

AGENDA ITEM: A-1

DATE: February 10, 2011

ACTION: Approved

**JOINT MEETING
CITY OF MORRO BAY AND CAYUCOS SANITARY DISTRICT
WASTEWATER TREATMENT PLANT
(UNDER JOINT POWERS AGREEMENT)**

MINUTES

**CAYUCOS SANITARY DISTRICT
BOARD OF DIRECTORS:**

Robert Enns, President
R.H. Bud McHale, Vice-President
Harold Fones, Director
Michael Foster, Director
Shirley Lyon, Director

**CITY OF MORRO BAY CITY COUNCIL
MEMBERS:**

William Yates, Mayor
Noah Smukler, Vice-Mayor
Carla Borchard, Councilmember
George Leage, Councilmember
Nancy Johnson, Councilmember

MEETING DATE:

3:00 p.m., Thursday, January 13, 2011

HOSTED BY:

City of Morro Bay

MEETING PLACE:

Multi-Purpose Room
Community Center
1001 Kennedy Way
Morro Bay, CA 93442

CALL TO ORDER AND ROLL CALL

Mayor Yates called the meeting to order at 3:09 p.m. and asked that the record show all Council members are present. Hal Fones stated he is President Pro-tem for this meeting due to the absence of President Enns and Vice-President McHale and stated all other members of the Cayucos Board are present.

Morro Bay Staff members present were Rob Livick, Andrea Lueker, Rob Schultz, Dylan Wade, and Cindy Jacinth. Also present was JPA WWTP Project Manager Dennis Delzeit

Cayucos Staff members present were Bill Callahan and District Counsel Tim Carmel.

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the governing bodies on Morro Bay-Cayucos Wastewater Treatment Plant (WWTP) business matters may do so at this time. By the conditions of the Brown Act, the governing bodies may not discuss issues not on the agenda, but may set items for future agendas. When recognized by the Chair, please come forward to the podium and state your name and address for the record. Comments should be limited to three minutes.

Mayor Yates opened Public Comment and hearing no comment, Mayor Yates closed Public Comment.

A. CONSENT CALENDAR

1 Minutes of November 18, 2010 JPA Meeting – Recommend approve.

Foster asked for clarification on page 2 of 5 regarding the discussion of the Draft Environmental Impact Report (DEIR) and stated he has no recollection of comments made regarding consultant cost changes.

Livick clarified this was discussed at the meeting and stated the scope was based on the direction of the Board and if there was a change in scope, that would not be included.

Mayor Yates opened Public Comment for A1:

- Richard Margetson, resident of Cayucos, asked that page 3 of the minutes be corrected to reflect his residency is Cayucos, not Morro Bay. Mr. Margetson also asked when the formal decision for changing public comment policy will be made. Mayor Yates responded the public comment policy is to remain consistent with Cayucos which will be to have public comment on each item.
- Alex Beatty, resident of Morro Bay, noted the meeting is in violation of the Americans with Disability Act due to the lack of assistive listening devices available. Mr. Beatty explained that at the last City Council meeting many persons were there in support of the Planning Commission and urged the Board to ask the City staff to stop “digging” and questioned why the Cayucos Sanitary District gave up their decision-making role in the process.

Mayor Yates closed Public Comment.

Mayor Yates asked City Attorney Rob Schultz to clarify if a formal decision is necessary to approve Public Comment period. Schultz responded his understanding is that it was agreed at the last meeting to have Public Comment period after each item as Cayucos does and no formal action is necessary.

MORRO BAY MOTION: Borchard made a motion to approve Consent Calendar Item A1 as corrected. Smukler seconded and the motion passed unanimously (5-0).

CAYUCOS MOTION: Lyon made a motion to approve Consent Calendar Item A1 as corrected. Foster seconded and the motion passed unanimously (3-0).

B. OLD BUSINESS

1 Status Report on Upgrade Project as of December 31, 2010 – Recommend receive and provide direction to staff.

Dennis Delzeit gave a status report discussing the milestone schedule of activities for the upgrade project noting that the City Council certified the EIR and approved the Conditional Use Permit and Coastal Development Permit. Delzeit commented that the WWTP Upgrade project will likely receive an appeal to the Coastal Commission which would delay the project and clarified the fine schedule for delays in the project.

Smukler asked Delzeit to clarify the geotechnical report and also the timeline with regards to the Coastal Commission and the Regional Water Quality Control Board.

Delzeit clarified the work yet to be done regarding the geotechnical work from Fugro. Livick clarified the timeline steps and appeals process for the Coastal Commission.

Mayor Yates opened Public Comment for this item and hearing no comment, Yates closed Public Comment.

Discussion continued between Councilmember Smukler, Livick and Schultz regarding the hearing schedule and the 49 day appeal period.

MORRO BAY MOTION: Borchard made a motion to approve the Status Report. Smukler seconded and the motion passed unanimously (5-0).

CAYUCOS MOTION: Lyon made a motion to approve the Status Report. Foster seconded and the motion passed unanimously (3-0).

C. NEW BUSINESS

1 Schedule Next Joint Meeting and Agenda Items

Board members determined the next JPA meeting will be 6:00 p.m. on February 10th, 2011 in Cayucos.

ADJOURNMENT

Mayor Yates adjourned the meeting at 3:35 p.m.

Minutes Recorded by:

Cindy Jacinth, Morro Bay Public Services Dept.