	Fire Chief
	Susan Slayton	Administrative Services Director
	Joe Woods	Recreation & Parks Director
	Janeen Burlingame	Management Analyst
	Kathleen Wold	Senior Planner

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR AND COUNCIL MEMBERS REPORTS, ANNOUNCEMENTS &
PRESENTATIONS

CLOSED SESSION REPORT - City Attorney Robert Schultz reported the City Council met in Closed Session, and no reportable action under the Brown Act was taken.

PUBLIC COMMENT

Claire Grantham introduced members of the board of the Friends of the Morro Bay Police Department, who presented Police Chief Tim Olivas with a Cross pen set and plaque which had the Morro Bay police shield and was inscribed to Police Chief Tim Olivas from the Friends of the Morro Bay Police Department.

Cathy Novak announced that the Morro Bay Business & Community Forum, Lion's Club, and the Morro Bay Chamber of Commerce are hosting a Mayoral and Council Candidates Forum on Tuesday, May 4, at the Vets Hall, to be moderated by Stuart McElhinney. She said there will be a "meet and greet the candidates" from 5:00 p.m. to 5:30 p.m. The Forum will start at 5:30 p.m. AGP Video will tape the Forum and re-broadcast it on Channel 20.

D'Onna Kennedy stated she is a candidate for City Council. She said she wanted to commend City staff, as they have been very helpful to her. She said she was very appreciative of both Dylan Wade and Bruce Keogh who explained everything very thoroughly to her. She thanked everyone for all their help. She mentioned with regard to the City budget, there are important priorities that compete with each other for proper funding: public safety, education, public health, and transportation. She said the City has a strong volunteer base of citizens willing to step up and fulfill these needs, and the City should take advantage of this and give those individuals recognition.

Ken Vesterfelt said the Morro Bay Car Show starts on Thursday of this week and that 500 cars have registered for the event. He said Days Inn and Estero Inn are sponsors for the Car Show. He stated the Car Show is a non-political venue and hopes it remains that way. Next, Ken said he received a call from the Planning Department saying he must take down the feather flags that said "For Sale" in front of his business due to an ordinance. He complied, although he said that after looking at the ordinance and seeing some loopholes, he actually could have those flags up. He went on to state there are real estate for sale flag signs at Market and Pacific. He wondered why those signs could remain up and he has to take his down. He then said 60% to 70% of the political signs around the city are on City property. He said people should be allowed to put up the advertising flags/signs, especially in light of the tough economic times, explaining that forcing people to take down these signs is hurting businesses.

Nancy Johnson stated she is a candidate for City Council because she cares about Morro Bay. She said she is conscientious, accountable, responsible, has experience, and is sensible. She said her experience comes from having sat on the Planning Commission and other City boards and commissions, and she is familiar with the issues in the City. She said she has a good understanding of the structure of municipal government and the responsibilities of those who serve. She talked about the duties of the City Manager, who is appointed by the City Council. She said she feels the City Manager is doing a very good job. She concluded by thanking the City staff who put up the big plaque on Chuck's bench across from the power plant. She said it is beautiful.

Joan Solu talked about D-1, regarding tourism. She said there is a public hearing later tonight regarding tourism and promotions. She said she is speaking in her official capacity as the chair of T-BID. She said the hoteliers have asked her to step forward and represent them tonight. She asked that when the Council looks at the Community Promotions Board that they recognize the important job and the important work they are doing in conjunction with the T-BID, the Chamber of Commerce, and the Visitor Center, and that they recognize the business they are bringing into the city. She requested the City Council not cut funding for Community Promotions, keep them at the current level. She stated the funding is already being cut by one third by the reduction of the T-BID funds.

Bill Yates, candidate for mayor, said the City should not be hassling Ken Vesterfelt. He said this is not business friendly at all. He said there is a resolution on the books that we are a business-friendly city and he said he sees things that are definitely not business friendly. He spoke of another man who applied for a permit to put some booths up and

was hassled by staff, he said getting a permit should be easy. He said the City needs to have a “get it done” attitude instead of a “no” attitude. He feels a change needs to be made soon. He concluded by talking about pink slips. He said this should be the City Manager’s job, and the Council should not have a public hearing regarding pink slips.

Ani Lyn suggested a compromise, that the tall waving advertising signs/flags be allowed during down economic times. However, she said that A-frame signs in the backs of trucks not close to their business should be discouraged. She suggested those signs be closer to the business they are advertising.

Mayor Peters closed public comment.

A. CONSENT CALENDAR

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

A-1 ARBOR DAY PROCLAMATION; (RECREATION & PARKS)

RECOMMENDATION: Adopt Proclamation.

A-2 PROCLAMATION DECLARING BIKE MONTH; (ADMINISTRATION)

RECOMMENDATION: Adopt Proclamation.

A-3 STATUS REPORT ON WATER USAGE FOR MARCH 2010; (PUBLIC SERVICES)

RECOMMENDATION: Review and file status report.

A-4 SECOND READING AND ADOPTION OF ORDINANCE NO. 555 TO AMEND THE MORRO BAY MUNICIPAL CODE, CHAPTER 10.44 TO INCLUDE A NEW SECTION 10.44.070 TO REGULATE MUNICIPAL PARKING LOTS AND ESTABLISH AUTHORITY TO CHARGE FEES FOR PARKING; (HARBOR)

RECOMMENDATION: Adopt Ordinance No. 555

A-5 APPROVAL OF MINUTES OF THE APRIL 12, 2010 CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Adopt minutes as submitted.

Mayor Peters pulled both A-1 and A-2 in order to make presentations.

A-1 ARBOR DAY PROCLAMATION; (RECREATION & PARKS)

A-2 PROCLAMATION DECLARING BIKE MONTH; (ADMINISTRATION)

MOTION: Councilmember Borchard moved to approve A-1 and A-2. The motion was seconded by Councilmember Winholtz and carried unanimously. (5-0)

Councilmember Winholtz pulled Items A-3 and Item A-4 from the Consent Calendar;

A-3 STATUS REPORT ON WATER USAGE FOR MARCH 2010; (PUBLIC SERVICES)

Dylan Wade responded to Councilmember Winholtz's questions with the following information: regarding Morro and Chorro groundwater, he said during the month of March they used water from both Morro and Chorro without treatment and blended it with water from the brackish process to fill the tanks. Not all the Morro water received treatment through the brackish system. The brackish system is used to pull the nitrates down, which lets them blend with their other sources. Regarding how March compares with previous months, this was more than in the month of February since February was a very wet month. The usage in February was one of the lowest on record. However, the use is 25% lower than last year. This has to do with conservation measures and with the weather pattern. Regarding why no State water was used during the month of March, they delayed using State water as long as possible to maximize using the local resources. Regarding what deliveries will be received for the rest of the year, deliveries have been increased 20% on the State Water Project. He said even at 20%, we will get more water than we normally would at a higher delivery percentage. Therefore, for the remainder of this year, we will receive more water than we would have under a normal delivery year, with the exception of November and December. November is traditionally a shutdown, and December we don't receive all of our allocation. Regarding flow rates in Chorro Creek, flow rates during the month of March did exceed the 1.4, which authorizes them to extract from that resource.

Councilmember Smukler requested any updates on the State water shutdown regarding dates.

Councilmember Winholtz went on to ask about residents' complaints about the taste of the water, will the ammonia, when it is in effect, change the flavor of the water. Dylan responded by saying there really shouldn't be any change in the taste of the water. Dylan also suggested if anyone has any complaints about the water to contact them at 772-6261, and they will go out to investigate the problem.

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 SECOND READING AND ADOPTION OF ORDINANCE NO. 555 TO AMEND THE MORRO BAY MUNICIPAL CODE, CHAPTER 10.44 TO INCLUDE A NEW SECTION 10.44.070 TO REGULATE MUNICIPAL

PARKING LOTS AND ESTABLISH AUTHORITY TO CHARGE FEES FOR PARKING; (HARBOR)

MOTION: Councilmember Winholtz moved the City Council approve Item A-4 of the Consent Calendar. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

A-5 APPROVAL OF MINUTES OF THE APRIL 12, 2010 CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Adopt minutes as submitted.

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

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 CONSIDERATION OF REPLACING MORRO BAY DIAL-A-RIDE SERVICE WITH A FLEX FIXED ROUTE SERVICE

Management Analyst Janeen Burlingame stated that we must look at what transit funding will be allocated from the State to determine whether or not existing MBDAR services can be provided beyond the current fiscal year, and if not, what type of transit services can be provided with the available funding. In March, the City Council held a budget goals setting workshop and stated that City reserves would not be used to balance the budget. At this time there are no general funds available to allocate to transit without having to take it from other general fund activities or services. Transit funding from the State has been cut repeatedly over the past three fiscal years; with a current fiscal year MBDAR operating budget of \$379,154; \$204,000 anticipated TDA for FY 2010/2011, and \$38,000 in estimated fares, MBDAR would be short more than \$137,000 to operate at existing service levels. As such, the current MBDAR service levels cannot be maintained for FY 2010/2011. In March, staff presented for consideration to the PWAB and City Council proposed changes to transit service to replace the MBDAR service with a fixed route service as there was no viable option available to retain some type of local dial-a-ride type service that did not result in a funding shortfall to operate or achieve a farebox ratio well below the State required 10% in order to continue receiving funding. The City Council did not take action at its March 22 meeting regarding the proposed transit service changes and directed staff to come back to the Council in April after investigating alternative dial-a-ride program delivery models, including public private partnerships and volunteer based concepts, such as the Cambria Community Bus. Staff evaluated additional options for local transit service to consider implementing July 1, 2010: reduce MBDAR service hours and restrict to one vehicle only; or, establish year round flex fixed route service; or, establish community volunteer bus service. With the "reduction of MBDAR service hours and restrict service to one vehicle" option, approximately 75% of current passengers would not be provided local transit service. In addition, the farebox ratio is estimated to be 6.6%, well below the Transportation

Development Act required 10%. A year round flex fixed route is a hybrid transit system combining fixed route service with limited dial-a-ride service. The flex route operates with a fixed route structure (specified transit stops) but can also “flex” (or “deviate”) off route to pick up/drop off passengers who have called the day before to schedule a trip that is within a half mile of the fixed route. While the flex fixed route service provides for less dial-a-ride type service than is currently provided, it does provide limited dial-a-ride type service for those senior or disabled individuals who might not be eligible to become ADA certified to use Runabout paratransit service and would address the Council’s concern to provide those individuals with some dial-a-ride type service until they can become ADA certified. With this option, there would be no funding shortage anticipated after fare revenue is factored in. In addition, the flex fixed route farebox ratio would be estimated at 13.6%, well above the TDA required 10%. This option is viable and is recommended for implementation July 1, 2010. As far as establishing a community volunteer bus system, during the March 22 City Council meeting, there was discussion of looking into the community bus service that is offered in Cambria as a way to provide dial-a-ride type trips to seniors. The concept of a volunteer community bus service as structured how the service is operated in Cambria, is appealing as it is a way to provide specialized dial-a-ride type service at a much reduced operating cost because of the almost exclusively volunteer framework as the only operating costs are the half time dispatcher, insurance, fuel, maintenance, utilities and promotion. In addition, the service could be a good complement to the proposed changes to replace the MBDAR service with a flex fixed route service as it could provide for additional transit service opportunities for senior and disabled individuals in addition to the flex fixed route, Call-A-Ride flex trip, Ride-On Senior Shuttle and Runabout paratransit. In conclusion, due to the recession and changes in the State budget regarding transit funding, the existing MBDAR service levels cannot be maintained in FY 2010/2011 and after. Staff recommends funding a pilot volunteer community bus project in FY 2010/2011 to determine the long term viability of such service to provide an additional transit service option for senior and disabled individuals.

Mayor Peters opened up the hearing for public comment.

Nancy Mason said the Dial-A-Ride is a most beautiful thing and has heard others say the same thing. She said it is a saving grace for her, as a senior, as she does not have a car anymore. She knows others who are in the same position as she is. She hopes the same service can be continued.

Barry Brannon mentioned that he understands that the budget for the “bus system” is \$30,000 a month and he feels this is a perfect place for outsourcing this service.

Barbara Door said she supports Nancy Mason in trying to keep the Dial-A-Ride program. She commended staff for coming up with the flex fixed route system. She hoped it would go the three-quarter mile and that students could be added. She had three questions. She wondered about the dollar amount, the annual cost for the flex fixed route and the anticipated dollar amount used for the feasibilities. She also asked what the City is going to receive in State funds that are anticipated for the flex fixed route plan.

Nancy Johnson had a couple of procedural questions about the report. She asked if there was help for people who do not have access to a computer or do not know how to get to a website. She talked about liability insurance which covers the volunteers for Meals on Wheels. She was disappointed that there was nothing in the report about looking at a new vendor where money could possibly be saved.

Pauline Stansbury, president of Morro Bay Seniors, said she probably has a resource for volunteers to help with driving.

Mayor Peters closed the public comment.

Janeen answered questions from public comment. She said the cost for the flex fixed route is approximately \$255,000. The TDA funds to be received is approximately \$104,000. The STA has not been allocated yet.

Councilmember Borchard said it looks like there are plenty of pick-up points on the schedule of the fixed route to pick up students if that is needed occasionally. She mentioned that the high cost of running the service is not a luxury the City can afford right now. She is fine with some of the aspects of the flex route but not with the cost.

Councilmember Smukler feels grateful that staff came up with the flex fixed route program. He is interested in the pilot program. He said that with feedback from the community, adjustments can be made. As far as students riding, he does not feel that is a necessity at this time. He would like to see staff take a closer look at the half mile versus three-quarter mile flex to see if there really a better coverage opportunity and make sure we're not omitting any important components of the current ridership who depend on the service and not be able to use it in the half-mile option.

Councilmember Grantham said he feels giving the funding to the flex route is the best option.

Councilmember Winholtz would like to see the two hour call-in period expanded to at least three hours. She feels it is too limited. She feels it is a financial opportunity not to include students, so she is in favor of including students. She feels the whole town should be covered.

Mayor Peters said she would like to include students so they are not cut out completely. She is also in favor of the three-quarter mile coverage.

MOTION: Mayor Peters moved to direct staff to establish a year-round, flex fixed route service with a three-quarter mile flex and to allow students at whatever time increment is appropriate. The motion was seconded by Councilmember Smukler and carried unanimously. (5-0)

Discussion: Councilmember Borchard said she would like to track the use from 7:30am to 8:00am and that it be specific so that it does not infringe on the regular ridership. She is not in favor of the flex route in the middle of the afternoon. She would like to see if it

can be tracked to see if it is being used in the afternoons. She said students can get home in the afternoons from a fixed stop.

Council moved to discussion of the potential of a Community Volunteer Bus service.

Mayor Peters explained this is involving working on a mutual aid service with the county trying to provide Dial-A-Ride and a flex fixed route. It is in the works now and probably would be available toward the end of the year to actually implement. She suggested waiting to see if it is actually going to work before putting any money towards this project.

Councilmember Winholtz said she would like to have staff go ahead and look into it further with Cambria and learn everything about the program.

Councilmember Smukler said they don't have to commit the funding tonight but say that they are very interested in supporting the concept and have staff explore the option further.

MOTION: Councilmember Smukler moved to direct staff to interact with potential community groups to explore the option of the development of the community volunteer bus program and come back to Council with a report and request for funding if needed. The motion was seconded by Councilmember Winholtz and carried unanimously. (5-0)

B-2 CONSIDERATION OF MONTH-TO-MONTH CONTRACT EXTENSION WITH MV TRANSPORTATION AND AUTHORIZATION TO INITIATE BID PROCESS FOR TRANSIT SERVICES OPERATION AND MANAGEMENT

Management Analyst Janeen Burlingame stated the current operations and management agreement with MV Transportation expires at midnight on June 30, 2010. All terms and conditions are applicable during any extension period. With approval of the proposed transit service changes under agenda item B-1 to replace demand response service with a year round flex fixed route service, negotiation of a new fixed monthly management fee is warranted as there are certain fixed costs associated with demand response service, such as dispatching, that are not associated with fixed route service. The month to month extension would allow for the transit service changes to take effect without having to go through the request for proposals (RFP) process at the same time as the service changes with the potential to transition to a new contractor who may have to hire and train new employees. In addition, the extension would give additional time needed to complete the transit efficiencies process, including bringing to Council an Estero Bay region transit service concept for consideration that ideally would address the State transit funding losses and provide sufficient local transit service to Morro Bay residents. Staff recommends the City Council conceptually approve a month to month extension of the current Morro Bay Dial-A-Ride and Trolley Operations and Management Agreement with MV Transportation pending the final approval of compensation rates at the May 10, 2010 meeting, and authorize staff to initiate a bid process for transit services operation and management.

Mayor Peters opened up the hearing for public comment.

There was no public comment.

Dave Nave, with MV Transportation, said when they are asked to do a month to month, it takes them to a position where they have to expense off things month to month instead of amortizing them on an annual basis. He said in his opinion, if they are looking at 2011, it would make sense to shoot for that, allow MV to have at least one year to do its job and to amortize its cost out, to save as much as they can for the city of Morro Bay. He suggested having the bid process done and ready to go by July 1.

Councilmember Winholtz said she is willing to go with a year contract or even six months. She is comfortable with extending it and not making it month to month.

Councilmember Grantham said he supports six months.

Councilmember Smukler said he supports six month as well but feels it is important that they go out to bid and keep it competitive.

Councilmember Borchard said she prefers 90 days but will support six months. She said she is not interested in waiting until next year. She said they have extended the contract for seven years without ever getting a price from somebody else or having them give a new bid.

MOTION: Councilmember Winholtz moved that the City Council extend the MV contract for six months, which will end December 31, 2010. The motion was seconded by Councilmember Borchard and carried unanimously. (5-0)

B-3 RECOMMENDATION ON STAFFING LEVELS FOR THE FISCAL YEAR 2010/11 BUDGET

City Manager Andrea Lueker stated that this was an informational item only, no action is necessary. The City of Morro Bay is faced with a budget deficit in excess of \$500,000. Just a few weeks ago, staff and the City Council completed the third year of Goal Setting. In this Goal Setting session, the City Council reiterated the importance of a sustainable budget, in other words, a budget where the regular yearly revenues meet or exceed the regular yearly expenditures without the use of any reserve funds. Staff then prepared estimated revenue and expenditure sheets for the Administrative Services Director and City Manager review. After the initial review, the difference between revenues and expenditures was over \$900,000. Over the course of the following weeks, over \$400,000 of non-personnel based expenditures were cut. However, after this review, it became clear to staff that based on the declining revenues, the sluggish economy, and delayed fiscal recovery, layoffs would have to be considered in order for staff to provide a balanced budget to the City Council. The following is a list of allocated City positions slated for layoff and/or hour reductions: Office Assistant IV (R&P), Crime Prevention Coordinator (PD), Accountant (Admin Svcs), Building Official (PS), Administrative

Technician to ½ time (Fire), Permit Technician to ¾ time (PS), and eliminate the Housing Programs Coordinator position while establishing an Administrative Technician (PS). There were a variety of part-time hourly positions that were affected as well. Following the first Budget Workshop, and when a set number of layoffs are known, staff will be more able to provide to the City Council further impact issues, such as office closures during the lunch hour and/or additional hours, scheduling changes, and staff availability. While we know there will be impacts, it is difficult to fully determine those impacts prior to knowing the final staffing numbers. Staff recommends Council receive this information and provide staff with any further direction.

Mayor Peters opened up the hearing for public comment.

There was no public comment.

This item is informational only, no action was necessary.

B-4 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 556 TO AMEND THE MORRO BAY MUNICIPAL CODE TITLE 17 ADDING CHAPTER 17.27 ESTABLISHING REGULATIONS AND PROCEDURES ENTITLED “ANTENNAS AND WIRELESS TELECOMMUNICATIONS FACILITIES

Kathleen Wold stated that back in 2005 the City Council approved new regulations for antennas and wireless telecommunications as part of the comprehensive Zoning Ordinance Update. To date the Zoning Ordinance Update has not been certified by the California Coastal Commission therefore city staff must refer to the old regulations when processing new applications for wireless facilities. Recently city staff processed two new applications for wireless facilities under the old requirements. Subsequent to processing these applications City Council gave direction to staff to separate the wireless telecommunication facilities portion of the Update and bring it forward as a separate ordinance for review and approval. Staff brought a draft ordinance forward for Council review on March 22, 2010, minor changes were made to the regulations contained in the Updated Zoning Ordinance to make the regulations compatible with the existing Zoning Ordinance. On March 22, 2010 the Council reviewed the draft ordinance and directed staff to take into consideration comments made by both the council and the public and return with an ordinance for first reading and introduction. The revised ordinance was modified to include an exemption for city data/service facilities and eliminates sections deemed redundant. Staff recommends that city council approve Ordinance No. 556 for introduction and first reading only by number and title only.

Mayor Peters opened up the hearing for public comment.

There was no public comment

Councilmember Winholtz was concerned about the size of the satellite dishes.

Councilmember Grantham said large satellite dishes have not been around for over 10 years.

MOTION: Councilmember Winholtz moved to approve Ordinance 556 for introduction and first reading by number and title only. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

B-5 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 557
AMENDING MORRO BAY MUNICIPAL CODE CHAPTER
2.16.080 REGARDING THE DUTIES OF THE CITY ATTORNEY

City Attorney Rob Schultz was directed and is presenting Council with amended City Attorney duties to include a requirement that he/she attend all appeals before the Planning Commission. Staff recommends Council accept public comment and move for introduction and first reading of Ordinance No. 557 by number and title only.

Mayor Peters opened up the hearing for public comment.

There was no public comment.

Councilmember Borchard said she finds it disappointing that we have to draft an amendment to the ordinance rather than just give direction.

MOTION: Councilmember Winholtz moved approval of Ordinance 557 for introduction and first reading by title and number only. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

C. UNFINISHED BUSINESS - NONE

D. NEW BUSINESS

D-1 PRESENTATION BY THE COMMUNITY PROMOTIONS COMMITTEE
REGARDING THEIR GOALS AND BUDGETARY REQUEST FOR 2010-
2011 AND ADOPTION OF AMENDMENTS TO THE BYLAWS FOR THE
COMMUNITY PROMOTIONS COMMITTEE

City Attorney Rob Schultz presented Council with amendments to the Community Promotions Committee's Bylaws. Also, members of the Community Promotions Committee gave a presentation regarding their goals, accomplishments and budgetary requests for the upcoming fiscal year. Presenting on behalf of the Community Promotions Committee were John Sorgenfrei, Peter Candela, Ed Krovitz and Susan Stewart.

MOTION: Councilmember Winholtz moved to adopt the Community Promotions Committee's recommendations for their Bylaws with new wording on the middle of the first paragraph and that the second paragraph of qualifications reflect Mayor Peters' comments that she provided to

Councilmembers, and that it be returned for Consent Calendar. The motion was seconded by Mayor Peters and carried unanimously. (5-0)

D-2 APPROVAL OF THE SERVICE RETIREMENT INCENTIVE PROGRAM FOR THE FISCAL YEAR 2010/11 BUDGET

City Manager Andrea Lueker presented a Service Retirement Incentive Program to Council for their approval. During the budget process for the fiscal year 2009/10, the City Council offered a SRI program to employees that were eligible to retire. Staff is again, recommending a SRI Program in conjunction with the 2010/11 Budget process. The program can create both potential short-term and long-term savings for the City, and allows employee flexibility. A lump-sum incentive provides individuals with the flexibility to use the funds in any manner they choose. While the program last year provided a different incentive sum depending on the retirement date, staff is recommending a lump-sum of \$10,000 be paid to those who commit to retirement by June 30, 2010. After formal adoption of the program by Council, applicants will be required to sign an agreement and release of claim against the City in exchange for the incentive. Staff recommends the City Council approve the Service Retirement Incentive (SRI) Program.

Councilmember Borchard wanted to ensure that employees taking advantage of this incentive that were not full-time would receive \$5,000 instead of the full \$10,000.

MOTION: Mayor Peters moved approval of the Service Retirement Incentive Program with the addition of a \$5,000 benefit for the part-time positions. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

D-3 DISCUSSION ON WHETHER TO WITHDRAW THE LOCAL COASTAL PLAN FROM THE CA COASTAL COMMISSION

Councilmember Winholtz requested Council's discussion on the withdrawal of the LCP from the CA Coastal Commission (CCC). Approximately 5 years ago the City sent its blended version of the General Plan and its Land Use Plan to the CCC for adoption. To date it has not been reviewed. She believes the inaction on the part of the CCC is for 2 basic reasons. First, the State budget crisis as well as mandatory furlough days has continued to reduce the number of staff at the CCC. Second, the proposed LCP is not really a blend but a different document from the existing LCP making comparison of the 2 documents cumbersome and difficult. She suggests withdrawing the submitted documents. Once that is done, Council and Staff can decide which items are of immediate concern, and then process them to be sent as amendment to deal with the rest of the document. Councilmember Winholtz recommends Council discuss the benefits and deterrents of gaining CA Coastal Commission approval for changes to the City's General Plan by withdrawing the current document and sending amendments instead.

Councilmember Grantham said he does not want to change anything before meeting with the Coastal Commission face to face.

Councilmember Borchard said she would like to wait to see if there can be some resolution before proceeding.

Councilmember Smukler said he is willing to go with whatever direction is appropriate after the meeting with the Coastal Commission.

Mayor Peters said the direction is that the group that goes up to meet with the Coastal Commission is to communicate our desire to get it done in the easiest way for them.

Councilmember Winholtz said that includes withdrawing it.

E. DECLARATION OF FUTURE AGENDA ITEMS

Councilmember Grantham gave a reminder to have risk management and accumulation fund policy be brought up at the next meeting.

Councilmember Smukler requested to agendize an update to City Council regarding Landmark Tree discussion; Council concurred.

Councilmember Smukler requested to agendize an update on the Master Tree list; Council concurred.

Councilmember Smukler requested to agendize discussing the concept of a promotional, educational awareness program to name a City Tree; Council concurred.

Councilmember Smukler requested to agendize an extension of the discussion from the JPA meeting regarding criteria and measurements of success for the WWTP Council concurred.

ADJOURNMENT

The meeting adjourned at 10.38pm.

Recorded by:

Jamie Boucher
Deputy City Clerk