

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – APRIL 23, 2019
VETERAN'S MEMORIAL HALL – 5:30 P.M.

AGENDA NO: A-3
MEETING DATE: May 14, 2019

PRESENT:	John Headding Dawn Addis Robert Davis Marlys McPherson	Mayor Council Member Council Member Council Member
ABSENT:	Jeff Heller	Council Member
STAFF:	Scott Collins Chris Neumeyer Dana Swanson Jennifer Callaway Rob Livick Scot Graham Jody Cox Matt Vierra Eric Endersby	City Manager City Attorney City Clerk Finance Director Public Works Director Community Development Director Police Chief Fire Marshal Harbor Director

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 5:30 p.m., with all but Council Member Heller present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION – None

CLOSED SESSION REPORT – City Attorney Neumeyer stated no reportable action was taken by the City Council in accordance with the Brown Act.

MAYOR AND COUNCIL MEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

<https://youtu.be/CsK97OXwtJw?t=100>

CITY MANAGER REPORTS, ANNOUNCEMENTS & PRESENTATIONS - None

PRESENTATIONS –

- Sexual Assault Awareness Month Proclamation presented to RISE Board Members Garret Olson and Danielle Wheeler.
<https://youtu.be/CsK97OXwtJw?t=289>
- National Foster Care Month Proclamation presented to San Luis Obispo County Program Review Specialist/Lead Recruiter, Felipe Gonzalez and Resource Parent, Cynthia Fletcher.
<https://youtu.be/CsK97OXwtJw?t=723>

PUBLIC COMMENT

<https://youtu.be/CsK97OXwtJw?t=1292>

Rob Kitzman, Kitzman's Culligan Water, recipient of the Chamber of Commerce 2018 Business of the Year award, provided the business spot. Kitzman's Culligan Water is a 3rd generation local company with 13 full time employees, serving customers from Los Osos to Ragged Point.

Erica Crawford, Morro Bay Chamber of Commerce, announced upcoming 4MB business outreach events and the Amgen Tour of California bike race on Wednesday, May 15.

Jan Goldman, Morro Bay, asked when cannabis businesses, an obvious revenue source, would be up and running.

Bob Keller, Morro Bay, stated Kitzman's Culligan Water is an outstanding company.

The Public Comment period was closed.

A. CONSENT AGENDA
<https://youtu.be/CsK97OXwtJw?t=1752>

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 MARCH 12, 2019, CITY COUNCIL MEETING;
(ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE MARCH 26, 2019, CITY COUNCIL MEETING;
(ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 PROCLAMATION DECLARING APRIL 2019 AS "SEXUAL ASSAULT AWARENESS
MONTH"

RECOMMENDATION: Approve as submitted.

A-4 PROCLAMATION RECOGNIZING MAY AS "NATIONAL FOSTER CARE MONTH"

RECOMMENDATION: Approve as submitted.

A-5 PROCLAMATION DECLARING THE MONTH OF APRIL AS "FAIR HOUSING MONTH"

RECOMMENDATION: Approve as submitted.

A-6 APPROVAL OF PRELIMINARY STREETS TO BE MAINTAINED USING FUNDING
FROM SB1; (PUBLIC WORKS)

RECOMMENDATION: Adopt Resolution No. 26-19 approving the Fiscal Year 2019/20 project list for Senate Bill 1 (Road Repair and Accountability Act of 2017) Road Maintenance and Rehabilitation Account (RMRA) funding.

A-7 APPROVAL OF ISSUANCE OF REQUEST FOR PROPOSALS FOR
REDEVELOPMENT ON LEASE SITES 34W AND 35W-36W, ADJACENT TO 225 &
235-245 MAIN STREET, RESPECTIVELY; (HARBOR)

RECOMMENDATION: City Council approve issuance of the re-revised Request for Proposals document to put Lease Sites 34W and 35W-36W out to bid for redevelopment.

A-8 PROCLAMATION DECLARING MAY 5 – 11, 2019 AS NATIONAL TRAVEL AND TOURISM WEEK

RECOMMENDATION: Approve as submitted.

A-9 ADOPTION OF RESOLUTION NO. 27-19 AUTHORIZING THE CHIEF OF POLICE TO SUBMIT AN APPLICATION FOR LIVE SCAN SERVICES FOR COMMERCIAL MEDICAL CANNABIS BUSINESS APPLICANTS; (POLICE)

RECOMMENDATION: Council adopt Resolution No. 27-19 allowing the Chief of Police to complete an application for Live Scan services from the State of California’s Department of Justice Live Scan system for local, state and federal level criminal history information on prospective employees and owners of commercial medical cannabis businesses.

Mayor Headding opened public comment for the Consent Agenda.

Jane Heath speaking on behalf of her clients Bill Martony and Bernadette Pekarek, furnished written comments to the Council and provided a copy for the record regarding Item A-7. She noted the upland property owners do not object to issuance of the RFP but asked the City keep in mind conditions of the existing Lease Site 34W when considering proposals.

Sean Donahoe requested an update on the cannabis permitting process.

Maria, English Learning Advisory Committee (“ELAC”), announced a scholarship fundraising event to be held on May 3rd from 4:00 – 7:00 p.m. in the Morro Bay High School parking lot next to the pool.

The public comment period was closed.

Mayor Headding and Council Member McPherson pulled Item A-9.

MOTION: Council Member Davis moved the Council approve Items A-1 through A-8 on the Consent Agenda. The motion was seconded by Council Member McPherson and carried 4-0-1 by roll call vote with Council Member Heller absent.

A-9 ADOPTION OF RESOLUTION NO. 27-19 AUTHORIZING THE CHIEF OF POLICE TO SUBMIT AN APPLICATION FOR LIVE SCAN SERVICES FOR COMMERCIAL MEDICAL CANNABIS BUSINESS APPLICANTS; (POLICE)
<https://youtu.be/CsK97OXwtJw?t=2118>

At Council’s request, staff commented on the importance of thorough background investigations and provided an update on the selection process.

MOTION: Council Member McPherson moved for approval of Item A-9. The motion was seconded by Mayor Headding and carried 4-0-1 by roll call vote with Council Member Heller absent.

At the Mayor’s request, City Attorney Neumeyer advised the Council concerns regarding condition of the existing lease site could be agendized for a closed session discussion.

B. PUBLIC HEARINGS - None

C. BUSINESS ITEMS

C-1 WATER RECLAMATION FACILITY QUARTER 3 FISCAL YEAR 2018/19 QUARTERLY UPDATE; (PUBLIC WORKS)
<https://youtu.be/CsK97OXwtJw?t=2613>

Eric Casares, WRF Program Manager, provided the report and responded to Council inquiries.

The public comment period for Item C-1 was opened.

Bill Martony, Morro Bay, asked for clarification on the budget adjustments reflected in the report.

Bob Keller, Morro Bay, urged staff to negotiate with due diligence and continue pursuing funding opportunities to keep project costs down.

The public comment period for Item C-1 was closed.

The Council appreciated the report as presented for a quarterly report and provided direction on items to be included in a brief monthly report presented on the Consent Agenda:

- Is the project on budget?
- Is the project on schedule?
- Include information for the public regarding any potential disruptions (street closures, etc.) with a website link for the public to easily view that information.
- If discrepancies or other problems exist, make a notation and/or explain what is being done to overcome those challenges.

No formal action was taken by the City Council.

C-2 OPTIONS TO ENHANCE COMMUNICATION AND ENGAGEMENT WITH THE COMMUNITY; (CITY MANAGER)
<https://youtu.be/CsK97OXwtJw?t=5465>

Mayor Headding requested the Council consider continuing this item to the next meeting as Council Member Heller, who requested the item, was sick and unable to attend tonight's meeting. There was full support to continue this item to the next Council Meeting.

C-3 APPROVAL OF CAPITAL BUDGET FUND REALLOCATION OF \$21,000 TO REPAVE THE ALLEYWAY BETWEEN TOGNAZZINI'S RESTAURANT AND THE SANTA MONICA SEAFOOD COMMERCIAL FISHING DOCK; (HARBOR)
<https://youtu.be/CsK97OXwtJw?t=5513>

Harbor Director Endersby presented the report and responded to Council inquiries.

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

Mark Tognazzini, Tognazzini's Dockside Restaurant, requested the Council approve staff's recommendation.

Bob Keller, Morro Bay, spoke in support of Mr. Tognazzini.

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

MOTION: Council Member Davis moved the Council approve reallocation of \$21,000 from the Harbor Ice Machine Maintenance capital project fund to the Harbor Operating fund as outlined in this report to enable repaving of a critical section of alleyway between Tognazzini's restaurant and the Santa Monica Seafood commercial fish

unloading dock. The motion was seconded by Council Member McPherson carried 4-0-1 by roll call vote with Council Member Heller absent.

- C-4 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 622 AUTHORIZING AN AMENDMENT TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM CONTRACT TO IMPLEMENT COST SHARING FOR LOCAL POLICE MEMBERS IN THE MORRO BAY PEACE OFFICERS ASSOCIATION; (ADMINISTRATION)
<https://youtu.be/CsK97OXwtJw?t=6023>

MOTION: Council member Addis moved for introduction and first reading by title only, and waive further reading, Ordinance No. 622 Authorizing an Amendment to the Contract between the City of Morro Bay and the Board of Administration of the California Public Employees' Retirement System (CalPERS) Implementing Section 20516 (Employees Sharing Additional Cost) to provide employee cost sharing of 1% for local police members in the Morro Bay Peace Officers Association (MB POA) for Fiscal Year FY 2018/19. The motion was seconded by Council Member Davis.

Mayor Headding opened public comment; seeing none, the public comment period was closed.

The motion carried 4-0-1 by roll call vote with Council Member Heller absent.

- D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
<https://youtu.be/CsK97OXwtJw?t=6244>

Mayor Headding requested consideration of a closed session discussion of the condition of Lease Site 34W. There was full support for the item.

- E. ADJOURNMENT
The meeting adjourned at 7:16 p.m.

Recorded by:

Dana Swanson
City Clerk