

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – SEPTEMBER 23, 2014
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Edward Kreins	Interim City Manager
	Joe Pannone	City Attorney
	Jamie Boucher	City Clerk
	Rob Livick	Public Services Director
	Joe Woods	Recreation & Parks Director
	Eric Endersby	Harbor Director
	Amy Christey	Police Chief
	Steve Knuckles	Fire Chief
	Scot Graham	Planning Manager

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT – City Attorney Joe Pannone reported that with regards to the Closed Session Items, the Council did not take any reportable action pursuant to the Brown Act on Item CS-1, Conference with Labor Negotiators. Regarding Item CS-2, Public Employee Performance Evaluation, Mayor Irons reported that an evaluation was performed on the City Attorney and as a result of a unanimous vote, Council will continue to retain the legal services of Aleshire & Wynder under its current contract which can be terminated with a 30 day notice; and, the title of Interim City Attorney is now removed.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS

Morro Bay Tourism Bureau Director, Brent Haugen spoke on the Morro Bay Lodging Conservation efforts. The Bureau reached out via email and phone to survey all the hotels and motels to learn about their current water and energy conservation efforts. Of the 35 properties surveyed, they received 22 responses; the information to follow is based on those 22 responses. A majority of those responded have drought resistant landscaping, provide guest conservation education, have low flow shower heads and low flow toilets, have a regular maintenance schedule, and use eco-friendly products. 82% have sheet changing cards and 77% have towel rack cards. Most use eco-friendly in-shower dispensers which means less plastic waste. All

responders use fluorescent bulbs. A majority use ceiling fans and have a regular maintenance schedule. 77% of respondents have recycling programs and 41% have waste reduction programs. The Tourism Bureau is happy to help the City communicate with / educate their hoteliers in additional conservation measures.

Geoff Straw, Executive Director of the San Luis Regional Transit Authority made an RTA presentation. In order to ensure they stay in compliance with ADA, and keep up with demand, they have to raise fares. RTA is looking to increase fares equal to twice the area's fixed route fares with a cap of \$10. They are looking to make this effective February 1, 2015. They are seeking public input – asking for comments so they can take those into consideration at their RTA meetings and decision making process. They have scheduled public workshops to be able to talk to people in person. They are also taking individual comments via email, phone or written correspondence.

PUBLIC COMMENT

Wendy Dish, owner of Ephe Mer, presented the Morro Bay business report. Wendy sells handmade casual beach apparel. She loves Morro Bay and is thrilled to be able to establish her business here. Ephe Mer is located upstairs at 551 Embarcadero, and is a small studio; their specialty is beach pants and boxers/shorts. Her clothes are made from organic cotton and are made to order so they fit perfectly. She is very community oriented and has already supported the high school in a variety of ways.

Robert Davis spoke representing the SLO Bicycle Club announcing the Lighthouse Century being held on Saturday, September 27th. There are 3 routes, all leaving from Morro Bay High School, going up Highway 1; event organizers stress safety. Morro Bay PD will help direct traffic at the high school. This is not a race, it is a recreational ride. Money is contributed to local charities supporting scholarships and non-profits.

Pam Hyland is a Soroptimist, a global volunteer organization of nearly 95,000 women worldwide whose members volunteer to improve the lives of women and girls through programs leading to social and economic empowerment. She announced the application period for this year's Live Your Dream Award which assists women who provide the primary source of financial support for their families by giving them resources they need to improve their education, skills and employment prospects. Each year this program gives a total 1.5 million dollars to over 1500 women.

John Heading spoke on Measure D which will be on the ballot in November. It is an initiative to raise money for our schools, especially our high school for infrastructure projects. He took a tour today and was saddened by the lack of quality of buildings, continuous problems with small class sizes, inadequate equipment, etc. He wants to challenge the community to look closely at this measure.

Joan Solu thanked the community for the Moro Bay 50th Parade, there were 50 participants. She also announced the upcoming Morro Bay Harbor Festival which is being held the first weekend of October; headliners include Beatlemania and the Fabulous Thunderbirds. Regarding Measure

D, she also took a tour; one important thing to remember is that MBHS was built 56 years ago, it is a fabulous school but has large infrastructure issues.

Susan Stewart stated that we had a very successful Avocado Margarita Festival; there was a huge turnout and it raised lots of money for volunteer organizations. She thanked Brent Haugen, the Morro Bay Tourism Bureau Director for providing clear and logical reports. She thanked Ed Kreins for helping the community through our transition. Regarding C-3, she would love to see a funicular but realizes it's expensive. She would like to see something happen soon; a people mover is important to join the town.

The public comment period was closed.

A. CONSENT AGENDA

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 SPECIAL CLOSED SESSION CITY COUNCIL MEETING HELD ON SEPTEMBER 9, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON SEPTEMBER 9, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF THE INTERIM EMERGENCY AGREEMENT WITH SAN LUIS OBISPO COUNTY TO PROVIDE REGIONAL DISPATCH SERVICES FOR THE FIRE AND HARBOR DEPARTMENTS; (FIRE / HARBOR)

RECOMMENDATION: Approve the Interim Emergency Agreement with SLO County providing all dispatch services for the /Fire and Harbor Departments and authorize the Mayor to execute the contract on behalf of the City.

A-4 APPROVE THE AGREEMENT WITH SAN LUIS OBISPO COUNTY SHERIFF FOR REGIONAL POLICE DISPATCH SERVICES; (POLICE)

RECOMMENDATION: Approve the agreement for 9-1-1 emergency communications dispatch services and information technology services between the County of San Luis Obispo Sherriff's and the City of Morro Bay. .

A-5 ACCEPTANCE OF A GRANT OF EASEMENT FOR SEWER PURPOSES FROM IMPERIAL COAST LIMITED PARTNERSHIP (INN AT MORRO BAY, 60 STATE PARK ROAD); (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution No. 62-14 accepting the offer of an Access Easement to lease site 27W.

A-6 ACCEPTANCE OF A GRANT OF EASEMENT FOR SEWER PURPOSES FROM KIRK AND LAREE NAJARIAN (325 ZANZIBAR STREET); (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution No. 61-14 accepting the Grant of Easement for sewer purposes on Lot 21, Block 3A in 2-MB-15 (Atascadero Beach Tract) located at 325 Zanzibar Street.

A-7 AUTHORIZATION TO FILL A PUBLIC SERVICES DEPARTMENT VACANCY – WASTEWATER TREATMENT PLANT OPERATOR; (PUBLIC SERVICES)

RECOMMENDATION: Authorize an internal/external recruitment for the vacant Wastewater Treatment Plant Operator position.

A-8 APPROVAL OF RESOLUTION NO. 60-14 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2014/2016 SURRENDERED AND ABANDONED VESSEL EXCHANGE CONTRACT WITH THE DIVISION OF BOATING AND WATERWAYS; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 60-14 authorizing the Harbor Director to execute the attached \$58,000 Surrendered and Abandoned Vessel Exchange (SAVE) Contract Agreement #C7702206 with the Division of Boating and Waterways (DBW) for assistance with demolition of abandoned/surrendered vessels and hazards to navigation.

A-9 APPROVAL OF RESOLUTION 63-14 EXPRESSING APPRECIATION FOR THE DEDICATION AND PUBLIC SERVICE OF ED KREINS AS INTERIM CITY MANAGER FOR THE CITY OF MORRO BAY; (MAYOR)

RECOMMENDATION: Approve Resolution 63-14.

The public comment period was opened for the Consent Calendar; seeing none, the public comment period was closed.

Mayor Irons pulled Items A-2 and A-9 and Councilmember Smukler pulled Items A-3 and A-4 from the Consent Calendar.

MOTION: Councilmember Christine Johnson moved the City Council approve Items, A-1, A-5, A-6, A-7, and A-8 from the Consent Calendar as presented. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-2 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON SEPTEMBER 9, 2014; (ADMINISTRATION)

Mayor Irons pulled the minutes for directed edits he had earlier provided to the City Clerk.

MOTION: Mayor Irons moved the City Council approve the September 9, 2014 minutes as edited and previously received by the Council. The motion was seconded by Councilmember Christine Johnson carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-3 APPROVAL OF THE INTERIM EMERGENCY AGREEMENT WITH SAN LUIS OBISPO COUNTY TO PROVIDE REGIONAL DISPATCH SERVICES FOR THE FIRE AND HARBOR DEPARTMENTS; (FIRE / HARBOR)

A-4 APPROVE THE AGREEMENT WITH SAN LUIS OBISPO COUNTY SHERIFF FOR REGIONAL POLICE DISPATCH SERVICES; (POLICE)

Councilmember Smukler pulled these items to provide an opportunity for staff leaders on the project to give a status update.

Fire Chief Knuckles stated that the transition for both fire and harbor has been smooth and the fire department can already see the benefits on the services they are receiving. The County/Cal Fire has been flexible in working with us regarding local control as we come up with our dispatch and response measures. He also provided education regarding 911 cell phone calls. With a 911 cell phone call you will get a dispatcher but there will be a delay which is tied to the GPS from your phone; and very likely you will get a CHP dispatcher.

Police Chief Christey addressed the Board of Supervisor's that morning. There are some operational changes in Morro Bay: they are no longer open 24 hours but instead Monday – Friday from 8am-5pm for police business / paper business – records, registrations, fingerprints, etc.; 772-6225 is now the business line number; she discussed 911 calls from landlines to dispatch which now goes to the County who dispatches the local officers. The collaboration has been great, our access to technology has increased, and our ability to communicate with other agency partners has increased. As we find things that need adjusting, we will do that.

MOTION: Councilmember Smukler moved the City Council approve Item A-3 and A-4 as presented. The motion was seconded by Councilmember Nancy Johnson and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-9 APPROVAL OF RESOLUTION 63-14 EXPRESSING APPRECIATION FOR THE DEDICATION AND PUBLIC SERVICE OF ED KREINS AS INTERIM CITY MANAGER FOR THE CITY OF MORRO BAY; (MAYOR)

Mayor Irons pulled this to read it aloud, expressing the Council's / City's appreciation for the work Ed Kreins provided the City.

MOTION: Mayor Irons moved the City Council approve Item A-9 as presented. The motion was seconded by Councilmember Christine Johnson and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

B. PUBLIC HEARINGS - None

C. UNFINISHED BUSINESS / SECOND READING AND ADOPTION OF ORDINANCES

C-1 STATUS UPDATE FOR THE GENERAL PLAN AND LOCAL COASTAL PLAN UPDATE; (PUBLIC SERVICES)

Planning Manager, Scot Graham presented the staff report.

The public comment period for Item C-1 was opened; seeing none, the public comment period was closed.

This report was received and filed

C-2 STATUS REPORT OF MORRO CREEK MULTI-USE TRAIL & BRIDGE PROJECT (MCMT&B); (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

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

This report was received and filed.

C-3 REVIEW RECOMMENDATIONS FOR IMPROVEMENTS TO THE CENTENNIAL STAIRWAY BY RECREATION AND PARKS COMMISSION, PUBLIC WORKS ADVISORY BOARD AND THE PLANNING COMMISSION AND PROVIDE DIRECTION TO STAFF; (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

The public comment period for Item C-3 was opened.

James Costanza is against the concept of a ramp; his daughter has mobility issues and ramps are exceedingly difficult to maneuver. Elevators are essential in her and other's ability to get around.

The public comment period for Item C-3 was closed.

Mayor Irons discussed it was important that tonight, there is Council consensus to revisit the agreement with Mr. Salwasser as well as identify the project that would get built.

Councilmember Leage wants to look at getting a cash settlement and then look at what kind of project the City can provide. Citizens love the idea of the funicular option; it's an attraction. We have a great opportunity here.

City Attorney Joe Pannone stated that it is imperative for Council to make a decision tonight as to what kind of project they would like to have built so that negotiations with the developer/owner can begin; the developer can't move forward without Council authorization of the type of project.

Councilmember Christine Johnson agrees this is an important connection for our City from the Embarcadero up to the Downtown core; we need to replace the existing staircase with a more visible and engaging connection of a wide staircase and people moving means; a lift station isn't only needed, but desired and stairs are not only needed but desired; and a funicular is fun. She is leaning towards stairs and a lift station with a focus on the viewshed that is there now; a meeting with the current property owner; and a lift as a utility as opposed to an attraction.

Councilmember Nancy Johnson stated this is an important connection between the Embarcadero and Old Town. The City managed to find money to build the connecting bridge; she doesn't see why we can't do the same here. She is very much in favor of a funicular. She agrees we need to renegotiate with Mr. Salwasser with a new agreement and timeline. In their conversations over the years, he has remained adamant that he has a certain amount of money to spend and that's it. She also feels we need a more accurate number of how much this will cost from an independent source. She also sees this as an attraction and it would help Morro Bay. Once we find out how much it costs, we need to find ways to pay for it. Maybe through ADA access grants, Federal and State monies; Mr. Salwasser's money he has agreed to pay; she also wanted to look at being able to divert some of the monies from facility repair to this project; in 2020, Mr. Salwasser has a balloon payment to make to the City; we could look at using Measure Q funds; and/or, maybe look at TBID putting in some monies. In summary, we first need to renegotiate, get Mr. Salwasser's money and find out exactly what the cost is.

Councilmember Smukler stated that both the City and Mr. Salwasser have an investment in the area – we have common ground. He is approaching this in a strategic way in an effort to get the best project for the money. A funicular is a nice idea but he feels is a luxury item. An elevator and stair combination is a very nice option for the community and will be a vast improvement as well as satisfy the basic needs that a lot of people have. He is excited about getting the project done, we need to get the project moving, we need to work with the developer, and we need to focus on the attractions already there. There is a historic value to the materials of the staircase and he wants to see that significance respected; hopefully we can adapt these materials elsewhere.

Mayor Irons agreed we need to go back and renegotiate an agreement with Mr. Salwasser. We need to make a decision in order to move forward in the negotiation process; the simple choice is an elevator; we have attractions here already. He hesitates to promote a funicular as we don't know what the City's obligations would be with a funicular. He feels as though to move forward, we need to talk with Mr. Salwasser about the agreement as we identify the project, he sees this coming back as the renegotiations with Mr. Salwasser progress.

Councilmember Christine Johnson stated that a low profile elevator would be her preference as opposed to spending extra staff time and resources to find out if there is something that fits our needs.

Councilmember Smukler feels that an elevator / staircase combo gives us more functional space whereas a funicular is more sprawling and cuts down on useful space. Why would we want to throw money on a mechanical longstanding cost item that we don't necessarily need to take on; let's go with a more practical approach.

Councilmember Nancy Johnson stated we don't have enough information to turn down a funicular. She hopes we can take some time to do this right instead of sticking something out there because it's cheap and easy. She hopes we work together to see how much this could cost, how much space it would take, is there funding available, how many people can it carry, etc. She doesn't believe a funicular will detract from anything. She will vote only to commit to do the research on finding out costs on a funicular before we decide to do something else.

Councilmember Leage feels we need to spend the time to find out if a funicular is feasible. It will be a draw to businesses in uptown.

Mayor Irons stated we want a project that will last; he would like to see information on expense and reliability of a funicular. He is leaning towards getting information on functionality of both an elevator and a funicular and bringing this back. However, for the sake of making a decision tonight, his preference would be towards an elevator as it is probably the most reliable and proficient thing to maintain and work with.

Councilmember Christine Johnson wondered if the residents were asked, would they like to prioritize this project over others. She is not interested in anything taller than it has to be, she doesn't want a tower. Her interests lie in stairs / elevator, the view shed, it being a public facility and directing staff to revisit the contract agreement with Mr. Salwasser.

MOTION: Mayor Irons moved to direct staff to move forward identifying the project as an elevator, will include stairs, no tower, the view shed will be part of the design element, and direct staff to revisit the contract agreement with Mr. Salwasser and come back to Council with the appropriate information following that discussion with Mr. Salwasser and identifying the project. The motion was seconded by Councilmember Smukler and carried 3-2 with Councilmembers Nancy Johnson and Leage voting no.

Ayes: Irons, C. Johnson, Smukler

No's: N. Johnson, Leage

D. NEW BUSINESS - None

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

Councilmember Christine Johnson requested a Study Session for the County-wide proposal to create a new Tourism Management District (TMD); Mayor Irons and Councilmember Smukler concurred.

Councilmember Christine Johnson requested an item, based on the results from the Study Session, Council to discuss the proposal to create a new Tourism Management District; Mayor Irons and Councilmember Smukler concurred.

Mayor Irons requested an evaluation of City properties that could be placed for sale; Councilmembers Smukler and Christine Johnson concurred.

Mayor Irons requested an item to review the requirements for the sale and ultimate development of the City's "Cloister's Lot", including LCP amendment, modification of the Coastal Commission issued Coastal Development Permit and reprocessing of a subdivision map; Councilmembers Christine Johnson, Smukler and Leage concurred.

Mayor Irons requested an item to assess the Management Partners Study outlook; Councilmembers Christine Johnson and Smukler concurred.

ADJOURNMENT

The meeting adjourned at 9:29 p.m.

Recorded by:

Jamie Boucher
City Clerk