

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 13, 2013**

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

CS-1 GOVERNMENT CODE SECTION 54956.8; 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 as to three parcels.

- **Property: Lease Site 93-95/93W-95W; 901 Embarcadero**
Negotiating Parties: Smith & Hannah Held and City of Morro Bay
Negotiations: Lease Terms and Conditions
- **Property: Lease Site 96/96W; 945 Embarcadero**
Negotiating Parties: Stan VanBeurden and City of Morro Bay
Negotiations: Lease Terms and Conditions
- **Property: Lease Site 129W-131W; 1231 Embarcadero**
Negotiating Parties: MBFC Acquisition Corp and City of Morro Bay
Negotiations: Lease Terms and Conditions
- **Property: 887 Atascadero Road**
Negotiating Parties: Clarice E. Righetti Trust and City of Morro Bay
Negotiations: Voluntary Purchase and Sale

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

**PUBLIC SESSION
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 CITY COUNCIL MINUTES FOR THE CITY COUNCIL MEETING OF JANUARY 22, 2013; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 PRESENTATION BY THE MORRO BAY NATURAL HISTORY MUSEUM; (ADMINISTRATION)

RECOMMENDATION: Receive presentation; no action is required.

A-3 ADOPTION OF ORDINANCE NO. 582 REPEALING AND REPLACING MORRO BAY MUNICIPAL CODE SECTIONS 5.28 AND 5.30 WITH NEW SECTION 5.30 RELATING TO VIDEO SERVICE PROVIDERS; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Ordinance 582.

A-4 AUTHORIZATION TO FILE NOTICE OF COMPLETION FOR PROJECT NO. MB2011-S2: MORRO BAY LIFT STATION #2 REPLACEMENT; (PUBLIC SERVICES)

RECOMMENDATION: File the Notice of Completion for Morro Bay Lift Station #2 Replacement Project.

A-5 RESOLUTION NO. 11-13 ACCEPTING \$100,000 GRANT FROM THE STATE OF CALIFORNIA CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM; (POLICE)

RECOMMENDATION: Adopt Resolution No. 11-13.

A-6 RESOLUTION 13-13 AMENDING THE CITY OF MORRO BAY ADVISORY BOARDS HANDBOOK AND BY-LAWS; (CITY ATTORNEY)

RECOMMENDATION: Review the attached Advisory Board Handbook and By-Laws and approve Resolution 13-13.

A-7 2012 TROLLEY SEASON SUMMARY; (PUBLIC SERVICES)

RECOMMENDATION: Receive and file the 2012 Trolley season summary.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 PUBLIC INPUT ON 2013 CITY COUNCIL GOALS; (ADMINISTRATION)

RECOMMENDATION: Open the public hearing and accept comment from the public on Goals for the City of Morro Bay.

B-2 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDING RECOMMENDATIONS FOR 2013/2014 (PUBLIC SERVICES)

RECOMMENDATION: Review and approve funding recommendations for the 2013 Community Development Block Grant (CDBG) program and approve adjustment of awards on a proportional basis upon final receipt of the 2013/2014 funding allocation from the Department of Housing and Urban Development (HUD).

B-3 2012 ANNUAL WATER REPORT; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution No. 12-13.

C. UNFINISHED BUSINESS

- C-1 ADOPTION OF RESOLUTION 14-13 RESTORING RESIDENTIAL IMPACT FEES TO THEIR PRE-OCTOBER 23, 2012 LEVEL AND DISCUSSION OF COMMERCIAL IMPACT FEES; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution 14-13 rescinding Resolution 52-12 and restoring Residential Impact fees to their pre October 23, 2012 level, and provide additional direction regarding commercial impact fees.

- C-2 DISCUSSION ON POTENTIAL REZONE AND GENERAL PLAN AMENDMENT FOR THE M-1 AREA ALONG ATASCADERO ROAD SPECIFICALLY THE WASTEWATER FACILITY SITE AND SURROUNDING AREA (PARCELS 066331032, 066331033, 066331034, 066331038, 066331039 (PORTION), 066332001, 066332002, 066333002); (PUBLIC SERVICES)

RECOMMENDATION: Review information and provide direction to staff.

- C-3 DISCUSSION AND RECOMMENDATION ON THE SELECTION PROCESS FOR VOLUNTEER COMMUNITY SERVICES COORDINATOR; (CITY COUNCIL)

RECOMMENDATION: Review the staff report, the previous staff report from August 14, 2012, approve the job description and determine a selection process for the Volunteer Community Services Coordinator.

D. NEW BUSINESS

- D-1 APPROVAL OF MOU BETWEEN THE ESTERO BAY COMMUNITY POOL FOUNDATION, SAN LUIS COASTAL UNIFIED SCHOOL DISTRICT AND CITY OF MORRO BAY REGARDING THE ESTERO BAY COMMUNITY POOL PROJECT ”; (RECREATION & PARKS)

RECOMMENDATION: Approval of the MOU as proposed.

- D-2 DISCUSSION ON THE STATUS OF THE CITY OF MORRO BAY AND CAYUCOS SANITARY DISTRICT WASTE WATER TREATMENT PLANT PROJECT AND APPROVAL FOR CITY TO SEND LETTERS TO STATE AND FEDERAL LEGISLATORS REGARDING SUPPORT AND FUNDING FOR THE PROJECT; (CITY COUNCIL)

RECOMMENDATION: Discuss and authorize the City to send letters regarding support and funding for the project.

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 772-6205 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.

AGENDA NO: A-1

MEETING DATE: 2/13/2013

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – JANUARY 22, 2013
VETERAN’S MEMORIAL HALL – 6:00P.M.

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

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Jamie Boucher	City Clerk
	Rob Livick	Public Services Director
	Amy Christey	Police Chief
	Steve Knuckles	Fire Captain
	Eric Endersby	Harbor Director
	Susan Slayton	Administrative Services Director
	Joe Woods	Recreation & Parks Director

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR AND COUNCIL MEMBERS REPORTS, ANNOUNCEMENTS &
PRESENTATIONS

Consent Calendar Item A-5 was pulled in order for Mayor Irons to present a Proclamation to Jane Pomeroy, a Crisis Services Specialist with the Sexual Assault Recovery & Prevention Center (SARP).

Consent Calendar Item A-6 was pulled in order to hear a presentation from Adrienne Harris, Executive Director of the Morro Bay National Estuary Program.

CLOSED SESSION REPORT – City Attorney Robert Shultz reported that City Council met in Closed Session and no reportable action under the Brown Act was taken.

PUBLIC COMMENT

Robert Davis spoke, referring to the letter submitted by the Morro Bay Citizen’s Bike Committee detailing this year’s requests made by the Committee. He highlighted a couple which include a new crosswalk at Atascadero Road/Main Street to include flashing lights in the pavement; and, removing the metal bollards found in the middle of the Bike Path at Cloisters and Main Street.

Susan Heineman expressed her concerned about the growing amount of “Jesus” graffiti/vandalism that has shown up at the Cloisters, the Harborwalk and the organic garden by

Del Mar Park. She appealed to fellow citizens to take a moment and note the vandalism; she wants Morro Bay to be noted for its beauty, not its graffiti.

John Fennacy thanked Council and the citizens of Morro Bay for a very successful Fire Department dedication. He also noted that the Friends of the Fire Department raised over \$15,000 in the sales of bricks and stones. He wanted to recognize that Keith Taylor had been named Morro Bay's Citizen of the Year. He also advertised the Rotary Club of Morro Bay's upcoming Fundraiser, Evening with Heart being held on Saturday, February 9, 2013.

Richard Sadowsky feels that Morro Bay and Cayucos need to rewrite the JPA and that with the new project; a renegotiation of the agreement needs to take place. He also feels the City should require Cayucos to get an NPDES Permit for the disposal of sewage into the City limits.

Ken Vesterfelt spoke advertising some upcoming Morro Bay events. April 20th is the 3rd Annual Emergency Vehicle Car Show, May 4th – 6th is the 17th Annual Cruisn' Morro Bay Car Show and August will bring over 100 Ford F100's to our City. He also spoke on Item D-1 (Discussion of current Residential and Commercial Impact Fee Waivers) hoping that the City doesn't kill them yet and hopes that we can extend the program(s) for another 6 months at least.

Karin Moss, the new Director of Tourism publicized the Grand Opening of the Visitor's Center being held on Thursday, February 7, 2013 from 4-7pm at 255 Morro Bay Blvd. She hopes to see everybody there.

Jim Pauley spoke on the 2 big water tanks proposed for the Righetti property which will have huge visual impacts as it seems like they will be built above the ridge line. He hopes that we will agendize a public hearing, notifying neighboring homes, to discuss this.

Joan Solu, speaking on behalf of the MB TBID and the newly formed Tourism Bureau, stated that they fully support moving forward with the contracts as proposed in items D-2, D-3 and D-4. She feels that their rebranding and refocused efforts in marketing have really been paying off.

Susan Stewart, the newly seated President of the Morro Bay Chamber of Commerce, announced that Keith Taylor was named Morro Bay's Citizen of the Year, Wilmar Tognazzini was named the City's Living Treasure and Central Coast Music was named Business of the Year. She also spoke on Item D-1 stating that the original intent of the waiver was to boost the downtown business district as well as North Morro Bay. She asked Council to consider rather than eliminating the whole waiver, maybe redirect it a little bit; there could be value in taking more time to look into the positives and negatives. There could also be some additional outreach to current business owners who maybe haven't heard, we could use the Economic Development Program to develop additional outreach opportunities to these business and/or property owners.

Roger Ewing spoke on Item D-1. He is opposed to a moratorium on impact fees as it's through these fees that the City helps finances its infrastructure. He doesn't recommend a blanket denial, instead when a commercial project is brought forth, look at each project to see the potential long term benefit to the community, it may warrant some reduction in the impact fees. He also spoke on Item D-5 (WWTP Issues) stating that the CCC made their opinions quite clear and hopes that those in opposition to moving the plant, join in making what will be a very substantial and

unique WWTP. He stressed the need for the whole community to come together with this project. He also acknowledged, thanked and applauded Keith Taylor.

Barry Brannon wondered that since we are looking at placing tanks at the Righetti site as well as possibly the WWTP, can we get a “two for” if we put both of them there.

Bill Martony spoke on a parcel of land at Yerba Buena and Highway 1 which is being proposed for abandonment. He doesn't believe it should be abandoned as it still has value and can be used. The abandonment would go to the property owner next door and instead feels it should be, and can be, used for the public good.

Linda Merrill would like to see the alternative WWTP site revisited, hire an engineering firm for design and if we can't get partners, we need to carry on alone. She also requested that all City Boards and Commission meet once a month.

Mayor Irons closed the public comment period.

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 CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING OF JANUARY 3, 2013 AND THE REGULAR MEETING OF JANUARY 8, 2013; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 RECONSIDERATION OF APPOINTMENT OF REPRESENTATIVES ON THE DISCRETIONARY BOARDS, COUNCIL LIAISON ASSIGNMENTS AND COUNCIL SUB-COMMITTEES; (CITY COUNCIL)

RECOMMENDATION: Appoint Councilmember Christine Johnson to the Chamber of Commerce Economic Development Committee.

A-3 APPROVAL OF RESOLUTION NO. 10-13 DIRECTING A TIMELINE FOR COMPLETION OF CAPITAL PROJECTS APPROVED BY THE CITY COUNCIL AND RESCINDING RESOLUTION NO. 45-12; (ADMINISTRATION)

RECOMMENDATION: Adopt Resolution No. 10-13.

A-4 RESOLUTION NO. 09-13 AUTHORIZING SUBMISSION OF RURAL TRANSIT FUND GRANT APPLICATION; (PUBLIC SERVICES)

RECOMMENDATION: Adopt Resolution No. 09-13

A-5 PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF MORRO BAY SUPPORTING THE START BY BELIEVING PUBLIC AWARENESS CAMPAIGN; (ADMINISTRATION)

RECOMMENDATION: Present Proclamation.

A-6 PRESENTATION BY THE NEP

RECOMMENDATION: Receive presentation; no action is required.

Councilmember Christine Johnson pulled Item A-1 from the Consent Calendar.

Councilmember Smukler pulled Item A-2 from the Consent Calendar.

MOTION: Councilmember Nancy Johnson moved the City Council approve Items A-A-3, A-4, and A-5 of the Consent Calendar as presented. The motion was seconded by Mayor Irons and carried unanimously 5-0.

A-1 APPROVAL OF CITY COUNCIL MINUTES FOR THE SPECIAL CITY COUNCIL MEETING OF JANUARY 3, 2013 AND THE REGULAR MEETING OF JANUARY 8, 2013; (ADMINISTRATION)

Councilmember Christine Johnson pulled this item to point out edits to names. She had already spoken to the City Clerk and as the amendments covered the clarification of names only with no content changes, the amendments were made.

MOTION: Councilmember Christine Johnson moved for approval of Items A-1a and A-1b with amendments as discussed. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

A-2 RECONSIDERATION OF APPOINTMENT OF REPRESENTATIVES ON THE DISCRETIONARY BOARDS, COUNCIL LIAISON ASSIGNMENTS AND COUNCIL SUB-COMMITTEES; (CITY COUNCIL)

Councilmember Smukler pulled this item to let the public know that he will still be an active advocate to the Chambers Economic Development Committee; he also feels that the Committee will be stronger with both Nancy and Christine on it.

MOTION: Councilmember Smukler moved for approval of Item A-2 as presented. The motion was seconded by Councilmember Nancy Johnson and carried unanimously 5-0.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 ORDINANCE NO. 582 INTRODUCTION AND FIRST READING – REPEALING AND REPLACING MORRO BAY MUNICIPAL CODE SECTIONS 5.28 AND 5.30 WITH NEW SECTION 5.30 RELATING TO VIDEO SERVICE PROVIDERS; (PUBLIC SERVICES)

Management Analyst Janeen Burlingame presented the staff report.

Mayor Jamie Irons opened the Public Hearing for public comments; seeing none, Mayor Irons closed the Public Hearing.

MOTION: Councilmember Smukler moved for introduction and first reading of Ordinance 582 repealing Morro Bay Municipal Code Sections 5.28 and 5.30, replacing them with new Section 5.30 relating to video service providers by number and title only. The motion was seconded by Councilmember Leage and carried unanimously 5-0.

C. UNFINISHED BUSINESS - NONE

D. NEW BUSINESS

D-1 DISCUSSION AND REVIEW OF RESOLUTION NO. 45-11, “ESTABLISHING A THREE YEAR MORATORIUM FOR THE PAYMENT OF DEVELOPMENT IMPACT FEES FOR COMMERCIAL PROJECTS WITHIN A COMMERCIAL ZONE DISTRICT” AND RESOLUTION NO. 52-12, “ESTABLISHING A REDUCTION FOR THE PAYMENT OF DEVELOPMENT IMPACT FEES FOR RESIDENTIAL PROJECTS”; (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

Councilmember Nancy Johnson wants to ensure we have economic growth and doesn't feel that rescinding these fees will accomplish that. The reduction of commercial impact fees was brought to Council last year as part of a 3-pronged plan. Elimination of parking requirements on No Main for commercial properties that wanted to expand or change their business; fee waivers; and, low interest business improvement loans that would be guaranteed by the City. Based on that, she feels this should continue at least 6 months as it will take that long before we see what potential improvements may have been made to our sales and/or property taxes. Most importantly, when this was originally proposed, it was geared towards the core of Morro Bay – Morro Bay Blvd, all of Main Street and Quintana. Somehow, the entire City was included; she would like to reestablish a concentration on the downtown. In order for this to work, we should be working with the Economic Development Committee to see what contributions they can make to our growth. This group can do additional outreach to business owners via letters, phone calls and follow-ups to encourage additional business. In terms of residential, we have seen some building but not a lot. The continued fee reduction would put more buildings on our property tax rolls as well as keep and/or put people to work.

Councilmember Smukler wondered if it would be possible to review these projects on a case by case basis based on benefits to the community. He also has strong concerns with the residential rates as we have a lot of work to do with our public infrastructure; right now we are struggling and while there is some benefit in removing the impact fees to spur growth, there isn't a direct nexus to see that that is how you actually get growth to happen. He is inclined to remove the waiver to the residential side and return to the 2007 fee schedule which he doesn't feel will put an undue burden on the single family residential projects. He is also concerned about the commercial rates but sees there is a much stronger argument to see this continue. He would also like to look at adding a completion deadline requirement.

Councilmember Leage is disappointed that people haven't taken advantage of what has been offered to date. He also doesn't feel that we have reached out enough. He would like to see these reductions go through to July, 2014; if not, at least 6 months to give it a try to stimulate some construction business and put people back to work.

Councilmember Christine Johnson sees this as 2 separate windows – residential and commercial. She has a stronger sense of what could be possible with a completion deadline date on the commercial side as she feels we have opportunities for commercial development that could enhance our town. She would also like to establish zones that the impact fees could continue the way they are now with a completion date put in. She feels that 6 months is a short amount of time, if we are committed to expanding we should give ourselves more time. As far as the residential side, she has concerns with continuing on without charging the full 2007 rates.

Mayor Irons tends to agree with bringing the residential impact fees back to where they were in 2007; we will still be on the low end throughout the County. As far as the commercial impact fees, he is willing to keep that fee structure waived is the current practice, but he'd like to discuss establishing zones and possibly time frames; he also agrees that 6 months is short. He also feels that our infrastructure is in need, especially street paving as confirmed through the recently held Street Summit and these impact fees can go a long way to paving the streets. He agrees that more outreach is very critical and maybe a letter to affected property owners should even come from Council.

Councilmember Nancy Johnson agrees that these 2 discussions should be taken and voted on separately. And while there isn't a lot of residential building going on, she feels that the property tax increases would far outweigh the impact fees that might be collected and hopes to keep the current fee structure in place, at least while information is being collected on possible increases to sales and property taxes.

Councilmember Smukler doesn't feel we would necessarily recoup our monies through property tax increases based on building and is still definitely opposed to continuing with the residential impact fee waiver program in any form, especially given the needs of our infrastructure. He is willing to go along with the commercial concepts and likes the idea of promotion work with the Economic Development Program. He is intrigued by zones but feels the concept would need to be vetted. He doesn't feel the water, wastewater and traffic fees should remain reduced but instead increased to the 2007 levels. He would also be willing to go to 1 year if we put the water, wastewater and transportation 2007 fees into play.

MOTION: Councilmember Smukler moved we rescind Resolution 52-12 "Establishing a Reduction for the Payment of Development Impact Fees for Residential Projects" and return the fee structure to the 2007 levels. All completed applications that have been turned in prior to the adoption of the new resolution to be brought forth, qualify for the rates established by Resolution 52-12. The motion was seconded by Mayor Irons and carried 3-2 with Councilmembers Nancy Johnson and Leage voting no.

Discussions continued focusing on commercial impact fees.

Councilmember Nancy Johnson feels either all fees should continue to be waived or none; reinstating the water, wastewater and traffic fees and waiving the rest don't help. She continues to feel strongly that all fees need to be waived.

Councilmember Leage agrees that waiving all the fees through the original date of 2014 would be in everybody's best interest.

Councilmember Christine Johnson feels that a year is more realistic to see if there is any real impact especially given that we will be doing a public relations campaign.

Councilmember Smukler still feels that charging the water, wastewater and traffic fees is important to the City's infrastructure. However, a zoning fee structure could focus the program to where we need it.

Mayor Irons is leaning towards waiving all fees but wants to bring the concept of zones into the discussion.

There was discussion on defined zones in the City. Councilmember Nancy Johnson stated that the zones originally focused on were the Downtown area – (Morro Bay Blvd, Bernardo to its end) and Main Street (Pacific to Yerba Buena).

Councilmember Christine Johnson wondered if zones had been established when the discussion took place regarding the sign ordinance.

Councilmember Leage questioned the legality and fairness of charging properties located in some zones a fee and charging properties located in another zone with a different or no fee.

It was brought up that this isn't an all-inclusive list and Councilmember Smukler suggested that we bring this back with more explanation of the legality of zones.

MOTION: Mayor Irons moved to continue the commercial impact fee schedule as established by Resolution 45-11 pending information from the City Attorney on the legality of establishing zones for commercial impact fees or whether we would have to waive commercial impact fees in their entirety. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

D-2 APPROVAL OF AGREEMENT BETWEEN THE CITY OF MORRO BAY AND THE MORRO BAY TOURISM BUREAU TO PROVIDE SERVICES TO THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT; (CITY ATTORNEY)

City Attorney Rob Schultz presented the staff report.

Councilmember Smukler wanted to publicly recognize the amount of work that has gone into this.

Mayor Irons hopes that in 6 months, we can incorporate performance standard language into the next contract.

MOTION: Councilmember Nancy Johnson moved to approve the Agreement between the City and the Morro Bay Tourism Bureau to provide services to the Morro Bay Tourism Business Improvement District. The motion was seconded by Councilmember Smukler and carried unanimously 5-0.

D-3 APPROVAL OF AGREEMENT BETWEEN THE CITY AND THE MORRO BAY TOURISM BUREAU TO FUND THE VISITOR CENTER; (CITY ATTORNEY)

City Attorney Rob Schultz presented the staff report stating that there was one correction to the dollar amounts found in the staff report as well as the Agreement. It should read, "The maximum amount due and payable during the term of this contract is **\$51,245**. City shall pay said amount to Bureau in monthly increments of **\$8540.83**."

MOTION: Councilmember Smukler moved to approve the Agreement between the City and the Morro Bay Tourism Bureau to fund the Visitor's Center with the monetary amendments to page 1 of the Agreement as discussed. The motion was seconded by Councilmember Nancy Johnson and carried unanimously 5-0.

D-4 APPROVAL OF ASSIGNMENT OF CONTRACT WITH BARNETT COX & ASSOCIATES FOR ADVERTISING AND MARKETING SERVICES TO THE MORRO BAY TOURISM BUREAU; (CITY ATTORNEY)

City Attorney Rob Schultz presented the staff report.

Councilmember Smukler feels this will maximize our tourism dollars.

MOTION: Councilmember Christine Johnson moved to approve the assignment of the contract with Barnett Cox & Associates for advertising and marketing services to the Morro Bay Tourism Bureau. The motion was seconded by Mayor Irons and carried unanimously 5-0.

D-5 DISCUSS THE JANUARY 10TH, 2013 CALIFORNIA COASTAL COMMISSION HEARING AND DECISION ON THE CITY OF MORRO BAY AND CAYUCOS SANITARY DISTRICT WWTP APPLICATION, CURRENT WWTP NEEDS, REGULATION REQUIREMENTS, AND A FUTURE WWTP, AND PROVIDE DIRECTION TO STAFF ON THE ABOVE; (CITY COUNCIL)

Mayor Irons presented the staff report stating that this is an opportunity following the Coastal Commission hearing to discuss this in open session. In an effort to keep moving forward, he wanted to discuss the current needs of our current WWTP.

Public Services Director Rob Livick gave an overview of our application for the 401h waiver process. He also gave an overview of the current plant and the need to be able to proceed with a capital project program for current and continued maintenance needs.

Councilmember Leage feels this is JPA business and questions any discussion that has the potential of giving direction to staff. It doesn't seem right not to have Cayucos as a part of the discussion.

Councilmember Smukler thinks it's good to have an item like this once a month to keep the public informed about the progress. He also feels it's necessary to evaluate the update of the LCP and the General Plan which will look into the zoning of the industrial area surrounding the WWTP to see what's involved. He also feels that we should place an agenda item on the JPA regarding a preliminary discussion on possible scenarios.

Councilmember Nancy Johnson feels that the LCP and General Plan need to take place but as a separate discussion item from the WWTP. She also feels we should not be moving forward unless we are in discussion with the JPA and we have an idea what their thoughts are. She feels it is imperative for Mayor Irons to sit down with Cayucos's Chair before setting any agenda items.

Councilmember Leage feels it's going to be 10-12 years before we even see a new plant so it would best to get an idea about what to do and how to move forward with our current plant and develop a maintenance schedule.

Mayor Irons agrees that we need to meet with our partners, Cayucos. But having this meeting allows us to have the discussion in an open format, allows for the community to become informed, and affords the people the opportunity to have public comment on the issue on a regular basis.

Councilmember Christine Johnson stated that cost and a time line are on the minds of all residents in Morro Bay and Cayucos and that both issues need to be communicated to the public. She doesn't feel it helps the process by bringing up the situation occurring in Los Osos, they are a different situation.

This item was a discussion item only and no action was taken.

E. DECLARATION OF FUTURE AGENDA ITEMS -

Councilmember Smukler requested a discussion of an LCP and General Plan Amendment Specific to the Industrial Zone at the Current WWTP Site; Councilmember Christine Johnson and Mayor Irons concurred.

ADJOURNMENT

The meeting adjourned at 10:13pm.

Recorded by:

Jamie Boucher
City Clerk

AGENDA NO: A-2

MEETING DATE: February 13, 2013

PRESENTATION

by

Morro Bay
Natural History Museum

This will be a verbal
presentation only;

No action is required



AGENDA NO: A-3

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and City Council

DATE: February 4, 2013

FROM: Janeen Burlingame, Management Analyst

SUBJECT: Adoption of Ordinance No. 582 Repealing and Replacing Morro Bay Municipal Code Sections 5.28 and 5.30 with New Section 5.30 Relating to Video Service Providers

RECOMMENDATION:

Staff recommends that the City Council adopt Ordinance No. 582.

SUMMARY:

Ordinance No. 582 was introduced at the Council meeting held on January 22, 2013. This is the second reading, after which the Ordinance is adopted and will become effective on the 31st day after its passage.

Prepared By: J Burlingame

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

ORDINANCE 582

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF MORRO BAY REPEALING AND REPLACING CHAPTERS 5.28 AND 5.30
OF THE MUNICIPAL CODE WITH
NEW SECTION 5.30 RELATING TO VIDEO SERVICE PROVIDERS**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the Legislature of the State of California (the State) has adopted the Digital Infrastructure and Video Competition Act of 2006 (DIVCA); and

WHEREAS, the Governor of the State of California signed DIVCA on September 29, 2006;
and

WHEREAS, DIVCA became effective on January 1, 2007; and

WHEREAS, DIVCA establishes a regulatory structure for the State to issue franchises to video service providers; and

WHEREAS, DIVCA establishes that local entities, such as the City of Morro Bay, are responsible for administration and implementation of certain provisions of DIVCA; and

WHEREAS, DIVCA requires that the City establish, by ordinance, financial support provisions for Public, Education and Government Access (PEG) channel facilities; and

WHEREAS, DIVCA requires that the City adopt, by ordinance or resolution, a schedule of penalties for any material breach by a State video franchise holder for violation of customer service and protection standards that the City is permitted to enforce; and

WHEREAS, as of December 31, 2006, Charter Communications was the only City-franchised cable operator providing cable service within the City; and

WHEREAS, the Charter Communications Cable franchise imposed a requirement for up to one percent of gross revenues to be provided for PEG channel facilities capital as of December 31, 2006; and

WHEREAS, the Charter Communications Cable franchise expires on April 1, 2013.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Morro Bay as follows:

SECTION 1. Title 5, Chapters 5.28 ("TV Franchise and Services Board") and 5.30 ("Cable Television") of the Morro Bay Municipal Code are repealed and replaced with new Chapter 5.30 to read as follows:

Chapter 5.30

PROVISIONS APPLICABLE TO HOLDERS OF STATE VIDEO FRANCHISES

5.30.010 Fee for Support of Local Cable Usage.

A fee paid to the City is hereby established for the support of public, educational, and governmental access facilities and activities within the City. Unless a higher percentage is authorized by applicable state or federal law, this fee shall be one percent of a state video holder's gross revenues, as defined in California Public Utilities Code section 5860. This fee shall be remitted quarterly to the City Treasurer and must be received not later than 45 days after the end of the preceding quarter. The fee payment shall be accompanied by a summary that explains the basis for the calculation of the support fee for local cable usage.

5.30.020 Franchise Fee.

A state video franchise holder operating in the City shall pay to the City a franchise fee that is equal to five percent of the gross revenues of that state video franchise holder. The term "gross revenues" shall be defined as set forth in Public Utilities Code section 5860. This fee shall be remitted quarterly to the City Treasurer and must be received not later than 45 days after the end of the preceding calendar quarter. The fee payment shall be accompanied by a summary that explains the basis for the calculation of the franchise fee. Unless construed otherwise by applicable law, the phrase "summary that explains the basis for the calculations," as used herein, means the identification of the sources of revenue upon which the fee is based.

5.30.030 Authority to Examine Records.

Not more than once annually, the appropriate City department may examine the business records of a holder of a state video franchise to ensure compliance with all applicable statutes and regulations related to the computation and payment of franchise fees.

5.30.040 Customer service Penalties Under State Video Franchises.

A. The holder of a state video franchise shall comply with all applicable state and federal customer service and protection standards pertaining to the provision of video service.

B. The City Manager or his or her designee shall monitor a state video franchise holder's compliance with state and federal customer service and protection standards. The City will provide to the state video franchise holder written notice of any material breaches of applicable customer service and protection standards, and will allow the state video franchise holder 30 days from receipt of the notice to remedy the specified material breach. Material breaches not remedied within the 30-day time period will be subject to the following monetary penalties to be imposed by the City in accordance with state law:

1. For the first occurrence of a violation, a monetary penalty of \$500 shall be imposed for each day the violation remains in effect, not to exceed \$1,500 for each violation.

2. For a second violation of the same nature within twelve months, a monetary penalty of \$1,000 shall be imposed for each day the violation remains in effect, not to exceed \$3,000 for each violation.

3. For a third or further violation of the same nature within twelve months, a monetary penalty of \$2,500 shall be imposed for each day the violation remains in effect, not to exceed \$7,500 for each violation.

C. A state video franchise holder may appeal a monetary penalty assessed by the City. Such appeal must be filed no later than 60 days after the date of mailing of notification of the penalty or the right to appeal shall be deemed waived. After relevant evidence and testimony is received, and staff reports are submitted, the City Council will vote to either uphold or vacate the monetary penalty. The City Council's decision on the imposition of a monetary penalty shall be final.

5.30.050 City Response to State Video Franchise Applications.

A. Applicants for state video franchises within the boundaries of the City must concurrently provide to the City complete copies of any application or amendments to applications filed with the California Public Utilities Commission. One complete copy must be provided to the City Manager.

B. The City will provide any appropriate comments to the California Public Utilities Commission regarding an application or an amendment to an application for a state video franchise.

5.30.060 Public, Educational or Governmental (PEG) Channel Capacity.

A. A state video franchise holder that uses the public rights-of-way shall designate sufficient capacity on its network to enable the carriage of at least three PEG access channels.

B. PEG access channels shall be for the exclusive use of the City or its designees to provide public, educational, or governmental programming.

C. Advertising, underwriting, or sponsorship recognition may be carried on the PEG access channels for the purpose of funding PEG-related activities.

D. The PEG access channels shall be carried on the basic service tier and shall be of similar quality and functionality to that offered by commercial channels on the lowest cost tier of service unless the signal is provided to the video service provider at a lower quality or with less functionality, as provided in subsection (g)(3) of section 5870 of the California Public Utilities Code.

E. To the extent feasible, the PEG access channels shall not be separated numerically from other channels carried on the basic service tier, and the channel numbers for the PEG access channels shall be the same channel numbers used by the incumbent cable operator unless prohibited by federal law.

F. After the initial designation of PEG access channel numbers, the channel numbers shall not be changed without the prior written consent of the City, unless the change is required by federal law.

G. Each PEG access channel shall be capable of carrying a National Television System Committee television signal, as provided in Public Utilities Code section 5870b.

5.30.070 Interconnection.

Where technically feasible, a state video franchise holder and an incumbent cable operator shall negotiate in good faith to interconnect their networks for the purpose of providing PEG access channel programming. Interconnection may be accomplished by direct cable, microwave link, satellite, or other reasonable method of connection. State video franchise holders and incumbent cable operators shall provide interconnection of the PEG access channels on reasonable terms and conditions and may not withhold the interconnection. If a state video franchise holder and an incumbent cable operator cannot reach a mutually acceptable interconnection agreement, the City may require the incumbent cable operator to allow the state video franchise holder to interconnect its network with the incumbent's network at a technically feasible point on the holder's network as identified by the holder. If no technically feasible point for interconnection is available, the state video franchise holder shall make an interconnection available to the channel originator and shall provide the facilities necessary for the interconnection. The cost of any interconnection shall be borne by the state video franchise holder requesting the interconnection unless otherwise agreed to by the parties.

5.30.080 Emergency Alert System and Emergency Overrides.

A state video franchise holder must comply with the Emergency Alert System requirements of the Federal Communications Commission in order that emergency messages may be distributed over the holder's network.

SECTION 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted hereby. The City Council of the City of Morro Bay hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 3. This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it, or a summary of it, shall be published once, with the names of the City Council members voting for and against the same, in a newspaper of general circulation published in the City of Morro Bay.

INTRODUCED at a regular meeting of the City Council of the City of Morro Bay held on the 22nd day of January, 2013 by motion of Councilmember Smukler seconded by Councilmember Leage.

PASSED AND ADOPTED by the City Council of the City of Morro Bay, on the 13th day of February, 2013, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jamie L. Irons, Mayor

ATTEST:

Jamie Boucher, City Clerk

APPROVED AS TO FORM:

Robert W Schultz, City Attorney



AGENDA NO: A-4

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and City Council **DATE:** January 16, 2013
FROM: Robert Livick, P.E., Public Services Director/City Engineer
Jarrod Whelan, Assistant Engineer
SUBJECT: Authorization to File Notice of Completion for Project No. MB2011-S2:
Morro Bay Lift Station #2 Replacement

RECOMMENDATION

Authorization for staff to file the Notice of Completion for Morro Bay Lift Station #2 Replacement Project.

FISCAL IMPACT

The Project was funded from accumulated Sewer Revenues. The 2010/11 budget originally allocated project funds in the amount of \$1,043,542. Contract change orders added \$191,615 from the accumulated Sewer Revenues and from Measure Q storm drain allocation for the additional storm drain work. Total cost of this project was \$1,150,355.

SUMMARY

Filing of a Notice of Completion is a routine task for public works projects.

DISCUSSION

This project has been identified as a priority project in the Sewer Collection System Master Plan since 1974. In 2006, the City adopted an update of the Sewer Collection System Master Plan, which contains the following recommendation: "Upgrade lift station to submersible pump station with self-cleaning wetwell, with shallow valve vault (eliminates confined space entry, except for any future wetwell interior repairs), and with sufficient hydraulic capacity/redundancy to meet future peak flows."

On December 13, 2011, City Council awarded the Morro Bay Lift Station #2 Replacement Project to Whitaker Construction Group, Inc. of Paso Robles in the total bid amount of \$958,740. In February 2012, construction began at the Lift Station #2 site. The construction process resulted in 15 Contract Change Orders, including credits, totaling \$191,615. The changes included underground unforeseen circumstances, additional storm drain piping, parking lot enhancements, and equipment purchase.

Prepared By: JW

Dept Review: RL

City Manager Review: _____

City Attorney Review: _____

Daily inspection and post-construction punch list items verified that the lift station rehabilitation has been a success. This rehabilitated lift station should provide an additional 30 years or more of service.

Currently, Lift Station #3 (Quintana Road and South Bay Boulevard) rehabilitation is underway and scheduled for completion in Spring 2013.

CONCLUSION

Whitaker Construction Group, Inc. has completed the Project and staff recommends the City Council accept the Project and authorize the filing of a Notice of Completion.

Recording requested by: and
When recorded mail to:
City of Morro Bay – City Engineer
595 Harbor Street
Morro Bay, Ca. 93442-1957

**NOTICE OF COMPLETION
CITY OF MORRO BAY**

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN by the undersigned City Clerk of the City of Morro Bay, 595 Harbor Street, Morro Bay, County of San Luis Obispo, California, 93442, having the sole interest in fee, that the construction of the

LIFT STATION #2 REPLACEMENT

in the City of Morro Bay, has been completed by

WHITAKER CONSTRUCTION GROUP, INC.

and was accepted on February 12, 2013.

Jamie Boucher, City Clerk
City of Morro Bay, California

The undersigned hereby deposes and says:

That she is the City Clerk of the City of Morro Bay, County of San Luis Obispo, California; that she has read the foregoing Notice and knows the contents thereof and that the same is true of her own knowledge.

I declare the foregoing to be true under penalty of perjury.

Executed at Morro Bay, California, this _____ day of _____, 2013

Jamie Boucher, City Clerk

CITY OF MORRO BAY

CERTIFICATE OF COMPLETION

The undersigned hereby certifies that the construction of

LIFT STATION #2 REPLACEMENT

by **WHITAKER CONSTRUCTION GROUP, INC.**

has been inspected and found to substantially comply with the approved plans and specifications and has been accepted as having been completed in accordance therewith.

It is, therefore, requested that the City Clerk file a Notice of Completion.

By: _____
Robert Livick, PE/PLS – City Engineer

Date: _____



AGENDA NO: A-5

Meeting Date: 2/13/13

Staff Report

TO: Honorable Mayor and City Council **DATE:** January 24, 2013

FROM: Amy Christey, Police Chief

SUBJECT: Resolution No. 11-13 Accepting \$100,000 Grant from the State of California Citizens Option for Public Safety (COPS) Program

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 11-13 authorizing the proposed spending plan for the \$100,000 that will be received from the Citizens Option for Public Safety (COPS) grant program that complies with the requirements of Government Codes 30061, 30062, 30063 and 30064.

FISCAL IMPACT:

\$100,000 to the SLESF/COPS Special Revenue Fund to be used for items described herein. There are no local matching funds required for the expenditure of these funds.

BACKGROUND:

Since 1996, the Citizen's Option for Public Safety (COPS), established by AB 1913 and codified as Government Code Section 30061, has been distributing State grant funds to local law enforcement agencies to supplement "front line law enforcement services." These funds are also known as Supplemental Law Enforcement Services Funding (SLESF). In the past, each law enforcement agency was guaranteed a minimum of \$100,000 per fiscal year, paid on a quarterly basis. Funds are distributed to local agencies through the County Supplemental Law Enforcement Oversight Committee. The funds must be maintained in a separate, interest bearing account (outside the General Fund) to insure the funds (including interest) supplement, and do not supplant, existing Police Department or City budgets.

Prepared By: A. Christey

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

Page 1 of 3

SUMMARY:

The State Legislature has indicated that local law enforcement agencies are scheduled to receive a minimum of \$100,000 in COPS grant funds. These funds will be tracked separately by the Finance Department in a separate special revenue fund with any interest earned credited to the fund. To comply with the COPS program, City Council is requested to act upon the written request from the Police Chief. This report is presented to Council in compliance with the program requirements, and to adopt the proposed expenditure plan through Resolution No. 11-13.

DISCUSSION:

Staff is presenting the City Council with Resolution No. 11-13, which authorizes the proposed spending plan for the \$100,000 grant that will be received from the Citizens Option for Public Safety (COPS) grant program. Per program requirements, the City Council is required to consider whether the recommendation submitted by the Police Chief complies with the requirements of Government Codes 30061, 30062, 30063 and 30064, primarily ensuring that the COPS funding is supplementing, or adding to, not supplanting, or replacing, existing General Fund monies. Once the Resolution is adopted, the funds can be expended and/or encumbered by the Police Department.

If the COPS Grant is not funded in future years, the Police Department will have to pursue other options to fund equipment replacements and personnel costs for the Property Evidence Technician. Our spending plan will remain flexible to reprioritize needs as the year progresses.

In 2012, Assembly Bill 1483 was enacted and made changes to the State's new realignment plan, which includes the COPS program. Since this program has been combined with realignment funding, the idea is to make it more like other state funding. This means that the reports will no longer be necessary, special public hearings will no longer be required, and most important, no need to give back unspent funds. The minimum \$100,000 is still in effect and funds can only be spent on what the legislature deems front line.

COPS funds in past years have been mostly used for a myriad of equipment replacements and upgrades since the Police Department equipment depreciation plan has not been funded. The proposed spending of this year's COPS funds is outlined below. It should be noted that the amounts are approximations, and will fluctuate depending on actual costs and increases. It is also recommended that the Police Chief be given discretion to use these funds during the grant period for other purposes authorized by the grant in the event of a change in department priorities.

It is recommended that the funds be allocated as follows:

1. Approximately \$38,000 will be spent to replace our aging Electronic Control Devices, Tasers. The department will purchase 18, one for each sworn officer position.
2. Approximately \$10,000 expended on outfitting the patrol vehicle fleet.
3. Approximately \$17,000 of the grant will be spent to fund our part time Property Evidence Technician. The Property Evidence Technician is of critical importance to our day-to-day operations at the Police Department.
4. The remaining funds will be expended on patrol and investigations equipment: an interview room camera/recorder; replacement laptops; security camera upgrade; an armory upgrade, including armory lockers for firearms storage/installation; and, other miscellaneous tools and equipment.

CONCLUSION:

Staff is presenting Resolution No. 13-11 for Council approval and adoption. By adopting this Resolution, Council is authorizing the Police Chief to proceed with the recommended spending plan.

RESOLUTION NO. 11-13

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
ACCEPTING \$100,000 GRANT FROM THE STATE OF CALIFORNIA
CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, Government Code Sections 30061 through 30064 is providing supplemental funds for front line municipal police services after the City adopted its 2012-2013 budget; and

WHEREAS, it is proposed that the Police Chief be given discretion to use these funds during the grant period for other purposes authorized by the grant in the event of a change in department staffing and priorities or actual grant funds received; and

WHEREAS, the required public hearing has been held.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Morro Bay, California, that the expenditure of those funds is hereby authorized in accordance with the Government Code as recommended by the Police Chief.

PASSED AND ADOPTED by the City Council of the City of Morro Bay, California, at a regular meeting thereof held on the 13th day of February, 2013, on the following vote:

AYES:

NOES:

ABSENT:

Jamie L. Irons, Mayor

ATTEST:

Jamie Boucher, City Clerk



AGENDA NO: A-6

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and City Council

DATE: February 1, 2013

FROM: Robert Schultz, City Attorney

SUBJECT: Resolution 13-13 Amending the City of Morro Bay Advisory Boards Handbook and By-Laws.

RECOMMENDATION:

Staff recommends that the City Council review the attached Advisory Board Handbook and By-Laws and approve Resolution 13-13.

FISCAL IMPACT:

None.

DISCUSSION:

Staff has reviewed the Advisory Board Handbook and By-Laws and made corrections, deletions and amendments to more clearly define how each Advisory Board is currently working.

CONCLUSION:

Approval of Resolution 13-13 will update the By-Laws for all Advisory Bodies and eliminate the By-Laws for the Community Promotions Committee, as this Committee no longer exists.

Prepared By: _____

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

RESOLUTION NO. 13-13

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
AMENDING THE CITY OF MORRO BAY ADVISORY BOARDS
HANDBOOK AND BY-LAWS**

**THE CITY COUNCIL
CITY OF MORRO BAY, CALIFORNIA**

WHEREAS, to ensure that all Advisory Board Members are familiar with and understand the City of Morro Bay's philosophies and policies regarding serving on an Advisory Board, the City of Morro Bay adopted the Advisory Boards Handbook and By-Laws on August 12, 2002; and

WHEREAS, the Advisory Boards Handbook and By-Laws for the City of Morro Bay is a composite of the City Council actions, policies, references, and information regarding the City Advisory Boards;

WHEREAS, the current By-Laws for each Advisory Body need to be updated and By-Laws for the Community Promotions Committee eliminated, as this Committee no longer exists; and

WHEREAS, The City Council desires to amend the Advisory Boards Handbook and By-Laws for the City of Morro Bay as set forth in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Morro Bay does hereby amend the By-Laws of all Advisory Bodies to reflect those that are set forth in Exhibit A and dated February 1, 2013 Advisory Boards Handbook.

PASSED AND ADOPTED by the City Council, City of Morro Bay at a regular meeting thereof held on the 13th day of February 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jamie L. Irons, Mayor

ATTEST:

Jamie Boucher, City Clerk

CITY OF MORRO BAY
ADVISORY BOARDS
HANDBOOK
AND
BY-LAWS

Date: February 1, 2013

Approved by Resolution 13-13

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.

INTRODUCTION

Welcome and thank you for your interest in serving on one of the City's Advisory Boards. By serving on one of Morro Bay's Advisory Boards, you can help plan and guide the City's future. It is important that members of the Advisory Boards understand the functions and responsibilities of a board member. We hope that you find serving on the City's advisory board personally satisfying, and in the process gain invaluable knowledge and experience.

The City of Morro Bay Municipal Code empowers the City Council to form boards and commissions to assist the City Council in legislating and managing the affairs of the City. From time to time citizen advisory committees are appointed to meet a specific topic and need. Their varied roles provide significant opportunities for formulating City policy and for creating public forums for meaningful community participation.

Consistent with the City's Mission Statement, advisory boards can help the City achieve its mission and purpose, which is to preserve and enhance the citizens of Morro Bay's quality of life. This Handbook shall serve as a guide to assist you in the sometimes-complex, but often rewarding, process of serving on one of the City's Advisory Boards. These advisory bodies assist the City Council in making better-informed decisions by formulating new ideas, information gathering, receiving public testimony and comments, analyzing complex issues, and making recommendations on specific projects and broad policy.

Advisory Boards advise the City Council and the City Manager on matters within their area of responsibility and interest; help focus attention on specific issues and problems within their scope of responsibilities, and recommend action and alternatives for Council consideration; act as channels of communication among City government, the general public, and interest groups; and balance community wants with municipal responsibility and resources.

At times, your role may be challenging and complex. Public opinion can be sharply divided, questions may overlap, and sometimes the province of one body may also be the territory of another. Therefore, we have created this handbook to assist you with some of the fundamental aspects of your new responsibility.

Much of the information in this handbook comes from City policy, such as the City's Municipal Code and the City Council Policies and Procedures Manual. In addition, State Law governs certain responsibilities of advisory body members. The material presented is intended to: (1) Give interested persons an understanding of why the City's advisory bodies have been established and how they function within the overall governmental framework and, (2) Summarize the roles, relationships and responsibilities of each advisory body member.

Each Advisory Board within the City has its own By-Laws. The By-Laws are included herein for your ease of reference. The sections of the Handbook are divided as follows:

1. General Information on Advisory Boards
2. FAQs
3. Background Information of City Government
4. The Brown Act
5. Political Reform Act of 1974 (Conflict of Interest)
6. Advisory Body Summary
7. Advisory Board By-Laws

We hope this handbook will answer many of your questions, get you off to a good start, and contribute to your satisfaction in serving the citizens of the City of Morro Bay.

1. General Information on Advisory Bodies

Advisory bodies are authorized by both the Morro Bay Municipal Code and the City Council.

Advisory boards provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council. Advisory bodies can improve the quality of City government by providing the Council with resources to make better-informed decisions. Because of the nature of various advisory bodies, they can serve as the “eyes and ears” of the Council for issues and matters that otherwise might not receive attention. Other benefits of advisory boards include improvement in the lines of communication between the public and the Council, greater opportunities for discussion of public issues, and more citizen involvement in City government. There is considerable variety in the purpose or responsibility of these bodies. Advisory Boards have been created by the City Council to serve the City of Morro Bay’s unique needs.

The authority of an advisory body will depend upon its specific purpose. Each has a specific focus and will make recommendations to the Council on issues related to that specific field. *Decisions made by an advisory body may be appealed to the Council.* The Council may not always accept the recommendation of an advisory body because of additional information available or a need to balance the recommendation with policy or community priorities.

Generally, advisory bodies are empowered only to make recommendations to the Council or to the City staff, unless specifically authorized by law or Council to do otherwise. There should be two-way communication so that commissions are aware of the long-term goals Council has adopted, and the advisory body is able to present new ideas to the Council. Advisory Board members are encouraged to attend and/or watch Council meetings.

Members of the advisory boards are volunteers who are appointed by the City Council and serve at the pleasure of the City Council. There is no compensation or benefits for board members, except for Planning Commission, whose responsibilities are greater and meetings more frequent. All members are expected to attend scheduled advisory board meetings and all meetings shall be conducted in accordance with Robert’s Rules of Order, City Council Policies and Procedures Manual and State Law.

Currently, the City of Morro Bay has seven Advisory Boards:

- Harbor Advisory Board
- Public Works Advisory Board
- Recreation and Parks Commission
- ~~Community Promotions Committee~~
- Planning Commission
- Tourism Business Improvement District
- Citizens Oversight Committee

2. Frequently Asked Questions

A. HOW ARE BOARD OR COMMISSION MEMBERS CHOSEN?

◆ APPLICATION AND SELECTION PROCESS

- All recruitment for Board and Commission members is open and published in a local newspaper. The City accepts applications from interested persons throughout the year.
- Applicants will be sought from all segments of the community, representing various interests and groups.
- Appointment is made by the City Council. Each application is carefully reviewed by the City Council.
- Members serve at the pleasure of the City Council.
- Incumbents are considered for reappointment at the conclusion of their terms.
- Terms are four years, commencing on February 1st, and the terms are staggered.

◆ HOW DO I GET AN APPLICATION?

- Applications may be obtained from the City Clerk's office at City Hall. Information on vacancies and/or specific recruitment periods may be requested by phoning the City Clerk. An official application form must be completed for each position.

◆ ARE THERE ANY TIPS TO IMPROVE MY CHANCES OF BEING APPOINTED?

- Fill out a separate form for each board or commission in which you are interested. It is to your advantage to tailor each application to the specific board or commission for which you are applying. Emphasize different aspects of your background to match those needed for a particular board or commission.
- Emphasize your talents. Clearly indicate how your particular talents, skills, training, or experience will benefit the board or commission for which you wish to be considered.
- Become familiar with the appropriate board or commission. Attend meetings, talk with board or commission members, or read documents they have developed to acquaint yourself with their work. Talk with the department head responsible for staffing the specific board or commission in which you are interested.

B. QUALIFICATIONS FOR SERVICE

Board and Commission members may be required to wear "different hats" at different times. The ability to suitably perform the varied roles requires specialized skills and knowledge. Qualification for service can be divided into four general areas:

◆ LONG-RANGE INTEREST IN THE COMMUNITY

The ability to conceive and be concerned with the impact of current decisions on future citizens is paramount. Board and commission members are required to analyze issues, to listen to public comment through formal hearings or informal discussion, to interpret and apply mandates of the General Plan, and to analyze all the pertinent data before arriving at objective decisions which will be in the best interest of the community as a whole.

◆ FAIRNESS, COMMON SENSE, HONESTY AND GOOD CHARACTER

Keeping the public interest in mind, a board member will be called upon to use everyday good sense in balancing the need of public and private groups. Controversial issues do arise, and the ability to make decisions based on merit rather than personalities is a must. Other traits include imagination, flexibility and the ability to act in a judicial vs. legislative capacity.

◆ KNOWLEDGE OF THE COMMUNITY MARKETPLACE, PROCESS, OBJECTIVES, AND LAWS

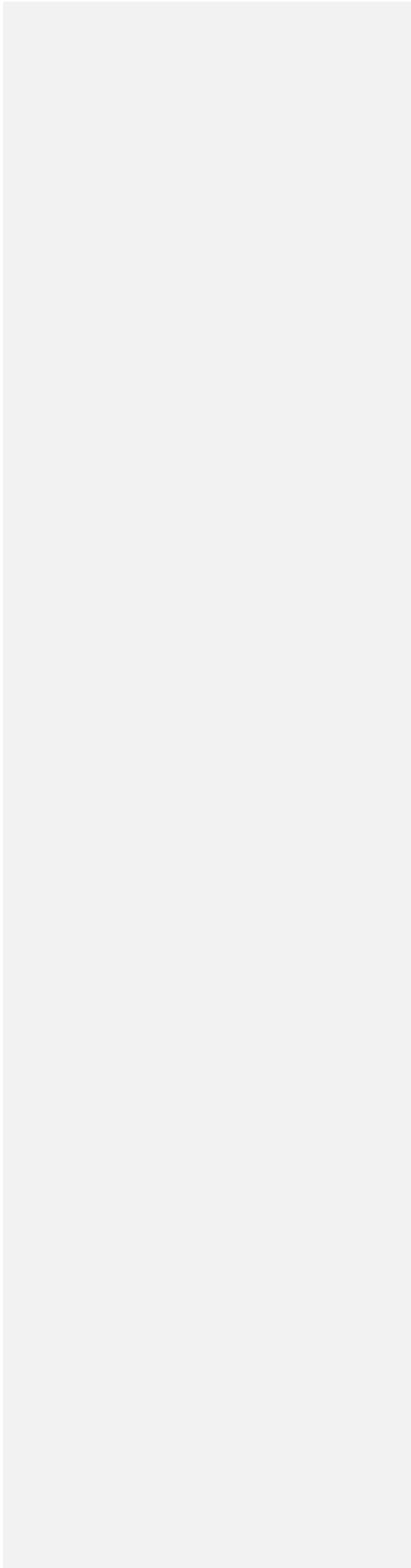
A first-hand knowledge of economic systems, the general operation of government, and a basic understanding of the legal process is important. This knowledge will be of tremendous value when board members are required to conduct public hearings, analyze and receive testimony and make meaningful decisions.

◆ TIME TO SERVE IN APPOINTED CAPACITY

The amount of time that a board or commission member devotes to his/her duties varies with each board or commission. Before making a personal commitment, a prospective applicant should honestly evaluate whether he/she has adequate free time to attend the meetings, to review and be familiar with meeting materials, and to communicate with the public as well as with department staff.

C. STATEMENTS OF ECONOMIC INTERESTS / CONFLICT OF INTEREST

Members of any board or commission are required to file Statements of Economic Interest. Additionally, Board and Commission members are required to refrain from participation in matters where they have the potential for conflict of interest. (See Section 5 for the City's policy on Conflict of Interest)



3. Background Information on City Government

The City of Morro Bay is a general law city and became incorporated in 1964 and operates under the laws of the State of California.

The City Council, City Manager, City Clerk and City Attorney are integral to the day-to-day operations of the City. As such, we have included a summary of the City government's main function for your information and reference.

a. City Council:

The City Council is elected by a majority vote by the citizens of Morro Bay. The City Council is the governing body of the City and is made up of the Mayor and four council members. The City Council is accountable to the citizens of Morro Bay. The decisions of the City Council are reached by a majority vote.

The City Council formulates policy, approves programs, appropriates funds and establishes local taxes and assessments. The City Council enacts local laws (ordinances) and regulations for governing of the City. The local ordinances adopted by the City Council are compiled in the City's Municipal Code.

b. City Manager:

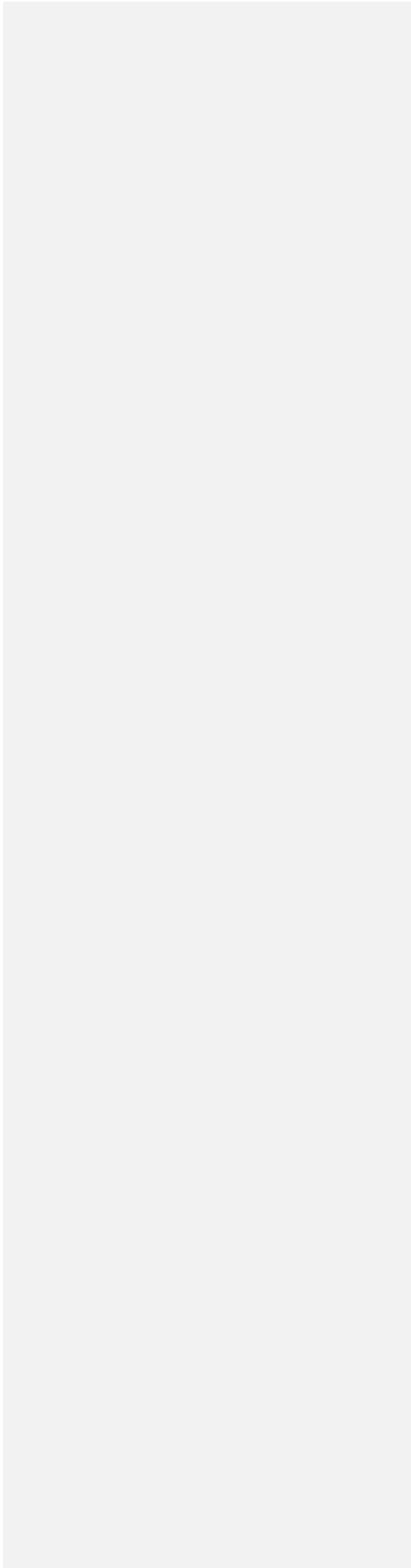
The City Manager is the administrative head of the government of the City. The City Manager is appointed by the City Council, and serves at its pleasure. The City Manager's duties include implementation of policies and procedures initiated by the City Council. The City Manager also is responsible for all City personnel, except as to the City Attorney, and serves as a liaison to each board, unless otherwise noted in the Board By-Laws.

c. City Clerk:

The City Clerk's duties include, but are not limited to: recording, writing and maintaining Council proceedings, conducting municipal elections, publishing ordinances and resolutions and other official City documents, storing and indexing official documents and City records for retrieval, administering Conflict of Interest disclosures, and serving as the custodian of the seal of the City.

d. City Attorney:

The City Attorney is appointed by the City Council. The City Attorney advises the City Council and City Officers (in their official capacity) in legal matters, attends all Council meetings and some board meetings, represents the City in legal actions and proceedings, and retains, supervises and monitors outside legal counsel. The City Attorney also approves all bonds and contracts made by the City, prepares ordinances and resolutions as required by the Council and prosecutes violations of the City's Municipal Codes and Ordinances.



4. The Brown Act

This is a mere glimpse of the Brown Act. A more detailed Brown Act and Political Reform Act Booklet is available to the advisory board through the City Attorney's office.

a. The Brown Act.

The general purpose of the Brown Act is to aid in the conduct of the people's business. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not for the people to know. Therefore, it is the intent of this Act that the actions and deliberations of all local agencies be taken openly, including deliberations and collective discussion involving the examination, weighing and reflection on the reasons for or against a choice. It also includes the exchange of facts preliminary to the ultimate decision.

Generally all meetings of City boards, commissions, committees and groups are to be open and public and all persons are to be permitted to attend any meeting. Under certain *strict* circumstances, closed session meetings are permitted.

Brown Act Compliance is absolutely required. We encourage you to carefully review the Brown Act Booklet which is available through the City Attorney's Office which describes in detail the Brown Act.

5. Political Reform Act (Conflicts of Interest)

A. Background

The Political Reform Act (Government Code sections 81000, et seq.) was approved by the voters of the State of California and is intended to prevent conflicts of interest by requiring public officials to disclose certain personal financial interests which could foreseeably cause conflicts. In addition, a public official may be required to disqualify himself/herself from making, participating in, or attempting to influence any government decision which will affect any of his/her financial interests, not just those that are required to be disclosed. The City's Brown Act and Political Reform Act Booklet explains in more detail what a conflict of interest is, and when the law requires disqualification. In addition, the Fair Political Practices Commission is available for advice.

Under the Political Reform Act, no public official may make, participate in making, or in anyway attempt to use his or her official position to influence a governmental decision if he or she knows or has reason to know that he or she has a financial interest. (Government Code Section 87100). A public official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect on one or more of his or her economic interests. (Government Code Section 87103; 2 Cal. Code of Regs. Section 18700 (a)).

The term "financial interest" denotes a conclusion that a public official has a financial interest in a decision if it is concluded that it is reasonably foreseeable that the decision will have a material financial effect on his or her economic stake greater than that of other citizens. The term "economic interest" is a label applied to the particular types of stakes recognized by the Act as potential sources of a conflict of interest. There are specific types of economic interest recognized by the Act, as such, we direct you to carefully review the Brown Act and Political Reform Act Booklet which is available from the City Attorney's Office and/or visit the Fair Political Practices Commission Web page for more detailed information.

B. City Policy Regarding Conflicts of Interests

Because the City of Morro Bay is a small, closely knit community it is imperative that the citizens have trust and confidence in City government. Therefore, the City has adopted this public policy to prevent any possibility of conflict that may arise.

Generally stated, any elected or appointed official has a conflict of interest if he or she has a financial interest in a project before the City and/or when compensation is received from anyone seeking approvals from the City. There are some exceptions but, generally, elected or appointed officials are prohibited from voting on projects where a conflict exists. A conflict of interest also occurs when officials live within a certain distance from a project (usually 500 feet). Even if a legal conflict does not exist, it may be inappropriate to participate in a decision for personal reasons to avoid even the appearance of a conflict of interest. As an example, there

could be a conflict if your good friend has a matter before your board, and you do not feel that it would be appropriate for you to voice an opinion in your "City" capacity. While the latter case is not defined by the Fair Political Practices Commission as a conflict, it could be perceived as a conflict, and then stepping down is appropriate.

It is the policy of the City that, in addition to strictly adhering to the FPPC rules, all elected and appointed officials conduct themselves in a manner that does not raise a reasonable perception or belief that there is a conflict of interest or an abuse of your position. All board and commission members should avoid the appearance of conflict at all costs.

If you step down from the dais and refrain from voting on an issue, you are not precluded from speaking as an individual. Your presentation, however, must be made from the floor, at the microphone with the rest of the public. You should state for the record that you are speaking as an *individual*. Many times in the past, Councilmembers and Board and Commissioners have stepped down from their official position at the dais when projects are presented in which there may be the potential for conflict of interest. This provides the opportunity to present your views as an *individual* on any matter before any City body.

6. ADVISORY BOARD BY-LAWS

The City Council has approved the rules and regulations (referred to herein as By-Laws) to set forth their purpose, procedures, and specific issues such as their functions, meeting dates, officers, vacancies and budgets.

All advisory board meetings will be conducted in strict compliance with Robert's Rules of Order, the City Council Policy and Procedures and State Law. For more detailed information, we suggest you review the City Council's Policies and Procedures Manual.

Attached hereto are the applicable By-Laws for all of the City of Morro Bay's Advisory Boards.

The Citizens Oversight Committee does not have by-laws, but is guided by Chapter 3.22 of the Morro Bay Municipal Code and we have attached that Chapter for your ease of reference.

CITY OF MORRO BAY HARBOR ADVISORY BOARD BY-LAWS

PURPOSE AND AUTHORITY

The Harbor Advisory Board is established to review, advise and recommend to the City Council on items pertaining to the City Harbor. These include, but are not limited to:

- A. Use, control, promotion and operation of vessels and watercraft within the harbor, docks, piers, slips, utilities and publicly-owned facilities as a part of the City's Harbor, and water commerce, navigation, or fishery in the Harbor.
- B. Review and recommend rules and regulations pertaining to any of the matters listed in subsection A of this section.
- C. Review and recommend rates, tolls, fees, rents, charges or other payments to be made for use or operation of the Harbor.
- D. The Board shall make reports and recommendations to the various city boards, commissions or the City Council on matters relating to activities within the harbor. When requested to do so, will review items referred by other city boards, commissions or the City Council. Resulting reports and recommendations will be included in presentations before the City Council.

APPOINTMENT

The Harbor Advisory Board shall be comprised of seven (7) voting members, four of which must be qualified electors of the City of Morro Bay. Appointments and the filling of vacancies shall be made by the City Council. Committee members shall serve at the pleasure of the City Council. The City Council will attempt to select members from the following categories:

- Morro Bay Commercial Fishermen's Association
- Waterfront Leaseholders
- Marine Oriented Business
- Recreational Boating
- Representative of South Bay/Los Osos
- Two Members at Large

TERMS OF OFFICE

Members shall serve, without compensation, for a period of four (4) years commencing February 1st. in the year specified when members are appointed. Appointments shall be made in such a manner so as no more than three members' terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only.

QUALIFICATIONS

Four of the seven members must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Absence of a Board Member from three (3) consecutive meetings or four (4) meetings in any consecutive 12-month period will constitute the voluntary resignation of the absent member and the position will be declared vacant.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chairperson who shall hold office for a period of one year. The Chairperson shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chairperson, duties of the office shall be performed by the Vice-Chairperson. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Committee.

PROCEDURE

Regular meetings shall be held monthly on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. The Chair may close meetings to public comments, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended.

All advisory board meetings will be conducted in strict compliance with the City Council Policies and Procedures Manual. Where used in the City Council Policies and Procedure Manual, the term “City Council” shall mean the “Board” or “Commission”, the term “Mayor” shall mean “Chairperson and the term “Councilmember” shall mean “Board” or “Commission. In all matters and things not otherwise provided for in the by-laws or the Policies and Procedures of the City Council, proceedings shall be governed by “Robert’s Rules of Order,” revised edition. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Committee shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow “Robert’s Rules of Order.”

Communication between the Advisory Group, its members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Committee business and shall attend the Committee meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY PUBLIC WORKS ADVISORY BOARD BY-LAWS

PURPOSE AND AUTHORITY

The Public Works Advisory Board is established to review, advise and recommend to the City Council on items pertaining to Water, Waste-water, Streets, Recycling, and Solid Waste, Cable Television, Telecommunications, Trees, Transportation and other issues related to Public Services Department responsibilities.

The Board shall make reports and recommendations to the various city boards, commissions or the City Council on the above matters. When requested to do so, will review items referred by other city boards, commissions or the City Council. Resulting reports and recommendations will be included in presentations before the City Council.

APPOINTMENT

The Public Works Advisory Board shall be comprised of ~~five~~ seven (57) voting members, all of which must be qualified electors of the City of Morro Bay. Appointments and the filling of vacancies shall be made by the City Council. Committee members shall serve at the pleasure of the City Council.

TERMS OF OFFICE

Members shall serve, without compensation, for a period of four (4) years commencing February 1st. in the year specified when members are appointed. Appointments shall be made in such a manner so as no more than three members' terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only.

QUALIFICATIONS

A member must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Absence of a Board Member from two (2) consecutive meetings or three (3) meetings in any consecutive 12-month period will constitute the voluntary resignation of the absent member and the position will be declared vacant.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chairperson who shall hold office for a period of one year. The Chairperson shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chairperson, duties of the office shall be performed by the Vice-Chairperson. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Committee.

PROCEDURE

Regular meetings shall be held every other month on even numbered months on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. The Chair may close meetings to public comments, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended.

All advisory board meetings will be conducted in strict compliance with the City Council Policies and Procedures Manual. Where used in the City Council Policies and Procedure Manual, the term "City Council" shall mean the "Board" or "Commission", the term "Mayor" shall mean "Chairperson and the term "Councilmember" shall mean "Board" or "Commission. In all matters and things not otherwise provided for in the by-laws or the Policies and Procedures of the City Council, proceedings shall be governed by "Robert's Rules of Order," revised edition. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Committee shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Communication between the Advisory Group, its members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Committee business and shall attend the Committee meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY RECREATION AND PARKS COMMISSION BY-LAWS

PURPOSE AND AUTHORITY

The Recreation and Parks Commission is established to provide the following:

- A. Act in an advisory capacity to the City Council in all matters pertaining to parks and public recreation and to cooperate with other governmental agencies and civic groups in the advancement of sound recreation and parks planning and programming. The Board shall make reports and recommendations to the various city boards, commissions or the City Council on the above matters. When requested to do so, will review items referred by other city boards, commissions or the City Council. Resulting reports and recommendations will be included in presentations before the City Council.
- B. Formulate policies on recreation services, parks and open space for approval by the City Council.
- C. Recommend to the City Council the development of recreational areas, parks, facilities, open spaces, programs, and improved recreation services.
- D. Recommend to the City Council the adoption of rules, regulations and standards concerning recreation and parks in respect to organization, personnel, areas and facilities, program and financial support.
- E. Advise the Recreation and Parks Director in the preparation of the annual parks maintenance, park improvement and recreation budgets and long-range recreation and parks facilities improvements.
- F. Hold public hearings and meetings to conduct investigations and surveys for the purpose of securing facts and data concerning parks and public recreation.

APPOINTMENT

The Recreation and Parks Commission shall be comprised of seven (7) voting members, five of which must be qualified electors of the City of Morro Bay. Appointments and the filling of vacancies shall be made by the City Council. Committee members shall serve at the pleasure of the City Council.

TERMS OF OFFICE

Members shall serve, without compensation, for a period of four (4) years commencing February 1st. in the year specified when members are appointed. Appointments shall be made in such a manner so as no more than three members' terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only.

QUALIFICATIONS

Five of the seven members must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Absence of a Board Member from two (2) consecutive meetings or three (3) meetings in any consecutive 12-month period will constitute the voluntary resignation of the absent member and the position will be declared vacant.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chairperson who shall hold office for a period of one year. The Chairperson shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chairperson, duties of the office shall be performed by the Vice-Chairperson. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Committee.

PROCEDURE

Regular meetings shall be held every other month on odd numbered months on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. The Chair may close meetings to public comments, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended.

All advisory board meetings will be conducted in strict compliance with the City Council Policies and Procedures Manual. Where used in the City Council Policies and Procedure Manual, the term “City Council” shall mean the “Board” or “Commission”, the term “Mayor” shall mean “Chairperson and the term “Councilmember” shall mean “Board” or “Commission. In all matters and things not otherwise provided for in the by-laws or the Policies and Procedures of the City Council, proceedings shall be governed by “Robert's Rules of Order,” revised edition. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Committee shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow “Robert’s Rules of Order.”

Communication between the Advisory Group, its members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Committee business and shall attend the Committee meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY COMMUNITY PROMOTIONS COMMITTEE BY LAWS

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PURPOSE AND AUTHORITY

~~The Community Promotions Committee (CPC) was created in the belief that tourism is essential to the economic health and quality of life of this community. The purpose of the CPC shall be to act on behalf of the Morro Bay City Council on policies and expenditure programs to advertise and promote the City of Morro Bay and its special events as a tourist destination point in areas both inside and outside the boundaries of San Luis Obispo County. In addition, the CPC shall carry on a continuing and sustainable program designed to make known the advantages of tourism, recreation, business and community events to the people of Morro Bay, which helps to maintain the highest quality of life for the residents.~~

~~In addition, the CPC will be responsible for developing cooperative marketing opportunities with existing and new local businesses. This shall be accomplished through targeted promotions of special events and consistent branding of the City of Morro Bay. The CPC shall work with the MBTBID in a way that is mutually supportive of each/both committees' goals for marketing, advertising and budgeting to bring more visitors and tourism to the City, which in turn, provides valuable TOT and sales tax revenues to the City of Morro Bay.~~

~~The CPC shall develop a specific set of goals and budgetary requests prior to the beginning of each fiscal year and present those goals and requests to the City Council prior to the adoption of the annual budget. The CPC shall also make any additional reports and recommendations to the various city boards, commissions or the City Council as requested by the City Council.~~

APPOINTMENT

~~The Community Promotions Committee shall be comprised of seven (7) voting members, four of which must be qualified electors of the City of Morro Bay. Appointments and the filling of vacancies shall be made by the City Council. Committee members shall serve at the pleasure of the City Council. The City Council will attempt to select members from the following categories:~~

- ~~_____ Morro Bay Chamber of Commerce~~
- ~~_____ Morro Bay Merchants Association~~
- ~~_____ Morro Bay Motel or Restaurant Representative~~
- ~~_____ Embarcadero Business Representative~~
- ~~_____ Special Events Representative~~
- ~~_____ Two Members at Large~~

TERMS OF OFFICE

~~Members shall serve, without compensation, for a period of four (4) years commencing February 1st in the year specified when members are appointed. Appointments shall be made in such a manner so as no more than three members' terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only.~~

QUALIFICATIONS

~~Four of the 7 members of the Community Promotions Committee must be residents and registered voters of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)~~

~~Annually, each committee member will be required to familiarize himself or herself with the operation of the Visitor Center by volunteering and/or participating in business forums, chamber meetings, or merchants' association meetings.~~

ABSENCE FROM MEETINGS

~~Absence of a Board Member from three (3) consecutive meetings or four (4) meetings in any consecutive 12 month period will constitute the voluntary resignation of the absent member and the position will be declared vacant.~~

ORGANIZATION

~~At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice Chairperson who shall hold office for a period of one year. The Chairperson shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chairperson, duties of the office shall be performed by the Vice Chairperson. If both the Chair and Vice Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Committee.~~

PROCEDURE

~~Regular meetings shall be held monthly on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. The Chair may close meetings to public comments, provided that the action is consistent with the Brown Act. Agendas, reports,~~

~~meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended.~~

~~All advisory board meetings will be conducted in strict compliance with the City Council Policies and Procedures Manual. Where used in the City Council Policies and Procedure Manual, the term "City Council" shall mean the "Board" or "Commission", the term "Mayor" shall mean "Chairperson and the term "Councilmember" shall mean "Board" or "Commission. In all matters and things not otherwise provided for in the by laws or the Policies and Procedures of the City Council, proceedings shall be governed by "Robert's Rules of Order," revised edition. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Committee shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."~~

~~Communication between the Advisory Group, its members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.~~

QUORUM

~~A majority of voting members shall constitute a quorum.~~

CITY STAFF

~~The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Committee business and shall attend the Committee meetings.~~

BY-LAW AMENDMENTS

~~All amendments to the By Laws shall be approved by the City Council.~~

**CITY OF MORRO BAY
TOURISM BUSINESS IMPROVEMENT DISTRICT
ADVISORY BOARD BY-LAWS**

PURPOSE AND AUTHORITY

The Morro Bay Tourism Business Improvement District (MBTBID) Advisory Board (“Board”) advises the City Council on the administration and use of the MBTBID assessment funds. The Board recommends projects to the City of Morro Bay to promote tourism to directly benefit the City’s lodging industry.

The primary purpose of the MBTBID is to increase occupancy and room nights across all lodging types (motel, hotels, bed and breakfast) that pay the business improvement assessment (BID) along with transient occupancy tax (TOT) within the City while placing particular emphasis on marketing that positively impacts the lodging.

APPOINTMENT

The MBTBID Board shall be comprised of seven (7) voting members. Appointments and the filling of vacancies shall be made by the City Council. Committee members shall serve at the pleasure of the City Council. Because of the diversity among assessment district members represented by the Board including local, regional and national lodging industry interests, it is neither practical nor advisable to limit Board membership to City residents. Accordingly, membership on the MBTBID Board shall be exempt from residency requirements otherwise applicable to City Advisory bodies. In addition, a member of the TBID may not sit on any other city advisory board or commission.

TERMS OF OFFICE

Members of the MBTBID Board shall serve, without compensation, for a period of four (4) years. Appointments shall be made in such a manner such that no more than three members’ terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only. If a vacancy is within the last 6 months of a term, it will be held over to the normal interview process.

QUALIFICATIONS

The MBTBID Board shall consist of five (5) members from the Morro Bay lodging industry and two (2) members from the community at large.

The five members from the lodging industry shall consist of one member representing lodging rooms of less than 22 rooms, one member representing 50 or less rooms (single hotel or cumulative representation), and three members representing hotels “at large” (no specific number of rooms).

The community “at large” members shall be residents and registered voters of the City during the term of appointment.

Each member must be at least 18 years of age at the time of appointment and may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

FUNCTIONS AND DUTIES

The functions and duties of the MBTBID Board shall include, but not be limited to, the following:

1. Plan a comprehensive program to promote tourism to the City of Morro Bay and prepare an annual marketing program consistent with industry goals and objectives.
2. Develop advertising and promotional programs and projects to benefit the lodging industry in Morro Bay
3. Present an annual assessment report to the City Council regarding the implemented promotional programs and projects.
4. Perform any other lawful tasks as directed by the Council.

ABSENCE FROM MEETINGS

Absence of a Board Member from three (3) consecutive meetings or ~~four~~three (4) meetings in any consecutive 12-month period will constitute the voluntary resignation of the absent member and the position will be declared vacant.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chairperson who shall hold office for a period of one year. ~~The Chair and Vice-Chair of the Board as well as any presiding officers shall be hoteliers.~~ The Chairperson shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chairperson, the Vice-Chairperson shall perform duties of the office. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Committee.

PROCEDURE

Regular meetings shall be held ~~monthly~~ quarterly on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. The Chair may close meetings to public comment, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended.

All advisory board meetings will be conducted in strict compliance with the City Council Policies and Procedures Manual. Where used in the City Council Policies and Procedure Manual, the term "City Council" shall mean the "Board" or "Commission", the term "Mayor" shall mean "Chairperson and the term "Councilmember" shall mean "Board" or "Commission. In all matters and things not otherwise provided for in the Bylaws or the Policies and Procedures of the City Council, proceedings shall be governed by "Robert's Rules of Order," revised edition. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Committee shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Communication between the Advisory Group, its members, and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Committee business and shall attend the Committee meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY PLANNING COMMISSION BY-LAWS

PURPOSE AND AUTHORITY

The Planning Commission is established in accordance with the provisions of Government Code Section 65100, et sec. The functions of the Planning Commission shall be as follows:

- A. To develop and periodically review, a general plan and recommend its adoption or any revisions to by the city council;
- B. To maintain and implement the general plan after its adoption by the city council;
- C. To develop specific plans as may be necessary to implement the general plan;
- ~~D.~~ To periodically review the capital improvement program of the city for its consistency with the general plan, and forward recommendations to the city council;
- ~~E.~~ Consult and advise with public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens generally concerning implementation of the general plan.
- ~~D.F.~~ Endeavor to promote public interest in, comment on, and understanding of the general plan, and regulations relating to it;
- ~~E.G.~~ To perform such other functions as the city council may direct.

The Planning Commission shall:

- A. In addition to the duties and responsibilities set forth by state laws and local ordinances, the planning commission shall act in the public interest and serve in an advisory capacity to the city council on all matters pertaining to the planning function;
- B. Cooperate with other city boards and commissions, governmental agencies and civic groups in the advancement of sound planning, both within and without the city;
- C. Formulate policies on planning services for recommendation to the city council;
- D. Upon the request of the City Council, hold a joint meeting with the city council twice annually to discuss proposed policies, programs, goals and objectives, budgeting, future planning, or any other planning matter requiring joint deliberation. The city clerk shall in January of each year bring forth an agenda item to the city council to schedule the two joint meetings;
- E. Recommend to the city council the adoption of standards with respect to organization, personnel, facilities, programs and financial support of the planning commission;
- F. Disseminate to the public information concerning the policies and functions of the planning commission.

APPOINTMENT

The Planning Commission shall consist of five members and they shall be qualified electors and residents of the City. Appointments and the filling of vacancies shall be made by the City Council. Commissioners shall serve at the pleasure of the City Council.

TERMS OF OFFICE

Members of the Planning Commission shall be appointed by and serve at the pleasure of the City Council. Terms shall be for a period of four years; vacancies shall be filled for the unexpired term only. Two-year short terms may be established to stagger terms. Expiration dates of specific terms shall be established by resolution of the City Council.

QUALIFICATIONS

A member must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Absence of a Board Member from three (3) consecutive meetings or four (4) meetings in any consecutive 12-month period will constitute the voluntary resignation of the absent member and the position will be declared vacant.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chairperson who shall hold office for a period of one year. The Chairperson shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chairperson, duties of the office shall be performed by the Vice-Chairperson. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Committee.

PROCEDURE

| Regular meetings shall be held ~~twice-a~~ monthly on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. The Chair may close meetings to public comment, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended.

All advisory board meetings will be conducted in strict compliance with the City Council Policies and Procedures Manual. Where used in the City Council Policies and Procedure Manual, the term "City Council" shall mean the "Board" or "Commission", the term "Mayor" shall mean "Chairperson" and the term "Councilmember" shall mean "Board Member" or "Commissioner". In all matters and things not otherwise provided for in the Bylaws or the Policies and Procedures of the City Council, proceedings shall be governed by "Robert's Rules of Order," revised edition. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Committee shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Communication between the Advisory Group, its members, and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

**CITY OF MORRO BAY
CITIZENS OVERSIGHT COMMITTEE**

Morro Bay Municipal Code 3.22.120

3.22.120 Citizens Oversight Committee.

A. Citizens Oversight Committee Established. There shall be a permanent citizens' advisory committee called the "Citizens Oversight Committee" (hereinafter "Committee"), which shall semi-annually review revenues and expenditures from the collection of the tax.

B. Committee Membership. The Committee shall have 5 citizen-members appointed by the City Council for six year terms with initially 3 members serving 3 years, and 3 members serving 6 years. Appointees shall be residents of the City; however, no member of the Committee shall be an elected official.

C. Committee Organization Procedures. The committee shall select one of its members as Chairperson. The Committee shall follow the rules of procedure of the City unless and until, upon the report and recommendation from the Committee, the City Council adopts a specific set of procedural rules for the Committee.

D. Regular Meeting; Provision of Support Services and Information. The Committee shall be subject to the provisions of the Brown Act (California Government Code sections 54950 et seq.) and shall meet at least once each calendar year. A regular meeting schedule shall be determined in accordance with the Brown Act and thereafter meetings shall be noticed by the City Clerk. The City Manager or his/her designee shall serve as executive staff to the Committee. In addition to receiving materials directly related to the functioning of the Committee, the Committee members shall also receive all agenda material and other primary staff reports (other than those which are confidential) as are provided to the City Council.

E. Citizens Oversight Committee Functions. The Committee shall have the following function:

Semi- annual Report: The Committee shall review a semi-annual expense report of the City relative to activities funded with the additional general purpose local sales tax monies. Not later than the last day of the sixth month following the end of the each City fiscal year, the Committee will present its findings and conclusions to the City Council for its review.



AGENDA NO: A-7

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and Council

DATE: February 5, 2013

FROM: Janeen Burlingame, Management Analyst

SUBJECT: 2012 Trolley Season Summary

RECOMMENDATION:

Staff recommends the City Council receive and file the 2012 trolley season summary.

FISCAL IMPACT:

None.

DISCUSSION:

Staff developed a budget for FY 2012/2013 (2012 Season) that did not require supplemental funding from the General Fund or Parking In Lieu Fund for operations.

The City's 2012 trolley program was the same as in 2011, serving the visiting and local general public by linking the Downtown Business District, Waterfront, and State Parks in the north and south ends of the community through the use of three trolley routes operating within the City limits. The north and south routes operated on an approximate 30 minute headway and the Waterfront route operated on a 20 minute headway (see attached trolley brochure).

Service operated weekends only from Memorial Day weekend to the first weekend in October, and on Friday and Monday from Memorial Day through Labor Day, beginning at 11:00 a.m. each operating day and ending at 7:00 p.m. on Fridays, 7:00 p.m. on Saturdays, 6:00 p.m. on Sundays, and 5:00 p.m. on Mondays. There were no changes to the three routes, hours of operation, or fares (adult fare was \$1.25, child fare was \$0.50 and the All Day Pass was \$3).

Tables 1 through 4 provide information on the 2012 season. There were 3 more days operated in 2012 than 2011, resulting in slight increases in the number of vehicle service hours operated over the prior season (3.9%) and ridership (1.3%). While the fare revenues experienced a slight increase (4.6%), the average daily ridership experienced a slight decrease (-3.1%).

Regarding the breakdown of total riders between the three routes, the ordering of which route carried the most riders did not change with the Waterfront route carrying the most passengers (37% of total riders), followed by the North and then Downtown routes (32% and 31% of total riders).

Prepared By: J. Burlingame

Dept Review: RL

City Manager Review: _____

City Attorney Review: _____

When service characteristics do not change from the previous season, trolley ridership can increase or decrease for a number of reasons that vary from changes in lodging occupancy rates, the weather or larger events being held inside or outside of city limits to name a few. For example, the Oyster Festival that took place over the 2012 Father’s Day weekend resulted in an unprecedented increase in ridership, doubling normal Saturday June ridership, and the Avocado & Margarita Festival in September 2012 experienced a 170% increase in ridership compared to the same time of month before the Chamber started having the festival.

When comparing lodging occupancy rates with trolley ridership, there is generally a correlation between the two so when summer occupancy rates increase, trolley ridership increases and when they decrease, ridership decreases. There are some exceptions when there have been modifications made to the trolley service (reduction in days, reduction in service hours, fare structure change or routing changes) that do not correspond with occupancy rate changes such as in 2008 when there was on average for the summer months a decrease in occupancy rates from 2007, but trolley ridership increased by 70% due to the addition of a third route.

While there was an overall increase in occupancy rates between the summers of 2012 and 2011, trolley ridership experienced only a nominal ridership increase. When analyzing the monthly data, there were large increases in occupancy rates for June (10.7%) and September (15.5%) that corresponded with large ridership increases for the same months (33% in June and 39% in September). Similarly, ridership experienced decreases in July (-11%) and October (-13%) that corresponded with a decrease in occupancy rates for the same months (-1.3% in July and -1.9% in October).

August, however, experienced a 5.7% increase in occupancy rates but a 14% decrease in ridership, suggesting there may have been another factor impacting ridership. There was the question as to whether or not Morro Strand State Park Campground would remain open as it was 1 of 70 parks slated for closure beginning July 1, 2012. While Morro Strand ultimately remained open beyond July 1, the online system for making reservations at the campground had indicated on its website that the campground would close July 1, 2012 and when it was determined the campground was to remain open, no online reservations could be made, only “drive-ins” on a first come, first serve basis. Trolley drivers noted that after July 1, there were not as many campers at Morro Strand than in prior years.

Table 1 - Trolley Summary

Season	#		Riders		Riders		Ave. Fare
	Days	Ridership	per Day	VSH	per VSH	Farebox	per day
2012*	70	19,763	282	1,530	13	\$ 14,786	211.23
2011	67	19,519	291	1,472	13	\$ 14,142	211.07
2010	67	21,619	323	1,478	15	\$ 18,289	272.97
2009**	71	21,551	304	1,565	14	\$ 15,867	223.48
2008***	70	25,956	371	1,683	15	\$ 11,337	161.95
2007	70	15,257	218	1,136	13	\$ 7,058	100.83

*North Morro Bay State Park campground did not take reservations, only walk ins (targeted park for closure)

** Height of recession

**Trolley service expanded to 3 routes

Table 2 - Trolley 2012 Season - Ridership per Hour Analysis by Route

*Includes 4th of July extended hours

	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	Total Riders
Waterfront	884	935	1,132	1,187	1,209	981	691	314	21	48	7,402
Riders per Hour	13	13	16	17	17	14	12	9	21	48	
Downtown	837	750	828	862	867	868	603	383	60	69	6,127
Riders per Hour	12	11	12	12	12	12	11	11	60	69	
North	836	856	865	1,016	904	788	625	246	27	71	6,234
Riders per Hour	12	12	12	15	13	11	11	7	27	71	

Table 3 - Trolley 2012 Season - Ridership per Hour Analysis All Routes

*Includes Memorial Day, 4th of July, and Labor Day holidays

	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	Ridership
Total Ridership	2,557	2,541	2,825	3,065	2,980	2,637	1,919	943	108	188	19,763
Hourly Riders	37	36	40	44	43	38	34	27	36	188	

Ridership by Day	Sat	Sun	Mon	Wed*	Fri
Total Riders	7,780	4,987	2,864	973	3,159
Ave. Riders/Day	409	262	191	973	226
Riders/Service Hour	17	12	10	28	10

*Wednesday was July 4th holiday

Table 4 - Trolley 2012 Season - Ridership per Hour Analysis All Routes by Day

	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	Fri Total
Friday Ridership	383	395	510	476	447	422	329	197	3,159
Hourly Riders	27	28	36	34	32	30	24	14	

	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	Sat Total
Saturday Ridership	946	959	1,059	1,175	1,161	1,033	834	613	7,780
Hourly Riders	47	48	53	59	58	52	42	31	

	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	Sun Total
Sunday Ridership	718	668	745	782	760	708	606	0	0	0	4,987
Hourly Riders	36	33	37	39	38	35	30	0	0	0	

	11-12	12-1	1-2	2-3	3-4	4-5	5-6	Mon Total
Monday Ridership	466	435	463	567	511	379	43	2,864
Hourly Riders	31	29	31	38	34	25	22	

	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	Wed Total
Wednesday Ridership	44	84	48	65	101	95	107	133	108	188	973
(4th of July)											

CONCLUSION:

Staff recommends the City Council receive and file the 2012 trolley season summary.



AGENDA NO: B-1

MEETING DATE: 2/13/13

Staff Report

TO: Honorable Mayor and City Council

DATE: January 28, 2013

FROM: Andrea K. Lueker, City Manager

SUBJECT: Public Input on 2013 City Council Goals

RECOMMENDATION

Staff recommends the City Council open the public hearing and accept comment from the public on Goals for the City of Morro Bay, in advance of the City Council Goal Setting sessions.

BACKGROUND

Each year, the City Council has conducted an annual goal setting process and as a part of that process, asked for public comment. Our 2013 process has expanded the outreach for public comment to include input at two public hearing sessions during City Council meetings (February 13th and February 26th), a Public Input Form (attached) that can be faxed or hand delivered as well as a designated e-mail address for input (goals@morro-bay.ca.us).

Prepared By: AL

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____



City of Morro Bay

Morro Bay, CA 93442

(805) 772-6200

The Morro Bay City Council wants to hear from you ...

What are the most important goals for the City over the next 2 years?

Please list important goals for the City, why they are important to you, and any ideas that you have about how they might be achieved (for example, collaborations with nonprofits or service clubs, other resources, etc.).

<i>Suggested Goal</i>	<i>Why it's important to you</i>	<i>Ideas about how to achieve it</i>

There are several ways to provide your input:

- 1. Return this form to City Hall, 595 Harbor Street, or**
- 2. Give this form to a member of the Morro Bay City Council, or**
- 3. Fax this form to 805.772.7329, or**
- 4. Submit your information by email to goals@morro-bay.ca.us**

Please try and provide this information by February 28, 2013.

Thank you!

Name _____ Address _____ E-Mail _____
(This information is optional)



AGENDA NO: B-2

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and City Council **DATE:** February 5, 2013
FROM: Rob Livick, PE/PLS – Public Services Director/City Engineer
Cindy Jacinth – Assistant Planner
SUBJECT: Community Development Block Grant (CDBG) program funding recommendations for 2013/2014

RECOMMENDATION:

Council review and approve funding recommendations for the 2013 Community Development Block Grant (CDBG) program as shown below and approve adjustment of awards on a proportional basis upon final receipt of the 2013/2014 funding allocation from the Department of Housing and Urban Development (HUD).

FISCAL IMPACT:

Available funds are estimated at \$52,930 for the 2013/2014 cycle.

BACKGROUND/DISCUSSION:

The 2013 CDBG award process began in Fall 2012. The Urban County of San Luis Obispo issued a request for proposals for CDBG and HOME funding on August 23, 2012 with applications due October 12, 2012. Public workshops were held throughout the County to solicit public comment on community needs with the City of Morro Bay’s workshop held on September 4, 2012. The City received 8 applications for CDBG funds by the deadline. The total funding for the 2013/2014 fiscal year is anticipated to be \$52,930. The amount allocated this year is expected to be 8% less than the previous year allocation of \$57,533. The reduction in the projected estimate is due to Congressional funding cuts to HUD’s budget, as well as new census data which affected all jurisdictions in the Urban Counties.

The amount that an agency receives is based on the total HUD allocation to the Urban County and is apportioned based on population, poverty persons and overcrowding in housing.

Prepared By: RL/CJ

Dept Review: RL

City Manager Review: _____

City Attorney Review: _____

Recommended Projects	Requested
City of Morro Bay – Pedestrian Accessibility - Barrier Removal Projects	\$32,344
Senior Nutrition Program of SLO County	\$10,000
City Program Administration Costs – Limited to 20% of Allocation	\$10,586
Estimated Total Funding Available	\$52,930

On November 13, 2012 after reviewing the applications, Council approved draft funding recommendations for the 2013/2014 cycle. The recommendations were then published for the required minimum of 30 days during which a second public workshop was held on January 9, 2013. At that workshop, County and City staff was available to discuss the recommendations and answer any questions regarding the CDBG program.

Upon approval, the final funding recommendations will be forwarded to the County for submittal to and approval by the County Board of Supervisors and inclusion in the countywide Consolidated Plan.

CONCLUSION

Council may modify the grant funding recommendations prior to final approval. However, awards must meet program requirements, providing a minimum of 70% of funding for benefit to low and moderate-income persons, and no more than 15% can be allocated to the public service category.

ATTACHMENTS

1. Entitlement Program Fact Sheet
2. US Census Data sheet
3. Morro Bay Pedestrian Accessibility Application
4. Senior Nutrition Program of SLO County

ATTACHMENT 1

APPENDIX A

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

ENTITLEMENT PROGRAM FACT SHEET

Introduction

The program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

In This Fact Sheet

- ✓ Grantee Eligibility
- ✓ Requirements
- ✓ Citizen Participation
- ✓ Legal Authority/Information Sources

Nature of Program

HUD awards grants to entitlement communities to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

Entitlement communities develop their own programs and funding priorities. However, grantees must give maximum feasible priority to activities which benefit low- and moderate-income persons. A grantee may also carry out activities which aid in the prevention or elimination of slums or blight, or to which it certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. CDBG funds may not be used for activities which do not meet these broad national objectives.

CDBG funds may be used for activities which include, but are not limited to:

- ❖ Acquisition of real property;
- ❖ Relocation and demolition;
- ❖ Rehabilitation of residential and non-residential structures;
- ❖ Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- ❖ Public services, within certain limits;

- ❖ Activities relating to energy conservation and renewable energy resources; and

- ❖ Providing assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.

Generally, the following types of activities are *ineligible*: acquisition, construction, or reconstruction of buildings for the general conduct of government; political activities; certain income payments and construction of new housing by units of general local government.

Grantee Eligibility

Central cities of Metropolitan Statistical Areas (MSAs), other metropolitan cities with populations of at least 50,000, and qualified urban counties with populations of at least 200,000 (excluding the population of entitled cities) are entitled to receive annual grants. HUD determines the amount of each entitlement grant by a statutory dual formula which uses several objective measures of community needs, including the extent of poverty, population, housing overcrowding, age of housing, and population growth lag in relationship to other metropolitan areas.

Requirements

To receive its annual CDBG entitlement grant, a grantee must develop and submit to HUD its Consolidated Plan, (which is a jurisdiction's comprehensive planning document and application for funding under the following Community Planning and Development formula grant programs: CDBG, HOME Investment Partnerships, Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grants (ESG)). In its Consolidated Plan, the jurisdiction must identify its goals for these programs, as well as for housing programs. The goals will serve as the criteria against which HUD will evaluate a jurisdiction's Plan and its performance under the Plan. Also, the Consolidated Plan must include several required certifications, including the certification that not less than 70% of the CDBG funds received, over a one, two, or three year period specified by the grantee, will be used for activities that benefit low- and moderate-income persons, and that the grantee will affirmatively further fair housing. HUD will approve a Consolidated Plan submission unless the Plan (or a portion of it) is inconsistent with the purposes of the National Affordable Housing Act or is substantially incomplete.

Following approval, the Department will make a full grant award unless the Secretary has made a determination that the grantee: (1) has failed to carry out its CDBG-assisted activities in a timely manner; (2) has failed to carry out those activities and its certifications in accordance with the requirements and the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended, and with other applicable laws; or (3) lacks a continuing capacity to carry out its CDBG-assisted activities in a timely manner.

Citizen

A grantee must develop and follow a detailed plan which provides for and encourages citizen participation and which emphasizes participation by

Participation

persons of low- or moderate-income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. The plan must: provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of funds; provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and the review of program performance; provide for timely written answers to written complaints and grievances; and identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Legal Authority

Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C.-5301 *et seq.*

Information Sources

If you are an interested citizen, contact your local municipal or county officials for more information. If your local government officials cannot answer your questions, or if you are a local official, contact the HUD field office* that serves your area. Note that the local government administers the program and determines which local projects receive funding.

Information about HUD field offices may be found on the World Wide Web at <http://www.hud.gov/local.html>.

* Hearing impaired users may call the Federal Information Relay Service at 1-800-877-8339.



S1701

POVERTY STATUS IN THE PAST 12 MONTHS

2006-2010 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, for 2010, the 2010 Census provides the official counts of the population and housing units for the nation, states, counties, cities and towns. For 2006 to 2009, the Population Estimates Program provides intercensal estimates of the population for the nation, states, and counties.

Subject	Morro Bay city, California					
	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population for whom poverty status is determined	9,186	+/-1,023	1,061	+/-454	11.6%	+/-4.8
AGE						
Under 18 years	1,259	+/-301	319	+/-245	25.3%	+/-17.2
Related children under 18 years	1,259	+/-301	319	+/-245	25.3%	+/-17.2
18 to 64 years	5,863	+/-643	655	+/-240	11.2%	+/-4.1
65 years and over	2,064	+/-322	87	+/-78	4.2%	+/-3.7
SEX						
Male	4,500	+/-542	568	+/-295	12.6%	+/-6.3
Female	4,686	+/-637	493	+/-199	10.5%	+/-4.1
RACE AND HISPANIC OR LATINO ORIGIN						
One race	9,113	+/-1,020	1,061	+/-454	11.6%	+/-4.9
White	8,756	+/-1,001	1,016	+/-453	11.6%	+/-5.1
Black or African American	0	+/-132	0	+/-132	-	**
American Indian and Alaska Native	63	+/-52	11	+/-19	17.5%	+/-27.6
Asian	178	+/-154	0	+/-132	0.0%	+/-20.0
Native Hawaiian and Other Pacific Islander	0	+/-132	0	+/-132	-	**
Some other race	116	+/-103	34	+/-56	29.3%	+/-43.9
Two or more races	73	+/-69	0	+/-132	0.0%	+/-38.5
Hispanic or Latino origin (of any race)	1,156	+/-520	456	+/-392	39.4%	+/-24.3
White alone, not Hispanic or Latino	7,740	+/-997	605	+/-211	7.8%	+/-2.6
EDUCATIONAL ATTAINMENT						
Population 25 years and over	7,309	+/-833	644	+/-217	8.8%	+/-3.0
Less than high school graduate	445	+/-165	98	+/-85	22.0%	+/-18.5
High school graduate (includes equivalency)	1,333	+/-290	167	+/-98	12.5%	+/-6.8
Some college, associate's degree	3,147	+/-426	292	+/-132	9.3%	+/-3.9
Bachelor's degree or higher	2,384	+/-409	87	+/-79	3.6%	+/-3.3
EMPLOYMENT STATUS						
Civilian labor force 16 years and over	4,720	+/-596	385	+/-163	8.2%	+/-3.5
Employed	4,547	+/-568	347	+/-154	7.6%	+/-3.4
Male	2,438	+/-383	216	+/-113	8.9%	+/-4.7
Female	2,109	+/-361	131	+/-83	6.2%	+/-3.7
Unemployed	173	+/-96	38	+/-42	22.0%	+/-23.2
Male	84	+/-70	0	+/-132	0.0%	+/-35.6
Female	89	+/-62	38	+/-42	42.7%	+/-39.1
WORK EXPERIENCE						

Subject	Morro Bay city, California					
	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population 16 years and over	8,057	+/-898	758	+/-252	9.4%	+/-3.1
Worked full-time, year-round in the past 12 months	2,716	+/-452	107	+/-84	3.9%	+/-3.0
Worked part-time or part-year in the past 12 months	2,308	+/-375	319	+/-144	13.8%	+/-6.1
Did not work	3,033	+/-447	332	+/-145	10.9%	+/-4.4
All Individuals below:						
50 percent of poverty level	243	+/-149	(X)	(X)	(X)	(X)
125 percent of poverty level	1,389	+/-493	(X)	(X)	(X)	(X)
150 percent of poverty level	1,621	+/-512	(X)	(X)	(X)	(X)
185 percent of poverty level	2,043	+/-565	(X)	(X)	(X)	(X)
200 percent of poverty level	2,274	+/-593	(X)	(X)	(X)	(X)
Unrelated individuals for whom poverty status is determined	2,286	+/-458	457	+/-167	20.0%	+/-6.0
Male	947	+/-265	162	+/-93	17.1%	+/-8.3
Female	1,339	+/-324	295	+/-130	22.0%	+/-8.4
Mean income deficit for unrelated individuals (dollars)	2,245	+/-927	(X)	(X)	(X)	(X)
Worked full-time, year-round in the past 12 months	914	+/-279	45	+/-48	4.9%	+/-4.9
Worked less than full-time, year-round in the past 12 months	544	+/-192	167	+/-108	30.7%	+/-15.2
Did not work	828	+/-217	245	+/-125	29.6%	+/-11.3
PERCENT IMPUTED						
Poverty status for individuals	18.4%	(X)	(X)	(X)	(X)	(X)

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

While the 2006-2010 American Community Survey (ACS) data generally reflect the December 2009 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2000 data. Boundaries for urban areas have not been updated since Census 2000. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2006-2010 American Community Survey

Explanation of Symbols:

1. An '***' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An '***' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An '*****' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.



B25014

TENURE BY OCCUPANTS PER ROOM
 Universe: Occupied housing units
 2006-2010 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, for 2010, the 2010 Census provides the official counts of the population and housing units for the nation, states, counties, cities and towns. For 2006 to 2009, the Population Estimates Program provides intercensal estimates of the population for the nation, states, and counties.

	Morro Bay city, California	
	Estimate	Margin of Error
Total:	4,646	+/-556
Owner occupied:	2,716	+/-390
0.50 or less occupants per room	2,398	+/-371
0.51 to 1.00 occupants per room	306	+/-105
1.01 to 1.50 occupants per room	2	+/-11
1.51 to 2.00 occupants per room	10	+/-16
2.01 or more occupants per room	0	+/-132
Renter occupied:	1,930	+/-333
0.50 or less occupants per room	1,169	+/-253
0.51 to 1.00 occupants per room	642	+/-195
1.01 to 1.50 occupants per room	40	+/-45
1.51 to 2.00 occupants per room	79	+/-81
2.01 or more occupants per room	0	+/-132

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

While the 2006-2010 American Community Survey (ACS) data generally reflect the December 2009 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2000 data. Boundaries for urban areas have not been updated since Census 2000. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2006-2010 American Community Survey

Explanation of Symbols:

1. An '***' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to

compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.

3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An '***' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An '*****' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPLICATION FOR THE 2013 PROGRAM YEAR

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Organization Name: City of Morro Bay
(Attach additional sheets if necessary)

To be considered for CDBG assistance, please submit this completed application with any exhibits, budgets or beneficiary data as needed. **PLEASE READ ALL INFORMATION IN THE APPLICATION.** Applications can be mailed to one of the participating jurisdictions listed in this application or to: Tony Navarro, Planner III, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA., 93408 or hand delivered to Tony Navarro at 1035 Palm Street, Room 370, San Luis Obispo, CA., faxed to (805) 781-5624, or e-mailed to tnavarro@co.slo.ca.us. **The application deadline is 5:00 P.M., Friday, October 12, 2012.** Applications must be received by the County or one of the participating cities (Arroyo Grande, Atascadero, Morro Bay, Paso Robles, San Luis Obispo) prior to close of the business day. **POSTMARKED DATED MAIL RECEIVED AFTER THE DEADLINE WILL NOT BE ACCEPTED.**

NOTE:

- (1) Please review the CDBG regulations and guidelines and the Request for Proposals before completing this proposal. The CDBG regulations, under 24 CFR 570, are available at www.sloplanning.org under "Federal HUD Grants."
- (2) **HMIS Reporting for 2013 homeless services, housing and shelter** - All homeless service providers applying for CDBG funds to assist, house or shelter the homeless must identify and demonstrate its capacity to participate in the County of San Luis Obispo Homeless Management Information System (HMIS) to provide: personnel for data entry, user licensing, and hardware and software necessary for compatibility with HMIS. HMIS is an electronic data collection system that stores client level information about persons who access the homeless services system in a Continuum of Care, and reports aggregate data for the County as per the U.S. Department of Housing and Urban Development's Data Standards found in http://www.hudhre.info/documents/FinalHMISDataStandards_March2010.pdf.
- (3) The project/program proposal to the County of San Luis Obispo shall be examined in relation to the County's community development goals and funding priorities as presented in the Urban County of San Luis Obispo 2010-2015 Consolidated Plan (ConPlan). The ConPlan is available at www.sloplanning.org. The County of San Luis Obispo Department of Planning and Building (Planning) considers the criteria stated in the 2013 Request for Proposals as one of many tools to help make funding recommendations to the Board of Supervisors. Planning will use other information and sources including but are not limited to: the County Board of Supervisors, recommendations from the Homeless Services Oversight Council, other participating jurisdictions of the Urban County of San Luis Obispo, identified needs that could be addressed by the grant funds, consistency with goals and priorities in the 2010 Consolidated Plan and the Ten Year Plan to End Homelessness, results of the Needs Workshops, working knowledge of the project and/or organization by Planning, and availability of limited fund, to help with the funding recommendations.

Please call County and/or city CDBG staff with any questions about how to complete the form or about the rating criteria and process.

If the information for any of the questions below requires more room to provide a complete explanation of your proposed project or program, please attach additional sheets.

CONTACT INFORMATION

1. Name and mailing address of applicant organization, with contact person, phone and fax numbers, and e-mail address:

Name: City of Morro Bay

Address (mailing and physical address requested if different):

Contact person/title: Cindy Jacinth, Assistant Planner

Phone: 805-772-6577

Fax: 805-772-6268

E-mail address: cjacinth@morro-bay.ca.us

Is the organization a Faith Based Organization? Yes No

Organization's DUNS number: _____ 060890571 _____

If you are awarded CDBG funds or your proposal involves economic development, i.e., directly benefit a business, private property owner, business, involves façade improvements, provide technical assistance to a new or existing business, job creation, loan guarantee, the beneficiary must obtain a Dun and Bradstreet (DUNS) number that must be reported to HUD. Please contact Tony Navarro, (805) 781-5787, tnavarro@slo.co.ca.us for information on how to obtain a DUNS number prior to incurring and obligating the federal funds.

Is your agency currently participating in HMIS?

No

If not, does your agency have the capacity to participate in HMIS? If yes, how so?

N/A

PROJECT DESCRIPTION

2. Title/name/address of proposed project or program:

Morro Bay Pedestrian Accessibility Project – Phase 2
City wide – Morro Bay

3. Please describe the proposed project or program. In one or two short paragraphs, include a brief project/program description, the groups who will benefit and an explanation of how they will benefit from the proposed project or program. For projects, describe the location of the project (be as specific as possible, e.g. street address). For programs, state the location from which the program will be operated and/or describe the geographic area served by the program. Also, please include a schedule of project/program milestones.

Installation and repair of sidewalk and curb ramps throughout the City of Morro Bay will provide an accessible path of travel for those disabled low and very low income residents throughout the County. Project will include installation of curb ramps and sidewalk and repair of curb ramps and sidewalk so that this infrastructure meets current accessibility requirements.

4. Will the services offered by your organization increase or expand as a result of the CDBG assistance? If yes, please answer the following questions:

a. What new programs and/or services will be provided?

N/A

b. Describe how existing programs and/or services will be expanded and what percentage of an increase is expected?

5. Check any of the following eligible activity categories that apply to the proposed project or program: (Refer to CDBG regulations and the Guide to Eligible CDBG Activities).

Acquisition of real property*

Disposition of real property

- Public facilities and improvements (may include acquisition, construction, reconstruction, rehabilitation or installation)* and/or **
- Privately owned utilities
- Clearance and remediation activities**
- Public services
- Interim assistance
- Relocation of individuals, families, businesses, non-profit organizations, and/or farms
- Loss of rental income
- Removal of architectural barriers
- Housing rehabilitation**
- New housing construction (under limited circumstances)
- Homeownership assistance
- Housing services
- Code enforcement
- Historic preservation**
- Commercial or industrial rehabilitation**
- Special economic development
- Technical assistance and planning studies

*** Relocation:** Any project that involves the acquisition of property and/or rehabilitation and is funded in whole or in part with federal funds, even if the federal funds are not used for the acquisition itself, is subject to federal requirements connected to acquisition and relocation. A project cannot be broken into separate “projects” in order to avoid the federal requirements connected with property acquisition and relocation. Any questions concerning whether the relocation regulations apply to a specific property acquisition project should be directed to the Community Development Division staff before any action is taken on the project.

If HUD funded project will cause a household or a business to move, even temporarily, the relocation regulations will apply.

Along with application submit:

- Estimate of relocation cost (moving costs, subsidy amount for suitable replacement dwelling)
- Letter to owner or voluntary acquisition, plus proof of delivery to owner.
- General Information letter to tenants (both business and residential tenants), plus proof of delivery to all).
- List of tenants (both business and residential tenants) at the time of application submittal.
- Refer to SLO Col website for sample relocation letters.

**** Lead based paint/asbestos:** If HUD funded project involves acquisition or rehabilitation of a residential units that was built in 1978 or earlier, then Lead-Based paint regulations will apply.

- Along with application submit an estimate of costs for LBP work, provided by certified LBP consultant. Or statement by LBP consultant explaining that project is exempt.
- Include any temporary housing costs.

6. Describe the need and the degree of urgency for the proposed project or program. What would be the consequences if the proposed project or program is not funded in the next year?

Removal of barriers through the construction and rehabilitation of sidewalks and curb ramps will remove the restriction that disabled and elderly face in accessing the City’s pedestrian facilities.

7. Please describe the specific organizational method used to implement the proposed project or program (single or multiple group, public agency, non-profit, for-profit, experience in operating similar programs, etc.):

The City of Morro Bay will be implementing the program.

8. Does the project require the issuance of a permit (from local, state or federal agencies)?

Yes No

a. If yes, please identify the permits necessary to complete the project.

An encroachment permit will be required prior to construction.

b. Have the necessary permits been issued? Please provide proof of permit issuance.

The permits will be issued during implementation.

- c. If permits are required but not yet obtained, when will the permits be issued?

The permits will be issued during implementation.

NATIONAL OBJECTIVES CRITERIA

9. Does the proposed project or activity meet one of the three national objectives of the CDBG program? Please check one of the objectives below that applies to the proposal, and explain how the project or activity meets that national objective.

- a. Benefits low- and moderate-income persons as defined by the U.S. Department of Housing and Urban Development (HUD).

Select one:

Low/Moderate-Income Area Benefit – The project serves only a limited area which is proven by 2000 Census data or survey to be a predominately (51% or more) low/moderate-income area. Applicants choosing this category must be able to prove their project/activity primarily benefits low/moderate-income households.

Low/Moderate-Income Limited Clientele – The project benefits a specific group of people (rather than all areas in a particular area), at least 51% of whom are low/moderate-income persons;. Note: Income verification for clients must be provided for this category. The following groups are presumed to be low/moderate-income: abused children; elderly persons; battered spouses; homeless persons; adults meeting census definition of severely disabled; persons living with AIDS; and migrant farm workers

Low/Moderate-Income Housing – The project adds or improves permanent residential structures that will be/are occupied by low/moderate-income households upon completion.

Low/Moderate-Income Jobs – The project creates or retains permanent jobs, at least 51% of which are taken by low/moderate-income persons or considered to be available to low/moderate-income persons.

Explain: Provides barrier-free pedestrian accessibility

NOTE: To meet this national objective, the proposed activity must benefit a specific clientele or residents in a particular area of the County or participating city, at least 51 percent of who are low- and moderate-income persons.

- b. _____ Aids in the prevention or elimination of slums or blight.

Explain:

Select one:

Addressing Slums or Blight on an Area Basis -

Addressing Slums or Blight on a Spot Basis – This project will prevent or eliminate specific conditions of blight or physical decay. Activities are limited to clearance, historic preservation, rehabilitation of buildings, but only to the extent necessary to eliminate conditions detrimental to public health and safety.

Is the project located in a Redevelopment Area? Yes No

If yes, attach a map of the area with the site highlighted, and provide the Redevelopment Project Area (excerpts accepted) which documents the existence of slum/blight. Also, document the specific redevelopment objectives pertaining to the proposed project.

NOTE: To meet this national objective, the proposed activity must be within a designated slum or blighted area and must be designed to address one or more conditions that contributed to the deterioration of the area.

c. _____ Meets community development needs having a particular urgency where existing conditions pose a serious and immediate threat to the health or welfare of the community, and no other funding sources are available, i.e., a major catastrophe such as a flood or earthquake.

Explain:

NOTE: To meet this national objective, the proposed activity must deal with major catastrophes or emergencies such as floods or earthquakes.

10. If the project or program is designed to meet the national objective of providing benefit to low- and moderate-income persons, please estimate the number of unduplicated number of persons (or households) to benefit from the project and break that estimate down by income group (unduplicated means the number who are served, i.e., the grant will allow 25 children to participate in preschool – not 25 children x 5 days x 52 weeks = 6,500).

a. Total number of persons or households who will benefit from the project or program (regardless of income group):

__5,000__ Persons/households (circle the applicable unit)

b. Of the total number of persons or households entered above, how many will be low-income (earning 51% - 80% or less of the County median-income)?

__n/a__ Persons/households (circle the applicable unit)

c. Of the total number of persons or households entered above, how many will be very low-income (earning 50% or less of the County median-income)?

_____ n/a _____ Persons/households (circle the applicable unit)

11. Who are the clients of your organization? (Example: low- to moderate-income persons, elderly persons, severely disabled persons, migrant farm workers, battered spouses, etc.)

Low- to moderate-income persons.

12. How will the clients benefit from this project?

Provides for barrier free access to sidewalk and services the clients use.

13. If your project serves homeless households, please describe how your program coordinates with other continuum of care projects and entities and how it aligns with the San Luis Obispo Countywide 10-Year Plan to Homelessness.

N/A

BENEFICIARY DATA

- 14. How do you collect demographic data on the beneficiaries of the proposed project or program?**
(Example: racial/ethnic characteristics)
NOTE: You are required to provide beneficiary data at the end of each quarter and year end data of the fiscal year.

City staff will be using census data to determine city-wide benefit.

- 15. How do you document and maintain income status of each client in compliance with HUD regulations? (Example: very low, low- and moderate-income)**

See #14.

- 16. Provide the following information for the person(s) in your organization responsible for the preparation and submittal of the quarterly reports and for collecting and reporting the beneficiary data to the Urban County.**

Contact person/title: Cindy Jacinth, Assistant Planner

Phone number: 805-772-6577

E-mail address: cjacinth@morro-bay.ca.us

FINANCIAL INFORMATION

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects please provide the required additional budget information on BUDGET FORM A and BUDGET FORM B attached to the back of this application.

17. Total amount of CDBG funds requested: \$ 100,000

Please identify the jurisdiction(s) to which you are applying (see **Note** below):

If you are requesting CDBG funds from more than one jurisdiction, please break down the amount shown above by the jurisdiction listed below.

City of Arroyo Grande:	_____	City of Paso Robles:	_____
City of Atascadero:	_____	City of San Luis Obispo:	_____
City of Morro Bay:	<u>100,000</u>	County of San Luis Obispo:	_____

NOTE: If you are applying to one or more cities, please provide a copy of the application to the County by the application deadline.

18. Please describe the budget for the proposed project or program. Itemize all sources of funding expected to be available and used for this project

a. **Revenues:**

1. CDBG Funds requested	\$ <u>100,000</u>
2. Other Federal fund(s) (please describe below)	\$ _____
3. State source(s) (please describe below)	\$ _____
4. Local source(s) (please describe below)	\$ _____
5. Other funds (please describe below)	\$ _____
Total Revenues	\$ <u>100,000</u>

b. **Expenditures:** List below by item or cost category.

must certify to HUD that it has complied with all applicable environmental procedures and requirements. Should project costs be obligated or incurred prior to the completion of the necessary environmental review, the project **shall not** benefit from the federal funds. Environmental review requirements pursuant to 24 CFR Part 58 must be fully satisfied for any project selected for funding prior to the CDBG Program issuing a Notice to Proceed for the project. The level of environmental review required depends on the nature of the project. 24 CFR Part 58 is available at www.hud.gov/offices/cpd/environmental/lawsandregs/regs.

If you need assistance or have questions regarding this application, please contact any of the persons listed below. Your application(s) can be dropped off or mailed to the following locations:

- Kelly Heffernon, Community Development Dept., City of Arroyo Grande, 214 E. Branch Street (P.O. Box 550), Arroyo Grande, CA 93421, (805) 473-5420.
- Valerie Humphrey, Public Works Dept., City of Atascadero, 6907 El Camino Real, Atascadero, CA 93422, (805) 470-3460.
- Rob Livick, Public Services Dept., City of Morro Bay, 955 Shasta Avenue, Morro Bay, CA, 93442, (805) 772-6261
- Darren Nash, Community Development Dept., City of Paso Robles, 1000 Spring St., Paso Robles, CA 93446, (805) 237-3970.
- Tyler Corey, Community Development Dept., City of San Luis Obispo, 919 Palm St., San Luis Obispo, CA 93401, (805) 781-7175.
- Tony Navarro, Dept. of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA 93408, (805) 781-5787.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM A

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects must provide the applicable project budget information.

Financial considerations are key in assessing a project’s ability to be completed successfully and timely. Factors to be considered in this area include (a) availability and sufficiency of resources (including all non-CDBG, federal, state, county or private funding sources, (b) the leveraging of resources, (c) fiscal support for the project for its continued viability and (d) the project budget’s accuracy, reasonableness and completeness in determining the financial needs of the project.

Source of Funds. Provide for entire project and round to the nearest hundred dollars. Do NOT include operating costs as this is not an eligible CDBG costs for projects involving acquisition, construction or rehabilitation projects.

Description of Cost	Date Funds Available	Amount Requested	Approved - Secured	Total	% of Total Budget
CDBG Funds: This Request		100,000		100,000	100,000
Previous Award					
Previous Award					
CDBG Funds: This request					
Previous Award					
Other Federal Funds Source:					
State Funds Source:					
Private Funds:					
Private Funds:					
Private Funds:					
In-Kind Contributions: Labor					
In-Kind Contributions					
Other:					
Other:					
Other:					
Totals					100%

Comment on your entity’s strategy and plans on the leveraging and sufficiency of resources to implement the proposed project. If project is not leveraged with other funds, explain why CDBG funds are being relied on solely to fund the proposed project.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM B

Project Budget

Budget Form – Acquisition, Construction and Rehabilitation Project Preliminary Budget & Project Funding Requirements

Agency name: _____ City of Morro Bay _____

Project: _____ Morro Bay Pedestrian Accessibility Project _____

Preliminary Budget: List all funding necessary to complete the proposed project. You must provide a **DETAILED** budget line-item worksheet for all costs associated with the project. **NOTE: YOU MUST USE THIS FORMAT.** Additionally, you must provide a **DETAILED** budget narrative explaining how you arrived at each line item.

Activity	CDBG Funds	Other Funds	Total Cost
ACQUISITION			
Purchase of Land			
Purchase of Units			
Other Expenses (List)			
HARD COSTS			
Site Work			
Demolition			
Construction	83,200		83,200
Appliances			
Accessory Buildings			
General Requirements			
Contractor Overhead			
Contractor Profit			
Construction Contingency			
Other (List on separate sheet			
SOFT COSTS			
Architect Fee – Design	4,200		4,200
Architect Fee – Supervision			
Legal Fees			
Engineering Fees	4,200		4,200
Other Professional Fees (List) – Surveying	4,200		4,200
Appraisal			
Market Study			
Environmental Report			
Title & Recording Expenses			
Relocation Expenses			
Consultants	4,200		4,200
Other Soft Costs (List)			

INTERIM COSTS			
Construction Insurance			
Construction Interest			
Credit Enhancement			
Real Estate Taxes			
FINANCING COSTS			
Bond Premium			
Permanent Loan Origination			
Permanent Loan Credit Enhance			
Other Financing Costs (List)			
DEVELOPER'S FEE (Determined individually for each project)			
TOTAL DEVELOPMENT COST	\$100,000		\$100,000

Budget must be specific and reflect the applicant's financial commitment, including items paid for by other sources. This includes in-kind contributions and volunteer labor. It should not include amounts of administration. Indicate the circumstances/consequences of partial funding is awarded for this project.

Authorization:

 Authorized Signature for Project

 Title

 Date

Robert A. Livick_____
 Print name

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

WORK PLAN & PERFORMANCE SCHEDULE

List all project milestones and their anticipated work period. There will be an opportunity to update the project timeline after grant notification and before executing a grant agreement. Any proposed changes, including extension and early completion, must be requested in writing and approved in advance by the jurisdiction receiving the funding application. Note: Applicant will assume all financial risk if work on the proposed project begins before environmental clearance is obtained. You may either use or recreate this form to add tasks and activities and extended timeline. **YOU MUST USE THIS FORMAT.**

Task/Activity – Begin July 2013	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Environmental Review	X	X	X									
Contract Execution				X	X							
Project Activity Design						X	X					
Project Activity Implementation								X	X	X	X	X



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPLICATION FOR THE 2013 PROGRAM YEAR

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Organization Name: Senior Nutrition Program of San Luis Obispo County

(Attach additional sheets if necessary)

To be considered for CDBG assistance, please submit this completed application with any exhibits, budgets or beneficiary data as needed. **PLEASE READ ALL INFORMATION IN THE APPLICATION.** Applications can be mailed to one of the participating jurisdictions listed in this application or to: Tony Navarro, Planner III, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA., 93408 or hand delivered to Tony Navarro at 1035 Palm Street, Room 370, San Luis Obispo, CA., faxed to (805) 781-5624, or e-mailed to tnavarro@co.slo.ca.us. **The application deadline is 5:00 P.M., Friday, October 12, 2012.** Applications must be received by the County or one of the participating cities (Arroyo Grande, Atascadero, Morro Bay, Paso Robles, San Luis Obispo) prior to close of the business day. **POSTMARKED DATED MAIL RECEIVED AFTER THE DEADLINE WILL NOT BE ACCEPTED.**

NOTE:

- (1) Please review the CDBG regulations and guidelines and the Request for Proposals before completing this proposal. The CDBG regulations, under 24 CFR 570, are available at www.sloplanning.org under “Federal HUD Grants.”
- (2) **HMIS Reporting for 2013 homeless services, housing and shelter** - All homeless service providers applying for CDBG funds to assist, house or shelter the homeless must identify and demonstrate its capacity to participate in the County of San Luis Obispo Homeless Management Information System (HMIS) to provide: personnel for data entry, user licensing, and hardware and software necessary for compatibility with HMIS. HMIS is an electronic data collection system that stores client level information about persons who access the homeless services system in a Continuum of Care, and reports aggregate data for the County as per the U.S. Department of Housing and Urban Development’s Data Standards found in http://www.hudhre.info/documents/FinalHMISDataStandards_March2010.pdf.
- (3) The project/program proposal to the County of San Luis Obispo shall be examined in relation to the County’s community development goals and funding priorities as presented in the Urban County of San Luis Obispo 2010-2015 Consolidated Plan (ConPlan). The ConPlan is available at www.sloplanning.org. The County of San Luis Obispo Department of Planning and Building (Planning) considers the criteria stated in the 2013 Request for Proposals as one of many tools to help make funding recommendations to the Board of Supervisors. Planning will use other information and sources including but are not limited to: the County Board of Supervisors, recommendations from the Homeless Services Oversight Council, other participating jurisdictions of the Urban County of San Luis Obispo, identified needs that could be addressed by the grant funds, consistency with goals and priorities in the 2010 Consolidated Plan and the Ten Year Plan to End Homelessness, results of the Needs Workshops, working knowledge of the project and/or organization by Planning, and availability of limited fund, to help with the funding recommendations.

Please call County and/or city CDBG staff with any questions about how to complete the form or about the rating criteria and process.

If the information for any of the questions below requires more room to provide a complete explanation of your proposed project or program, please attach additional sheets.

CONTACT INFORMATION

1. Name and mailing address of applicant organization, with contact person, phone and fax numbers, and e-mail address:

Name: Elias Nimeh

Address (mailing and physical address requested if different):

2180 Johnson Ave.
San Luis Obispo, CA 93401-4513

Contact person/title: Executive Director

Phone: 805-541-3312

Fax: 805-541-5631

E-mail address: elias.nimeh@att.net

Is the organization a Faith Based Organization? Yes No

Organization's DUNS number: 839610680

If you are awarded CDBG funds or your proposal involves economic development, i.e., directly benefit a business, private property owner, business, involves façade improvements, provide technical assistance to a new or existing business, job creation, loan guarantee, the beneficiary must obtain a Dun and Bradstreet (DUNS) number that must be reported to HUD. Please contact Tony Navarro, (805) 781-5787, tnavarro@slo.co.ca.us for information on how to obtain a DUNS number prior to incurring and obligating the federal funds.

Is your agency currently participating in HMIS?

no

If not, does your agency have the capacity to participate in HMIS? If yes, how so?

no

PROJECT DESCRIPTION

2. Title/name/address of proposed project or program:

Title: Ongoing Program Support
Name: Senior Nutrition Program of SLO County
Address: 2180 Johnson Ave.
San Luis Obispo, CA 93401-4513

3. Please describe the proposed project or program. In one or two short paragraphs, include a brief project/program description, the groups who will benefit and an explanation of how they will benefit from the proposed project or program. For projects, describe the location of the project (be as specific as possible, e.g. street address). For programs, state the location from which the program will be operated and/or describe the geographic area served by the program. Also, please include a schedule of project/program milestones.

The Senior Nutrition Program of SLO County provides free, hot, nutritious noon-time meals to seniors who are at least 60 years old. Seniors who are able to attend can eat meals at 10 community sites in congregate dining. We also deliver meals, with frozen meals for Saturday and Sunday, to qualified seniors who are homebound. We rely on over 250 volunteers to deliver meals. We are the only program serving senior meals throughout San Luis Obispo County and the only program that includes congregate dining and an opportunity for socialization among the seniors. All of our meals are free to those who are eligible, although some clients choose to make voluntary anonymous donations. Our program has three goals: nutrition, socialization, and safety. Both the congregate dining and the home delivery provide socialization and human contact to help break the cycle of isolation. Finally, the daily home deliveries by volunteers, along with regular assessments by site supervisors, provide a safety net from accidents or physical or financial abuse. All staff and volunteers are mandated to report any suspected abuse. Currently, we are based in the former County Hospital complex in San Luis Obispo where we are able to prepare all our meals in the former hospital's kitchen and handle our administrative needs in an adjacent office.

This past fiscal year, July 2011 – June 2012, SNP prepared and delivered approximately 156,000 meals to 1538 senior residents of San Luis Obispo County.

We are requesting the CDBG grant funding to help us maintain the high quality of our program and services. SNP gets **half** (50%) of the needed funding to operate the program. CDBG grant will be used as a matching fund for the Federal grant.

4. Will the services offered by your organization increase or expand as a result of the CDBG assistance? If yes, please answer the following questions:

a. What new programs and/or services will be provided?

- b. Describe how existing programs and/or services will be expanded and what percentage of an increase is expected?

5. **Check any of the following eligible activity categories that apply to the proposed project or program:** (Refer to CDBG regulations and the Guide to Eligible CDBG Activities).

- Acquisition of real property*
- Disposition of real property
- Public facilities and improvements (may include acquisition, construction, reconstruction, rehabilitation or installation)* and/or **
- Privately owned utilities
- Clearance and remediation activities**
- Public services
- Interim assistance
- Relocation of individuals, families, businesses, non-profit organizations, and/or farms
- Loss of rental income
- Removal of architectural barriers
- Housing rehabilitation**
- New housing construction (under limited circumstances)
- Homeownership assistance
- Housing services
- Code enforcement
- Historic preservation**
- Commercial or industrial rehabilitation**
- Special economic development
- Technical assistance and planning studies

* **Relocation:** Any project that involves the acquisition of property and/or rehabilitation and is funded in whole or in part with federal funds, even if the federal funds are not used for the acquisition itself, is subject to federal requirements connected to acquisition and relocation. A project cannot be broken into separate “projects” in order to avoid the federal requirements connected with property acquisition and relocation. Any questions concerning whether the relocation regulations apply to a specific property acquisition project should be directed to the Community Development Division staff before any action is taken on the project.

If HUD funded project will cause a household or a business to move, even temporarily, the relocation regulations will apply.

Along with application submit:

- Estimate of relocation cost (moving costs, subsidy amount for suitable replacement dwelling)
- Letter to owner or voluntary acquisition, plus proof of delivery to owner.
- General Information letter to tenants (both business and residential tenants), plus proof of delivery to all).
- List of tenants (both business and residential tenants) at the time of application submittal.
- Refer to SLO Col website for sample relocation letters.

** **Lead based paint/asbestos:** If HUD funded project involves acquisition or rehabilitation of a residential units that was built in 1978 or earlier, then Lead-Based paint regulations will apply.

- Along with application submit an estimate of costs for LBP work, provided by certified LBP consultant. Or statement by LBP consultant explaining that project is exempt.
- Include any temporary housing costs.

6. Describe the need and the degree of urgency for the proposed project or program. What would be the consequences if the proposed project or program is not funded in the next year?

Without funding in the next year for our program, we would be forced to cut back on existing services to our clients and turn away new clients. Senior Nutrition Program is proud of the level of service we are able to provide and the number of seniors we are able to serve in our program. However, our costs continue to rise, especially in the areas of food, labor costs, supplies, and gas and maintenance for our delivery trucks. Additionally, we constantly receive requests from new clients who want to participate in our program, especially among those who are homebound. The home-delivered meals cost more to the program than the congregate meals. In order to maintain our high level of service and program quality, we urgently need financial support from local agencies.

7. Please describe the specific organizational method used to implement the proposed

project or program (single or multiple group, public agency, non-profit, for-profit, experience in operating similar programs, etc.):

Senior Nutrition Program has operated in San Luis Obispo County, CA, for over 25 years. We are a non-profit corporation that consists of a volunteer board of directors, dedicated staff of 8 full-time and 18 part-time employees, and over 250 volunteers.

The process we use to provide hot, nutritious meals is as follows:

- Assessment of potential clients is determined at the initial application process. It is also determined if there are other health issues, nutritional risks and limitations. When needed, we will refer potential clients to other appropriate agencies.
- Our registered dietician prepares a menu of delicious and nutritious meals every month that follows all health and dietary restrictions. Under the guidance of our experienced kitchen manager, meals are prepared by trained staff in the central kitchen. Additionally, we supplement our kitchen staff through a collaborative program with three youth organizations whose participants learn employable kitchen skills.
- Two drivers deliver food to 10 community sites each weekday in refrigerated trucks. Site managers, with the help of volunteers, heat and serve food to our dining room clients. They also pack meals that are picked up by volunteers from the sites to be delivered to the homebound five days a week. Two additional frozen meals are delivered on Fridays to homebound clients to see them through the weekend.
- SNP delivers meals to the City of San Luis Obispo, the Five Cities (Arroyo Grande, Oceano, Grover Beach, Pismo Beach, and Nipomo), Los Osos/Baywood Park, Morro Bay, Cambria, Atascadero, Santa Margarita, Templeton, and Paso Robles.
 - SNP maintains daily records of every meal and every client served. On any day of the year, we will be able to compare the cost-to-date of our food purchases for the fiscal year vs. last year by the number of clients and the number of meals and also by the number of homebound meals and the number of congregate meals.

SNP leadership focuses on effectively managing our costs, maintaining meticulous records, and planning and preparing the highest quality meals for our seniors. Following is a brief biography of our leaders:

- **Elias Nimeh, Executive Director**, has been the director of SNP for 7 years. He has a B. Sc. degree in Agronomy from Arizona State University and 40 plus years' experience in the restaurant business. He owned and operated a local business, Tortilla Flats, Inc., for 20 years.
- **Irene Palacios, Kitchen Director**, has been with the program for over 29 years and followed a steady progression of increasing responsibilities and promotions until reaching her current position as Kitchen Director approximately 26 years ago.
- **Wendy Fertschneider, Nutritionist**, has a degree in Dietetics and Food Administration from Cal Poly SLO. She has been with the program for over 15 years in a variety of positions. Currently she

works part-time as our Registered Dietician, which is required for this program, writing and approving menus, providing staff training and nutrition education, and serving as advisory council facilitator.

- Additionally, interns from Cal Poly and Cuesta College assist our office staff. A group of approximately 30 volunteers, the Friends of Senior Nutrition Program, have the primary responsibility for planning and putting on our annual fund-raising event, the Night of a Million Meals.

8. Does the project require the issuance of a permit (from local, state or federal agencies)?

Yes No

- If yes, please identify the permits necessary to complete the project.
- Have the necessary permits been issued? Please provide proof of permit issuance.
- If permits are required but not yet obtained, when will the permits be issued?

NATIONAL OBJECTIVES CRITERIA

9. Does the proposed project or activity meet one of the three national objectives of the CDBG program? Please check one of the objectives below that applies to the proposal, and explain how the project or activity meets that national objective.

- Benefits low- and moderate-income persons as defined by the U.S. Department of Housing and Urban Development (HUD).

Select one:

Low/Moderate-Income Area Benefit – The project serves only a limited area which is proven by 2000 Census data or survey to be a predominately (51% or more) low/moderate-income area. Applicants choosing this category must be able to prove their project/activity primarily benefits low/moderate-income households.

Low/Moderate-Income Limited Clientele – The project benefits a specific group of people (rather than all areas in a particular area), at least 51% of whom are low/moderate-income persons;. Note: Income verification for clients must be provided for this category. The following groups are presumed to be low/moderate-income: abused children; elderly persons; battered spouses; homeless persons; adults meeting census definition of severely disabled; persons living with AIDS; and migrant farm workers

Low/Moderate-Income Housing – The project adds or improves permanent residential structures that will be/are occupied by low/moderate-income households upon completion.

Low/Moderate-Income Jobs – The project creates or retains permanent jobs, at least 51% of which are taken by low/moderate-income persons or considered to be available to low/moderate-income persons.

Explain: All of our clients are elderly; some are disabled/homebound. In FY 2011-2012, SNP served 1532 clients. Of those served, 35% are living in poverty. The remaining clients are living at a moderate income level. During the application process clients are asked to check income status. It is SNP policy to provide meals free of charge to seniors at least 60 years old regardless of income.

NOTE: To meet this national objective, the proposed activity must benefit a specific clientele or residents in a particular area of the County or participating city, at least 51 percent of who are low- and moderate-income persons.

- b. _____ Aids in the prevention or elimination of slums or blight.

Explain:

Select one:

Addressing Slums or Blight on an Area Basis -

Addressing Slums or Blight on a Spot Basis – This project will prevent or eliminate specific conditions of blight or physical decay. Activities are limited to clearance, historic preservation, rehabilitation of buildings, but only to the extent necessary to eliminate conditions detrimental to public health and safety.

Is the project located in a Redevelopment Area? Yes No

If yes, attach a map of the area with the site highlighted, and provide the Redevelopment Project Area (excerpts accepted) which documents the existence of slum/blight. Also, document the specific redevelopment objectives pertaining to the proposed project.

NOTE: To meet this national objective, the proposed activity must be within a designated slum or blighted area and must be designed to address one or more conditions that contributed to the deterioration of the area.

- c. _____ Meets community development needs having a particular urgency where existing conditions pose a serious and immediate threat to the health or welfare of the community, and no other funding sources are available, i.e., a major catastrophe such as a flood or earthquake.

Explain:

NOTE: To meet this national objective, the proposed activity must deal with major catastrophes or emergencies such as floods or earthquakes.

8. **If the project or program is designed to meet the national objective of providing benefit to low- and moderate-income persons, please estimate the number of unduplicated number of persons (or households) to benefit from the project and break that estimate down by income group (unduplicated means the number who are served, i.e., the grant will allow 25 children to participate in preschool – not 25 children x 5 days x 52 weeks = 6,500).**

a. Total number of persons or households who will benefit from the project or program (regardless of income group):

1532 Persons/~~households~~ (circle the applicable unit)

b. Of the total number of persons or households entered above, how many will be low-income (earning 51% - 80% or less of the County median-income)?

536 Persons/~~households~~ (circle the applicable unit)

c. Of the total number of persons or households entered above, how many will be very low-income (earning 50% or less of the County median-income)?

224 Persons/~~households~~ (circle the applicable unit)

9. **Who are the clients of your organization? (Example: low- to moderate-income persons, elderly persons, severely disabled persons, migrant farm workers, battered spouses, etc.)**

Elderly persons
low-to moderate-income persons
disabled persons

10. **How will the clients benefit from this project?**

The main benefit will be that seniors will continue to receive hot, nutritious meals at lunchtime five days a week. Food insecurity among seniors is a growing problem nationwide, and our county is no exception. Improved nutrition also brings improved health for our aging population, which could reduce the strain on public health services. This project will increase independent living for seniors. Seniors who might otherwise need to leave their homes because they can no longer prepare meals will have an increased chance of staying in their homes. Research has shown that seniors who can stay in their own homes frequently experience less depression than those in nursing homes. The project will also provide a safety net for these seniors, whether homebound or dining at the centers. For the homebound, the volunteer drivers provide a daily contact, and the site manager checks frequently. The program's delivery people, all volunteers, are trained to recognize situations which may require emergency or law enforcement assistance.

11. If your project serves homeless households, please describe how your program coordinates with other continuum of care projects and entities and how it aligns with the San Luis Obispo Countywide 10-Year Plan to Homelessness.

Several of our congregate sites in the county serve homeless seniors. The daily meals they receive will help in improving and maintaining good health and reducing their dependence on emergency facilities.

BENEFICIARY DATA

12. How do you collect demographic data on the beneficiaries of the proposed project or program? (Example: racial/ethnic characteristics)

NOTE: You are required to provide beneficiary data at the end of each quarter and year end data of the fiscal year.

SNP collects this information through the application process for each client and updates all applicable data quarterly for all homebound clients. For congregate clients information is updated annually.

13. How do you document and maintain income status of each client in compliance with HUD regulations? (Example: very low, low- and moderate-income)

SNP collects this information through the application process for each new client and updates the data quarterly for all homebound clients. For congregate clients information is updated annually. All income status information is gathered according to Federal guidelines.

14. Provide the following information for the person(s) in your organization responsible for the preparation and submittal of the quarterly reports and for collecting and reporting the beneficiary data to the Urban County.

Contact person/title: Elias Nimeh

Phone number: 805 541-3312

E-mail address: elias.nimeh@att.net

FINANCIAL INFORMATION

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects please provide the required additional budget information on BUDGET FORM A and BUDGET FORM B attached to the back of this application.

15. Total amount of CDBG funds requested: \$50,000.00

Please identify the jurisdiction(s) to which you are applying (see **Note** below):

San Luis Obispo County

If you are requesting CDBG funds from more than one jurisdiction, please break down the amount shown above by the jurisdiction listed below.

City of Arroyo Grande:	<u>\$10,000</u>	City of Paso Robles:	<u>\$10,000</u>
City of Atascadero:	<u>\$10,000</u>	City of San Luis Obispo:	<u>\$10,000</u>
City of Morro Bay:	<u>\$10,000</u>	County of San Luis Obispo:	

NOTE: If you are applying to one or more cities, please provide a copy of the application to the County by the application deadline.

16. Please describe the budget for the proposed project or program. Itemize all sources of funding expected to be available and used for this project.

a. **Revenues:**

1. CDBG Funds requested	\$ <u>50,000</u>
2. Other Federal fund(s) (please describe below)	\$ <u>448,685</u>
3. State source(s) (please describe below)	\$ <u>100,033</u>
4. Local source(s) (please describe below)	\$ <u>200,000</u>
5. Other funds (please describe below)	\$ <u>125,909</u>
Total Revenues	\$ <u>924,587</u>

- 2- Title III C funds
- 3- Cal. State funds to senior programs.
- 4- Senior donations .
- 5- Grants from County, cities, United Way, SLOCCF, Cambria Community Services, Rabobank

b. **Expenditures:** List below by item or cost category.

1- Food & supplies	\$223,243
2- Wages & Benefits	\$535,547
3- Other costs	\$165,797

Total Costs **\$924,587**

17. How do you plan to fund the operation and maintenance costs (if any) associated with this project? Are these funds available now? If not, when will they be available? And from what source(s)?

The Senior Nutrition Program operation and maintenance costs are funded by on-going donations from seniors receiving services, the community at large, local grants and our annual fundraising events.

The funds are received monthly.

18. Will CDBG funds be used to match/leverage other funds? List below funding sources and amounts and identify award dates of these sources.

The CDBG funds will be used towards the matching funds from the federal grants. We are required to provide matching funds of at least 15% of our federal grant.

I certify that the information in this application is true and accurate to the best of my knowledge and ability.



10-12-2012

Signature

Date

Elias Nimeh

Executive Director

Printed or typed name

Title

Note to applicant:

The County and cities **require** all of the grant recipients to maintain general liability, automobile and workman's compensation insurance with limits of not less than \$1 million***. If you are successful in obtaining an award, you will be asked to provide documentation regarding ability to provide the required coverage.

*** Liability coverage may vary by jurisdiction. Please call the city/county contact to verify limits.

Prior to HUD's release of grant conditions and/or funds for the CDBG-funded project, a review of the project's potential impact on the environment must be conducted by the awarding jurisdictions and approved by the County of San Luis Obispo **prior to obligating or incurring project costs**. The County must certify to HUD that it has complied with all applicable environmental procedures and

requirements. Should project costs be obligated or incurred prior to the completion of the necessary environmental review, the project **shall not** benefit from the federal funds. Environmental review requirements pursuant to 24 CFR Part 58 must be fully satisfied for any project selected for funding prior to the CDBG Program issuing a Notice to Proceed for the project. The level of environmental review required depends on the nature of the project. 24 CFR Part 58 is available at www.hud.gov/offices/cpd/environmental/lawsandregs/regs.

If you need assistance or have questions regarding this application, please contact any of the persons listed below. Your application(s) can be dropped off or mailed to the following locations:

- Kelly Heffernon, Community Development Dept., City of Arroyo Grande, 214 E. Branch Street (P.O. Box 550), Arroyo Grande, CA 93421, (805) 473-5420.
- Valerie Humphrey, Public Works Dept., City of Atascadero, 6907 El Camino Real, Atascadero, CA 93422, (805) 470-3460.
- Rob Livick, Public Services Dept., City of Morro Bay, 955 Shasta Avenue, Morro Bay, CA, 93442, (805) 772-6261
- Darren Nash, Community Development Dept., City of Paso Robles, 1000 Spring St., Paso Robles, CA 93446, (805) 237-3970.
- Tyler Corey, Community Development Dept., City of San Luis Obispo, 919 Palm St., San Luis Obispo, CA 93401, (805) 781-7175.
- Tony Navarro, Dept. of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, CA 93408, (805) 781-5787.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM A

For CDBG applications to the County of San Luis Obispo involving acquisition, construction or rehabilitation projects must provide the applicable project budget information.

Financial considerations are key in assessing a project’s ability to be completed successfully and timely. Factors to be considered in this area include (a) availability and sufficiency of resources (including all non-CDBG, federal, state, county or private funding sources), (b) the leveraging of resources, (c) fiscal support for the project for its continued viability and (d) the project budget’s accuracy, reasonableness and completeness in determining the financial needs of the project.

Source of Funds. Provide for entire project and round to the nearest hundred dollars. Do NOT include operating costs as this is not an eligible CDBG costs for projects involving acquisition, construction or rehabilitation projects.

Description of Cost	Date Funds	Amount Request	Approved - Secured	Total	% of Total
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	Available	ed			l Bud ge
CDBG Funds: This Request					
Previous Award					
Previous Award					
CDBG Funds: This request					
Previous Award					
Other Federal Funds Source:					
State Funds Source:					
Private Funds:					
Private Funds:					
Private Funds:					
In-Kind Contributions: Labor					
In-Kind Contributions					
Other:					
Other:					
Other:					
Totals					100 %

Comment on your entity's strategy and plans on the leveraging and sufficiency of resources to implement the proposed project. If project is not leveraged with other funds, explain why CDBG funds are being relied on solely to fund the proposed project.

COUNTY OF SAN LUIS OBISPO CDBG SUPPLEMENTAL BUDGET INFORMATION SHEET

BUDGET FORM B

Project Budget

Budget Form – Acquisition, Construction and Rehabilitation Project Preliminary Budget & Project Funding Requirements

Agency name: _____

Project: _____

Preliminary Budget: List all funding necessary to complete the proposed project. You must provide a **DETAILED** budget line-item worksheet for all costs associated with the project. **NOTE: YOU MUST**

USE THIS FORMAT. Additionally, you must provide a **DETAILED** budget narrative explaining how you arrived at each line item.

Activity	CDBG Funds	Other Funds	Total Cost
ACQUISITION			
Purchase of Land			
Purchase of Units			
Other Expenses (List)			
HARD COSTS			
Site Work			
Demolition			
Construction			
Appliances			
Accessory Buildings			
General Requirements			
Contractor Overhead			
Contractor Profit			
Construction Contingency			
Other (List on separate sheet			
SOFT COSTS			
Architect Fee – Design			
Architect Fee – Supervision			
Legal Fees			
Engineering Fees			
Other Professional Fees (List)			
Appraisal			
Market Study			
Environmental Report			
Title & Recording Expenses			
Relocation Expenses			
Consultants			
Other Soft Costs (List)			
INTERIM COSTS			
Construction Insurance			
Construction Interest			
Credit Enhancement			
Real Estate Taxes			
FINANCING COSTS			
Bond Premium			
Permanent Loan Origination			
Permanent Loan Credit Enhance			
Other Financing Costs (List)			
DEVELOPER’S FEE (Determined individually for each project)			
TOTAL DEVELOPMENT COST			



AGENDA NO: B-3

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and City Council **DATE:** January 29, 2013

FROM: Kathleen Wold, Planning Manager

SUBJECT: 2012 Annual Water Report

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 12-13 approving the following:

1. Allocate the mix of residential units as 60 percent single-family and 40 percent multi-family units; and authorize the corresponding water equivalency allocation for residential uses at 50 WEUs (water equivalency units).
2. Process Residential Allocations limits on a first-come first-serve basis, based on the priorities contained in the current General Plan and Local Coastal Plan policies;
3. Authorize allocation of 130% of the residential water equivalency units or 65 WEUs to commercial and industrial projects, within the priority categories consistent with the current Local Coastal Plan and General Plan policies.

FISCAL IMPACT:

There are no fiscal impacts directly associated with the allocation of water equivalency units. Staff performs the annual water report and makes the recommendation on the authorizing of water equivalency units as a routine annual task.

BACKGROUND:

Pursuant to the Amended Section 13.20.060 of the Municipal Code, the Annual Water Report has been prepared by the Public Services Department and forwarded to the City Council for consideration and adoption. This report describes the uses that have received water equivalency allocations in 2012 (Table 1), and provides the Director's recommendation regarding the building allocation for residential units and the suggested mix of multi-family and single family residential units for 2013 as indicated in City Council Resolution No. 78-00. That resolution indicates that the City Council would continue to set an annual limit on residential units and their mix as set forth in Ordinance 266. In addition, this report provides a snapshot of the City's population (Table 2), water production (Table 3), per capita water use trends (Table 4), and water loss estimates (Tables 5 & 6).

Prepared By: KWold

Dept Review: RL

City Manager Review: _____

City Attorney Review: _____

DISCUSSION:

History of the WEU's allocation:

Historically the City Council allocated a total of 160 residential WEUs for both types of residential and a 130 percent of that allocation to commercial and industrial until 2002. That number was increased to a total of 230 residential WEUs until the 2006 allocation approval when the Council reduced the total by half or to 115 WEU.

Water Management Plan: In December 2008 the City Council reviewed the conditions of the community's long-term potable water supply and as a result approved the Water Management Plan Status Report. This report, performed at least every 5 years, looked at: "any changes in climatic, hydrological, technological, or political conditions that could affect the City's long-term water supply whether negatively or positively." It was determined as a result of the review that the existing resources are adequate and sustainable for build-out of the community in accordance with the General Plan. The City Council authorized a water usage study that was prepared by the City's consulting engineering firm and it was determined that there is adequate water for the build-out of the City under the current General Plan.

Potable Water Production Data: As shown in Table 3, for calendar year 2012 no water was extracted from the City's Chorro Basin, 3.9 acre feet came from the Morro Basin, 1129 acre-feet were delivered from the State Water Project (SWP), and 70 acre feet from the desalination plant. Table 3 shows the total water production for this year was 1203 acre-feet.

Table 4 provides an historical record of water production and use from 1960 through 2012. Beginning in 1997, per capita water use has been re-calculated, based upon the amount of water delivered to customers (metered/sold) rather than gross production, to closely reflect actual community consumption practices.

Table 5 shows the calculations for this year's un-metered and unaccounted water loss, and Table 6 provides the history of unaccounted water loss from 1985 through 2012. Unaccounted water loss continues to be low at approximately 3.2%.

The 2012 average consumption was 105 gallons per capita per day (gpcd). In accordance with the Water Management Plan (page 1, Section 2), this consumption is below the 130-gpcd threshold.

Water Allocation Mix: Water equivalencies units (WEUs's) are allocated each year for residential, commercial and industrial uses. Table 1 shows that historically the majority of residential permits issued have been single family units. The current allocation mix provides sufficient allocations for the single family development while providing sufficient multiple family allocations to encourage and facilitate their development. The City's 2009 Housing Element indicates that for the period from 2009 to 2014 Morro Bay's fair share of housing will be 98 residential units. Staff recommends that the Council continue to allocate as it had done in 2007-2012: 50 residential WEU be allocated for the 2011 with 60 percent of these units allocated to single family and 40 percent to multiple family and that 115 WEUs (130% of residential) be allocated to commercial/Industrial uses.

Summary of 2012 activity:

The Council authorized 50 WEU's for 2011 with 60 percent to be used for single family dwellings and 40 percent for multiple family dwellings with no rollovers. These WEU's were allocated on a first-come, first-serve basis. The tracking of the WEU's utilized in 2012 indicates that a total of 14.13 WEU's were used as follows:

- 7.13 Commercial/Residential
- 7.00 Single Family
- 0.0 Multiple Family

This is not a comprehensive list of all building activity but rather a list of those activities which required a WEU allocation.

CONCLUSION:

By adopting resolution 12-13 the Council will be following the guidelines provided within Ordinance 266 and ensuring that water usage will continue to be monitored.

ATTACHMENTS

- A. Table 1: Distribution of Water Equivalency Units
- B. Table 2: Population
- C. Table 3: Water Production
- D. Table 4: Per Capita Water Use
- E. Table 5: Unaccounted for Water Loss for 2011
- F. Table 6: Historical Unaccounted for Water Loss

RESOLUTION NO. 12-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, APPROVING THE 2012 ANNUAL WATER PROGRESS REPORT AND ADOPTING A WATER ALLOCATION PROGRAM FOR 2013

THE CITY COUNCIL City of Morro Bay, California

WHEREAS, Chapter 13.20 of the Morro Bay Municipal Code calls for the City Council of the City of Morro Bay to adopt a yearly Water Allocation Program based on a report by the Public Services Director after review by the City of Morro Bay Planning Commission and Public Works Advisory Board; and

WHEREAS, the Local Coastal Program Land Use Plan and Ordinance Number 266 requires the City Council to set an annual limit on new residential units and to prescribe the mix of multi-family and single family residences allowed within that limit; and

WHEREAS, on the 13th day of February 2013, the City Council did hold a duly noticed Public Hearing on the 2012 Annual Water Progress Report and the proposed 2013 Water Allocation Program.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Morro Bay, California, as follows:

A. The City Council of the City of Morro Bay hereby receives and accepts the 2012 Annual Progress Water Report as submitted by Public Services Director, as incorporated herein as if attached hereto; and

B. A Water Allocation Program for the year 2013 is hereby adopted by the City Council of the City of Morro Bay containing the following elements:

1. Allocate the mix of residential units to 60 percent single-family and 40 percent multi-family units; and authorize the corresponding water equivalency allocation for residential uses at 50 WEU's (water equivalency units, or WEU's, are currently used for tracking project water usage).
2. Process Residential Allocations limits on a first-come/first-serve basis, based on the priorities contained in the current General Plan and Local Coastal Plan policies. Unused multiple family residential WEU's may be rolled over to single family dwellings after September 30, 2013;
3. Authorize allocation of 130% of the residential water equivalency units to commercial and industrial projects, within the priority categories consistent with the current Local Coastal Plan and General Plan policies:

4. The potential for rolling over unused water allocations to next year is not precluded by this action.

PASSED, APPROVED, AND ADOPTED, by the City of Morro Bay City Council, at a regular meeting held on this 13th day of February, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Jamie L. Irons, Mayor

ATTEST:

Jamie Boucher, City Clerk

Table 1

HISTORIC TRACKING OF ALLOCATIONS

Allocations tracked on a calendar year basis

Allocation Year (January 1- December 31)	Total WEU Available	Number of Residential WEUs available	Single Family Residential WEUs allocated	Number of SFR Units	Multiple Family Residential WEUs allocated	Number of Multiple Family Units	Number of Commercial/Industrial WEU available	Commercial "A"	Commercial "B"	Industrial	Total WEU Allocated
2012	115	50	7	7	0	0	65	7.13	0	0	14.13
2011	115	50	4.54	5	0	0	65	3.85	0	0	8.85
2010	115	50	9.54	10	0	0	65	0.74	0	0	10.28
2009	115	50	2.62	5	2.62	0	65	0	0	0	2.62
2008	115	50	6.54	7	1.6	1	65	3.97	0	0	12.11
2007	115	50	25.7	28	10.2	18	65	1.15	0	0	37.44
2006	230	100	35.62	37	5.76	8	130	3	3.84	0	48.22
2005	230	100	40.48	46	6.17	10	130	15.5	1.63	0	63.78
2004	230	100	28	28	11.42	19	130	0	2.44	0	41.86
2003	262	100	54	54	8.86	15	130	7.56	0	0	70.42
2002	160	69.52	28	28	5.24	8	90	6.1	9.3	0	48.64
2001	160	69.52	63	63	6.89	11	90	4.77	0	0	74.66
2000	160	69.52	68	68	4.86	9	90	9.39	0	0	82.25
1999	160	69.52	53	53	1.32	2	90	0	0	0	54.38
1998	156	68	56.62	66	6.48	18	90	1.38	0	0	64.48

Allocations tracked on a fiscal year basis.

Allocation Year (July 1 of previous year to June 30 of the year shown)	Total WEU Available	Number of Residential WEUs available	Single Family Residential WEUs allocated	Multiple Family Residential WEUs allocated	Number of Commercial A WEU available	Commercial "A" allocated	Number of Commercial B WEU available	Commercial "B" allocated	Number of Industrial WEU available	Industrial allocated	Total WEU Allocated
1997	153.13	66.12	7.54	0.36	62.37	0.05	0.05	11.71	12.93	0	7.95
1996	153.13	66.12	23	0	62.37	62.37	11.71	2.63	12.93	0	88.00
1995	146.65	63.74	29.44	0	60.11	19.15	11.29	4.06	12.46	0	52.83
1994	147.6	63.74	29	0.36	60.11	0	11.29	0	12.46	0	29.36
1993	149.55	64.58	43	1.56	60.9	9.54	11.44	0.57	12.63	0	54.67
1992	149.55	64.58	46	10.25	60.9	0	11.44	8.07	12.63	0.43	64.75

Notes:

In 2003 there was a one time allocation for Colmer Tract 2285

In 1998, 2000, 2001 & 2002 there were residential rollover of WEUs

Commercial "A" (Commercial fishing/Agriculture, coastal dependent uses, coastal related, public, quasi-public and institutional uses, visitor accommodations, campgrounds)

Commercial "B" (Visitor-serving uses except visitor accommodations)

TABLE 2
PROJECTED GROWTH RATES VERSUS ACTUAL POPULATION INCREASES

Year	Population		Units Per Ord. 266 Projections	Housing
	Population Per Ord. 266/LCP ¹	Actual Population ²		Actual No. Of Housing Units ³
1980	9425	9064	N/A	5180
1981	9705	9206	N/A	5298
1982	9998	9297	N/A	5302
1983	10298	9435	N/A	5326
1984	10400	9599	N/A	5363
1985	10505	9747	5440	5403
1986	10610	9881	5517	5473
1987	10716	9819	5594	5548
1988	10823	9975	5671	5638
1989	10931	10133	5748	5647
1990	11040	9664	5825	5694
1991	11150	9806	5902	5760
1992	11262	9736	5979	5760
1993	11489	9979	6056	5845
1994	11489	10071	6133	5877
1995	11604	9518	6210	5888
1996	11720	9687	6287	5922
1997	11837	9696	6364	5960
1998	11955	9845	6441	6005
1999	12123	9871	6518	6048
2000	12196	9981	6595	6104
2000	12196	10410 *	6595	6104
2001	12200 ⁴	10486	6672 ⁴	6178
2002	12200 ⁴	10510	6672 ⁴	6220
2003	12200 ⁴	10510	6672 ⁴	6289
2004	12200 ⁴	10522	6672 ⁴	6336
2005	12200 ⁴	10270	6672 ⁴	6392
2006	12200 ⁴	10491	6672 ⁴	6437
2007	12200 ⁴	10436	6672 ⁴	6483
2008	12200 ⁴	10506	6672 ⁴	6492
2009	12200 ⁴	10555	6672 ⁴	6496
2010	12200 ⁴	10608	6672 ⁴	6506
2010	12200 ⁴	10234*	6672 ⁴	6506
2011	12200 ⁴	10294	6672 ⁴	6511
2012	12200 ⁴	10274	6672 ⁴	6518

¹ This column represents population based on Ordinance 266's projected growth of 77 units per year. These figures indicate that the City's growth rate is behind the Ordinance 266 schedule.

² Actual population figures are taken from the California Department of Finance "Housing Estimates" report. The 1990 decennial census is the benchmark for the estimates prior to 2000. After 2000 the 2000 decennial census is used and a second entrée for 2000 shows the adjustment for the new census. Again the 2010 Census adjusts the population figure for 2010. The figures represent totals as of January 1st of each year indicated. The population figure includes an estimated 21% vacancy rate. A lower vacancy rate would result in a higher population.

³ The total number of Housing units includes the addition of all new residential units to the City's Housing Stock, as well as the deduction of all units lost through demolition, removal, or change of use from residential to non-residential.

⁴ This is the maximum population or housing under Ordinance 266 without an election to allow further building.

TABLE 3

WATER PRODUCTION DATA 1980 - 2012
(Acre Feet - AF)

Year	Chorro Basin	Morro Basin	** R/O Plant	State Water	TOTAL (AF)
1980	1079	672	*	*	1751
1981	1143	584	*	*	1727
1982	1061	526	*	*	1587
1983	995	537	*	*	1532
1984	1097	572	*	*	1669
1985	1108	582	*	*	1690
1986	1059	552	*	*	1611
1987	1124	531	*	*	1655
1988	1120	528	*	*	1648
1989	1047	512	*	*	1559
1990	963	564	*	*	1527
1991	808	449	*	*	1257
1992	1049	270	*	*	1319
1993	994	397	*	*	1391
1994	954	460	*	*	1414
1995	986	420	*	*	1406
1996	1261	240	*	*	1501
1997	985	249	*	301	1535
1998	38	*	*	1288	1326
1999	34	*	*	1359	1393
2000	4	*	*	1396	1400
2001	11	*	*	1399	1410
2002	1	32	48	1373	1454
2003	1	28	13	1379	1421
2004	49	213	10	1205	1477
2005	204	150	0	1007	1361
2006	257	80	25	1009	1371
2007	276	35	19	1116	1446
2008	184	52	28	1175	1439
2009	235	80	64	1069	1448
2010	74	54	258	873	1259
2011	14	0.5	84	1144	1243
2012	0	3.9	70	1129	1203

** R/O Plant Production numbers include both Morro Groundwater treated via Brackish Water Reverse Osmosis (BWRO) as well as Sea Water Reverse Osmosis (SWRO).

TABLE 4

TOTAL HISTORIC WATER PRODUCTION & RAINFALL FOR THE CITY OF MORRO BAY

Year	Rainfall	City Population	Production in acre feet	Production in millions of gallons	Average daily production in millions of gallons	Average use in gallons per capita per day
1960	10.48	5,599	894	291	0.8	142
1961	8.6	*	842	274	0.75	*
1962	17.22	*	999	326	0.89	*
1963	18.52	*	840	274	0.75	*
1964	11.26	*	881	287	0.79	*
1965	16.08	6,400	1000	326	0.89	140
1966	11.24	6,500	1188	387	1.06	163
1967	20.09	6,600	1194	389	1.07	161
1968	9.64	6,750	1298	423	1.16	172
1969	28.74	6,900	1255	409	1.12	162
1970	9.84	7,109	1534	500	1.37	193
1971	14.2	7,450	1533	500	1.37	184
1972	7.41	7,517	1547	504	1.38	184
1973	27.51	7,725	1424	464	1.27	165
1974	22.35	7,942	1482	483	1.38	167
1975	14.43	8,165	1510	492	1.35	165
1976	11.38	8,394	1574	513	1.41	167
1977	8.35	8,525	1249	407	1.12	131
1978	29.68	8,625	1430	466	1.28	148
1979	17.06	9,150	1614	526	1.44	157
1980	20.99	9,064	1651	538	1.47	162
1981	13.11	9,206	1727	563	1.54	168
1982	20.01	9,297	1586	517	1.42	152
1983	35.01	9,435	1534	500	1.37	145
1984	10.08	9,599	1669	544	1.49	155
1985	10.02	9,747	1691	551	1.51	155[129]
1986	17.17	9,881	1614	526	1.44	146[120]
1987	12.29	9,819	1655	539	1.48	150[127]
1988	15.01	9,975	1648	537	1.47	147[124]
1989	10.88	10,133	1559	508	1.39	137[118]
1990	8.78	9,664	1527	498	1.36	141[115]
1991	16.01	9,806	1256	410	1.12	114[92]
1992	19.63	9,736	1319	430	1.18	121[98]
1993	24.21	9,979	1391	452	1.24	124[98]
1994	11.05	10,071	1414	462	1.26	126[106]
1995	40.01	9,518	1418	462	1.27	133[110]
1996	15.47	9,687	1501	462	1.34	138[110]
1997	18.56	9,696	1535	489	1.37	141[115]
1998	18.01	9,845	1326	432	1.18	120[102]
1999	13.11	9,871	1393	454	1.24	126[108]
2000	19.63	10,410	1400	456	1.25	120[103]
2001	16.04	10,486	1410	459	1.26	118[107]
2002	9.36	10,510	1454	474	1.3	123[108]
2003	13.75	10,485	1421	466	1.28	122[108]
2004	9.48	10,522	1477	481	1.32	125[105]
2005	30.19	10,270	1361	444	1.22	118[106]
2006	18.9	10,491	1371	447	1.23	117[104]
2007	7.24	10,436	1446	471	1.29	118[109]
2008	13.34	10,548	1439	469	1.23	122[111]
2009	12.25	10,555	1448	472	1.29	120[107]
2010	17.26	10,608	1259	410	1.12	106
2011	12.99	10,234	1243	405	1.11	108[102]
2012	10.16	10,327	1203	392	1.07	105[102]

a: [average] determined from metered water sold, not water produced

TABLE 5

COMPUTATIONS: UNACCOUNTED FOR WATER LOSS TABLE - 2012
ACRE FEET (AF)

	AF
<u>WATER PRODUCED</u>	
From the City of Morro Bay Public Services	<u>1,203</u>
<u>WATER SOLD</u>	
From the City of Morro Bay Finance Department	<u>1,163</u>
<u>DIFFERENCE</u>	<u>40</u>
<u>CITY WATER USE/LOSS (Unmetered & Estimated)</u>	
Fire Hydrant Flushing	<u>0.3</u>
Fire Training	<u>0.03</u>
Fire Fighting	<u>0</u>
Sweeper	<u>0.1</u>
Hydrocleaner	<u>0.7</u>
Dead End Flushing, Water Leaks, Fire Hydrant/Line Breaks	<u>0.3</u>
Meter Error (estimated at 0% average)	<u>0</u>
TOTAL	<u>1.43</u>
<u>UNACCOUNTED FOR WATER LOSS</u>	<u>38.57</u>
<u>LOSS AS PERCENT OF PRODUCTION</u>	<u>3.2%</u>

TABLE 6

UNACCOUNTED FOR WATER LOSS (Acre Feet - AF)						
Year	Water Produced	Water Sold	Difference	City Water Use/Loss	Unaccounted for Water Loss	Percent of Production
1985	1690	1411	280	73	207	12.2%
1986	1610	1330	281	69	212	13.1%
1987	1655	1370	259	70	189	11.4%
1988	1641	1386	255	71	184	11.2%
1989	1559	1343	216	47	170	10.9%
1990	1527	1249	279	47	232	15.2%
1991	1256	1008	248	45	203	16.2%
1992	1319	1068	250	36	215	16.3%
1993	1391	1178	213	0.8	213	15.3%
1994	1414	1194	220	33	187	13.2%
1995	1418	1173	245	60	184	13.0%
1996	1501	1194	307	33	274	18.2%
1997	1535	1247	288	49	239	15.6%
1998	1326	1131	195	17	178	13.4%
1999	1393	1185	208	17	191	13.7%
2000	1400	1206	194	27	167	11.9%
2001	1410	1251	159	29	130	9.2%
2002	1454	1269	185	24	161	11.1%
2003	1421	1258	162	25	138	9.7%
2004	1477	1264	213	26	187	12.7%
2005	1361	1219	143	22	121	8.9%
2006	1371	1219	152	19.2	133	9.7%
2007	1446	1276	171	21.6	149	10.3%
2008	1439	1306	133	67.3	66	4.6%
2009	1448	1264	184	84.9	99	6.8%
2010	1259	1255	4	1.4	3	0.2%
2011	1243	1173	70	1.7	68	5.5%
2012	1203	1163	40	1.4	38.6	3.2%

Statewide unaccounted for water loss in municipal systems varies between 1 to 20 percent. The median is 10 to 15 percent.



AGENDA NO: C-1

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and City Council DATE: February 6, 2013

FROM: Rob Livick, PE/PLS - Public Services Director

SUBJECT: Adoption of Resolution 14-13 Restoring Residential Impact Fees to their Pre-October 23, 2012 Level and Discussion of Commercial Impact Fees

RECOMMENDATION

Adopt Resolution 14-13 rescinding Resolution 52-12 and restoring Residential Impact fees to their pre October 23, 2012 level, and provide additional direction regarding commercial impact fees.

FISCAL IMPACT

Reinstatement of impact fees paid by new development ensures that new development pays its fair share of capital costs associated with growth.

DISCUSSION

Residential Impact Fees: On January 22, 2013 the City Council directed staff to prepare a resolution that rescinds City Council Resolution 52-12 while recognizing that there are projects “in the pipeline” that rely upon the previous City Council action.

Projects that have relied on the impact fee reduction for residential projects would be those projects that had technically complete Planning Applications after the adoption of City Council Resolution 52-12 on October 23, 2012. The case can be made that those projects that submitted their building permit applications after the adoption of the said resolution also relied upon that City Council decision. Therefore it is staff’s recommendation that City Council define projects in “the pipeline” as those projects that were subject to the fee reduction that had a complete building permit prior to adoption of Resolution 14-13, or technically complete planning applications after October 23, 2012 but before the adoption of Resolution 14-13.

Commercial Impact Fees: Also at the January 22, 2013 City Council Meeting, the Council discussed the effectiveness of the moratorium on Commercial Impact Fees. Staff was directed to return with a legal opinion of whether impact fees can be reduced by zones, i.e. a Moratorium in the Downtown and North Morro Bay, yet have the remainder of the City pay full impact fees. The City Attorney has researched this issue and did not find any case law that addresses this issue or any city that has applied impact fee reductions in this manner.

Prepared by: *RL* Dept. Review: _____

City Manager Review: _____

City Attorney’s Review: _____

There are cities with varying impact fees by zone, but those vary based on the zone's impact to the required infrastructure and was detailed in their AB 1600 Impact Fee Study. Since the City's AB 1600 Impact Fee Study was a City wide study, if the Council desires to consider different impact fees for different zones, it would need to perform a new Impact Fee Study and show justification for imposing differing fees. In addition, separate accounts must be established for different impact fee zones and revenues collected in particular zones must be spent in those zones. Since an AB 1600 Impact Fee Study is costly and labor intensive and the fact that that the idea of reducing impact fees for some and not for others seems to be contrary to the equal protection clause of the Constitution, it is not recommended. Staff recommends that the City Council keep the commercial impact fee moratorium in place for the entire City if the Council finds that the development incentive outweighs the collection of impact fees.

CONCLUSION

Staff recommends the City Council adopt Resolution 14-13 rescinding Resolution 52-12 and restoring Residential Impact fees to their pre October 23, 2012 level based on the Council's discussion at their January 22, 2013 meeting, and that the Council provide staff with additional direction regarding commercial impact fees.

RESOLUTION NO. 14-13

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
RESCINDING RESOLUTION 52-12 AND RESTORING RESIDENTIAL IMPACT
FEES TO THEIR PRE OCTOBER 23, 2012 LEVEL**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the City Council adopted Resolution 47-07, setting impact fees for development based on comprehensive development impact fee justification study; and

WHEREAS, the City Council determined that these fees shall be reduced by 50-percent to the greatest extent practical without affecting existing fees; and

WHEREAS, the City Council discussed the issue of impact fees at their January 22, 2013 meeting; and

WHEREAS, the City Council determined that those projects that had relied on the Residential Fee reduction shall not be subject to the reinstatement of residential impact fees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Morro Bay, California, does hereby rescind Resolution 52-12 restoring residential impact fees to their pre October 23, 2012 level; and

BE IT FURTHER RESOLVED that those projects that have “Technically Complete” Planning Applications after October 23, 2012, but before the date of this resolution shall only pay those impact fees as set by Resolution 52-12; and

BE IT FURTHER RESOLVED that those projects that have complete Building Permit Applications after October 23, 2012, but before the date of this resolution shall only pay those impact fees as set by Resolution 52-12.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 13th day of February, 2013 on the following vote:

AYES:

NOES:

ABSENT:

JAMIE L. IRONS, Mayor

ATTEST:

JAMIE BOUCHER, City Clerk



AGENDA NO: C-2

MEETING DATE: February 13, 2013

Staff Report

TO: Honorable Mayor and City Council **DATE:** February 6, 2013

FROM: Kathleen Wold, Planning Manager

SUBJECT: Discussion on Potential Rezone and General Plan Amendment for the M-1 area along Atascadero Road Specifically the Wastewater Facility Site and Surrounding Area (Parcels 066331032, 066331033, 066331034, 066331038, 066331039 (portion), 066332001, 066332002, 066333002)

RECOMMENDATION

Review information and provide direction to staff.

FISCAL IMPACT

Costs associated with a Rezone and General Plan amendment are as follows:

- Environmental - Approximately \$6,000 to have a consultant prepare a Negative Declaration or Mitigated Negative Declaration.
- Noticing Costs - The Project will require noticing in the paper for the environmental processing, the public hearing at the Planning Commission level and the public hearing at the City Council level for a total of approximately \$950.00.
- Staff time - Staff costs including time to process the project through to the Coastal Commission is estimated to be approximately 300 staff hours including planning staff, Public Services Director, City Attorney, and administrative support staff.
- Mapping Costs - Both the City's Zoning Map and the Land Use Map will need to be updated to address the change. Since the City's land Use map is quite old and not digitized this update is estimated to be at \$8,000.

PROJECT OUTLINE

Below is a basic outline of the steps to complete a Rezone/General Plan amendment:

1. Establish a specific project description which defines the area to be amended and to what zone and designation. This area needs to be specifically defined prior to all environmental work.
2. Once the area is defined, initiate the environmental work. Approximately 45 days to complete the environment draft, staff review of the draft and routing to the California State Clearinghouse.
3. Environmental document must be at the State Clearinghouse for a 30 day review.
4. After the public review, staff will receive comments and address the comments. This will take approximately 2 weeks.

Prepared By: KWold

Dept Review: RL

City Manager Review: _____

City Attorney Review: _____

5. Project is then scheduled for Planning Commission. A 10 day notice is required prior to the hearing.
6. After the Planning Commission meeting, project will be scheduled for City Council action.
7. After final action from the City Council, the project will be submitted to the California Coastal Commission for review and action.

BACKGROUND

At the January 22, 2013 meeting, the City Council directed staff to provide a project outline, costs and additional information regarding a Rezone/General Plan Amendment for the M-1 area along Atascadero, specifically the Wastewater facility site and surrounding area.

DISCUSSION

The subject area is approximately 36 acres in size. Staff has provided a map of the general area, the zoning map of the area, the land use map of the area and a map of each individual parcel. From the table below, it is important to note the existing Zoning/General Plan designations and the existing uses.

#	Owner	Assessor's Parcel Number	Acreage/Sq Ft	Zoning	General Plan	Land Use
1	City of Morro Bay	066331032	1.8257	M-1/PD/I	General Industrial (Light)	City of Morro Bay Corporation Yard
2	City of Morro Bay	066331033	2.9082	M-1/PD/I	General Industrial (Light)	Cement Batch Plant
3	City of Morro Bay	066331034	12.3961	M-1/PD/I	General Industrial (Light) and a portion Commercial, Recreational Fishing, Commercial Recreation	RV park and Wastewater facility
4	City of Morro Bay	066331038	8.709	M-1/PD/I	General Industrial (Light)	RV park and storage
5	Dynegy	066331039 (portion)	8.13	M-1/PD/I	General Industrial (Light)	Lila Keiser Park
6	Charles Ogle	066332001	1.2027	M-1/PD/I	General Industrial (Light)	Industrial use

7	James Hald	066332002	.5534	M-1/PD/I	General Industrial (Light)	Warehousing
8	City of Morro Bay	066333002	.2973	M-1/PD/I	General Industrial (Light)	Wastewater facility

The land use map for the vicinity shows that a strip of land adjacent to Embarcadero has a general plan for Commercial/Recreation Fishing, and Commercial Recreation and the property to the east of this property is designated as Visitor-Serving. Either one of these may be considered for the property in question. As such, staff has provided the purpose statement for each designation to help clarify the intent of each designation.

Visitor Serving designation states that this land use category is especially important to the City since tourism is a significant contributor to the local economy. This category encourages concentration of tourist-intensive uses at major destination points in the City or at locations easily accessible to travelers along State Highway One. Visitors-serving uses that should be developed in those areas designated as such are hotels/motels, overnight RV facilities, restaurants, gift shop, goods and supply stores, commercial recreation and other uses typically found to accommodate tourist needs and activities.

Commercial/Recreational Fishing designation: This category is intended to implement Measure “D” of the June 2, 1981, City ballot, passed by the citizens of Morro Bay, which states in its full text (as a permitted use in the Planned Development P.D. Zone):

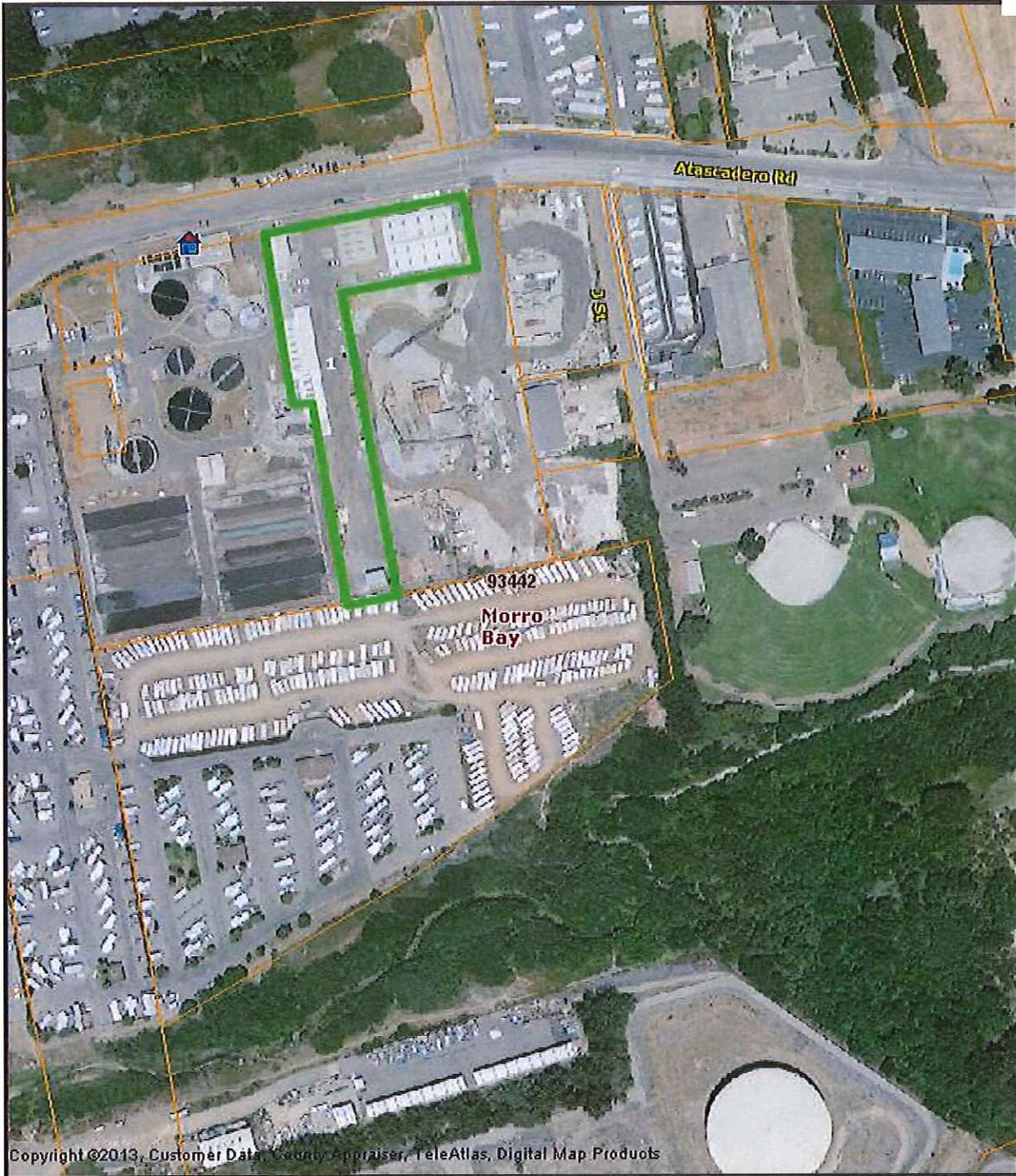
“The City shall not grant any permit, authorization or other approval of any state owned tidelands subject to City lease between Beach Street and Target Rock, unless such development or use is primarily for the purpose of serving or facilitating licensed commercial fishing activities or noncommercial recreational fishing activities, or is clearly incidental thereto. For purposes of illustration only, and not by way of limitation, no approval shall be granted for any new passenger-for hire boats or supporting facilities, or for any new restaurant, café, gift shop or other retail establishments serving the general public, and any existing such uses shall hereafter be considered nonconforming and shall not be expanded or enlarged.”

Measure “D” added Section 17.36.020 to the Morro Bay Municipal Code (Zoning Ordinance); it is noted that by doing so, the described “nonconforming uses” become subject to the other provision of the Municipal Code Title, also see LCP Policy 7.01.

Open Space/Recreation This land use designation includes that open space which is not defined environmentally sensitive habitat and is intended to accommodate more intensive recreational activities. Allowable uses include golf courses, boating clubs, athletic fields, stables, campgrounds and other commercial recreation uses.

CONCLUSION

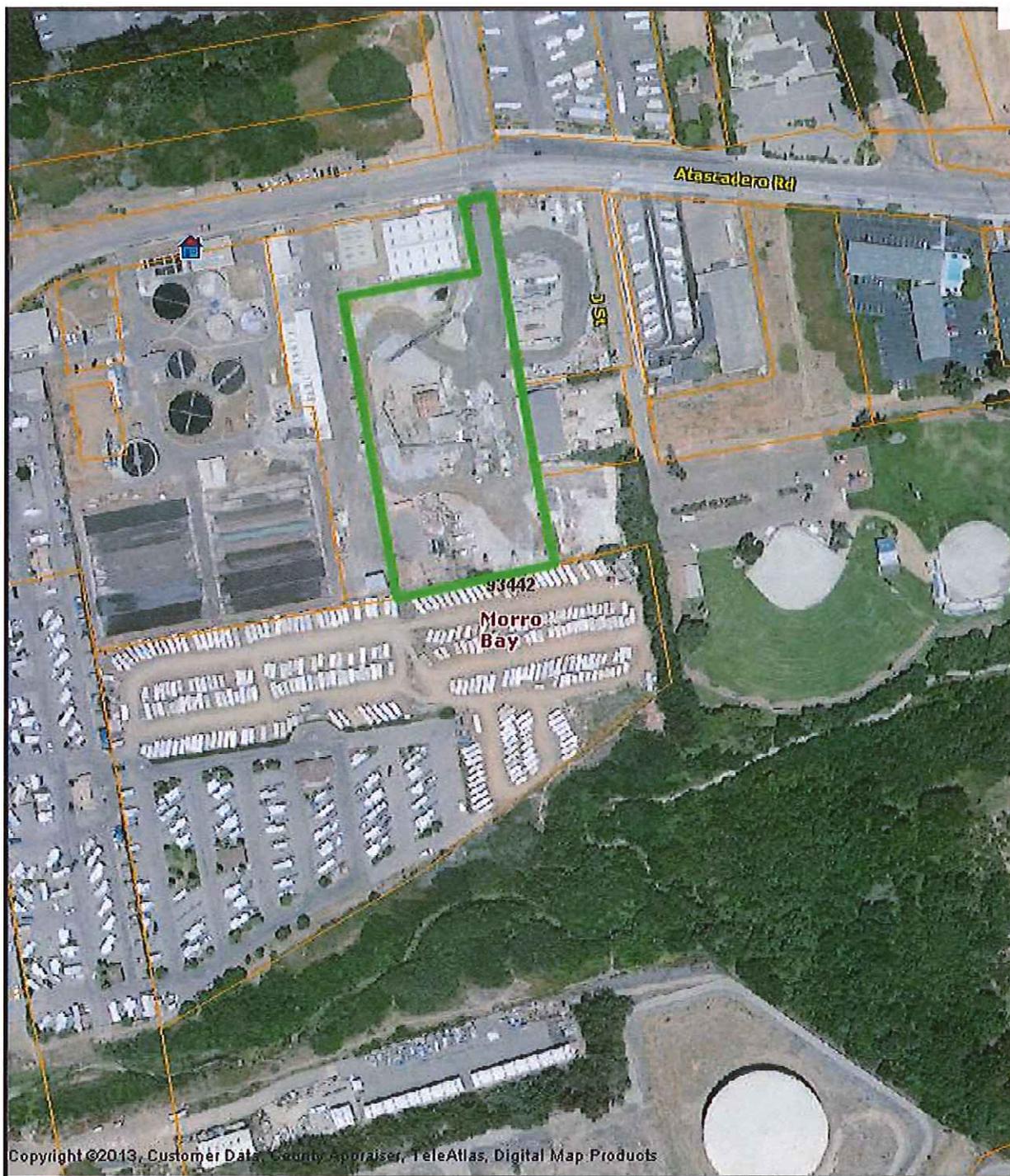
Staff has provided to the Council a brief outline of the project, the costs and staff time associated with the project and the purpose of each General Plan Designation suggested at the January 22nd meeting. Staff recommends that the Council review this information and give staff direction on how to proceed including potentially allocating the project costs at the mid-year budget hearings.



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APN: 066331032
Address: 1281 EMBARCADERO , MORRO BAY CA, 93442
Owner Name: CITY OF MORRO BAY 964
Owner Address: 595 HARBOR ST , MORRO BAY CA, 93442
Owner Phone:
Building SF:
Acres (Assessor): 0.0
Acres (Calculated): 1.8257
Lot Front:
Lot Depth:
Legal Description: 018.30AC
Land SF (Assessor):
Land SF (Calculated): 79527.0
Land Use: PUBLIC: PUBLIC (NEC)
Year Built:
Assessed Value:
TBM Page: E4-611
Sales Deed Cat:

source: TAX_UPDATE (06/01/2005 00:00)



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APN: 066331033
Address: , MORRO BAY CA, 93442
Owner Name: CAYUCOS SANITARY DISTRICT 972
Owner Address: PO BOX 333 , CAYUCOS CA, 93430
Owner Phone:
Building SF:
Acres (Assessor): 0.0
Acres (Calculated): 2.9082
Lot Front:
Lot Depth:
Legal Description: 030.30AC
Land SF (Assessor):
Land SF (Calculated): 126681.0
Land Use: PUBLIC: PUBLIC (NEC)
Year Built:
Assessed Value:
TBM Page: -
Sales Deed Cat:

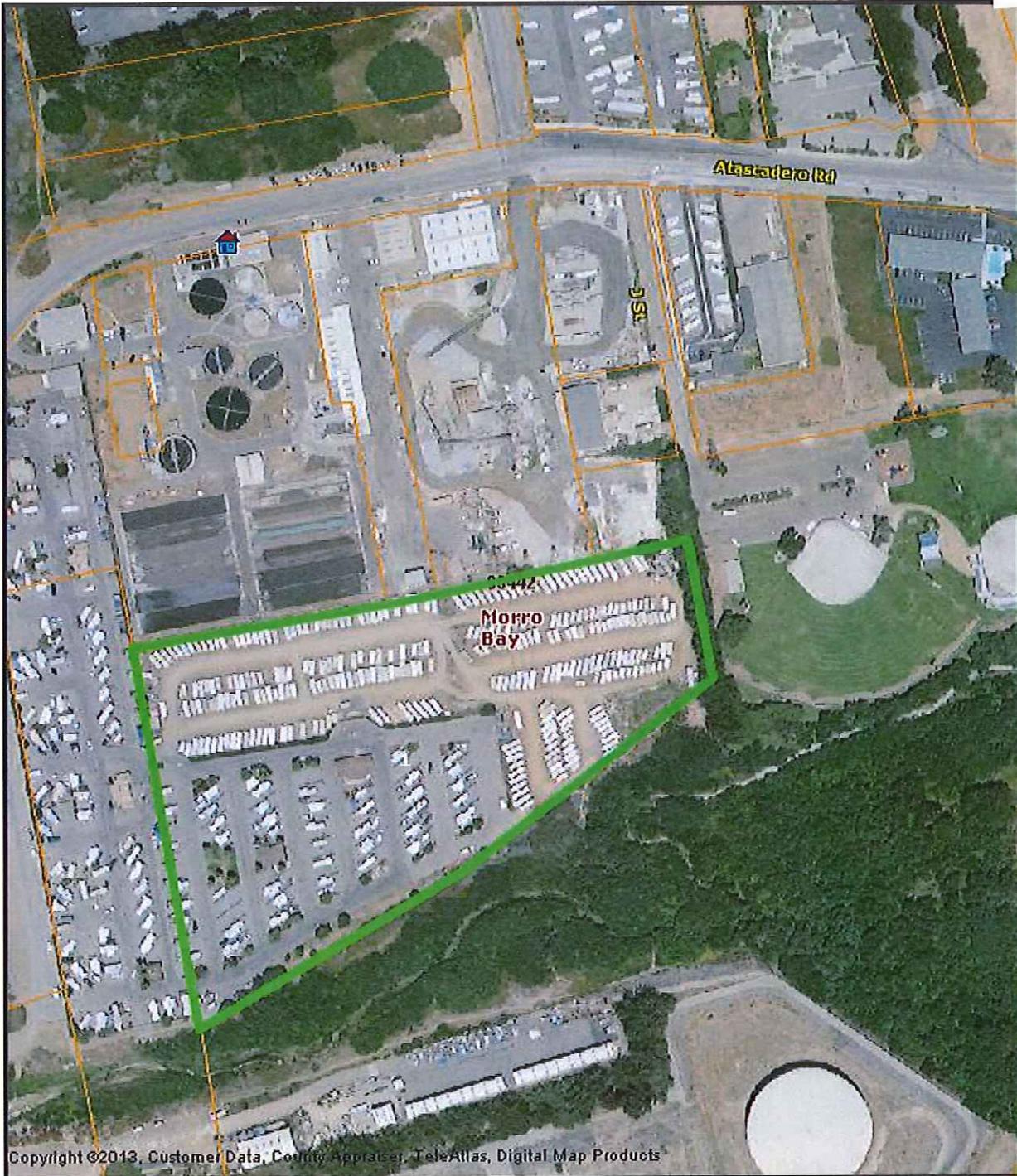
source: TAX_UPDATE (06/01/2005 00:00)



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APN: 066331034
Address: , MORRO BAY CA, 93442
Owner Name: CAYUCOS SANITARY DISTRICT 972
Owner Address: PO BOX 333 , CAYUCOS CA, 93430
Owner Phone:
Building SF:
Acres (Assessor): 0.0
Acres (Calculated): 12.3961
Lot Front:
Lot Depth:
Legal Description: 015.90AC
Land SF (Assessor):
Land SF (Calculated): 539974.0
Land Use: PUBLIC: PUBLIC (NEC)
Year Built:
Assessed Value:
TBM Page: -
Sales Deed Cat:

source: TAX_UPDATE (06/01/2005 00:00)

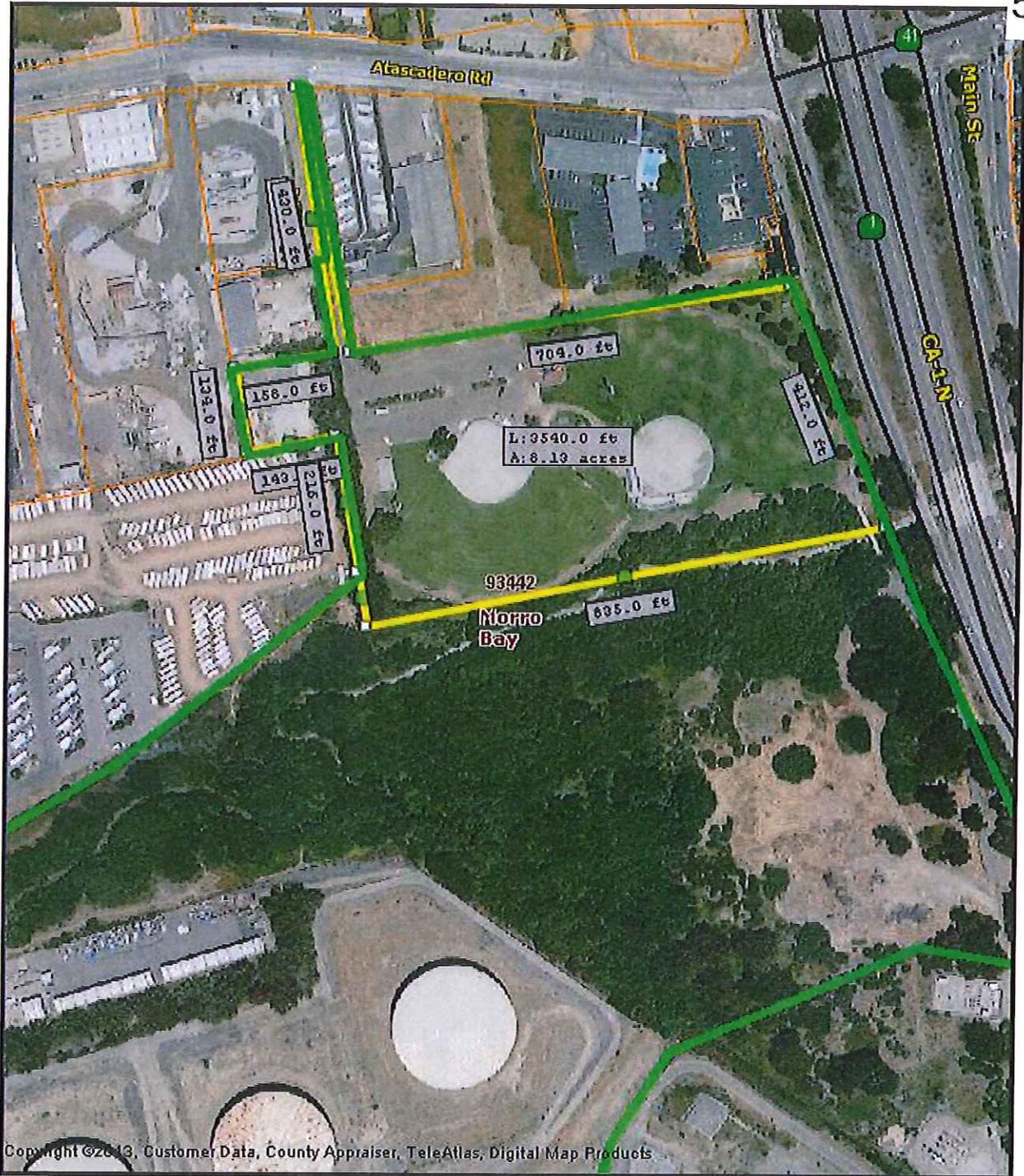


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APN: 066331038
Address: EMBARCADERO , MORRO BAY CA, 93442
Owner Name: CITY OF MORRO BAY 964
Owner Address: 595 HARBOR ST , MORRO BAY CA, 93442
Owner Phone:
Building SF:
Acres (Assessor): 0.0
Acres (Calculated): 8.709
Lot Front:
Lot Depth:
Legal Description: CY MB PTN BLS 28E 28F 28G & 30A
Land SF (Assessor):
Land SF (Calculated): 379364.0
Land Use: RESIDENTIAL: MOBILE HOME LOT
Year Built:
Assessed Value: \$4,801,412
TBM Page: F6-611
Sales Deed Cat:

source: TAX_UPDATE (06/01/2005 00:00)

5



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APN:	066331039
Address:	EMBARCADERO , MORRO BAY CA, 93442
Owner Name:	DYNEGY MORRO BAY LLC
Owner Address:	133 S 4TH ST 306, SPRINGFIELD IL, 62701
Owner Phone:	
Building SF:	
Acres (Assessor):	0.0
Acres (Calculated):	92.6124
Lot Front:	
Lot Depth:	
Legal Description:	BOE 1104-40-1A PAR 1
Land SF (Assessor):	
Land SF (Calculated):	4034196.0
Land Use:	RESIDENTIAL: MOBILE HOME LOT
Year Built:	
Assessed Value:	\$576,976
TBM Page:	F6-611
Sales Deed Cat:	

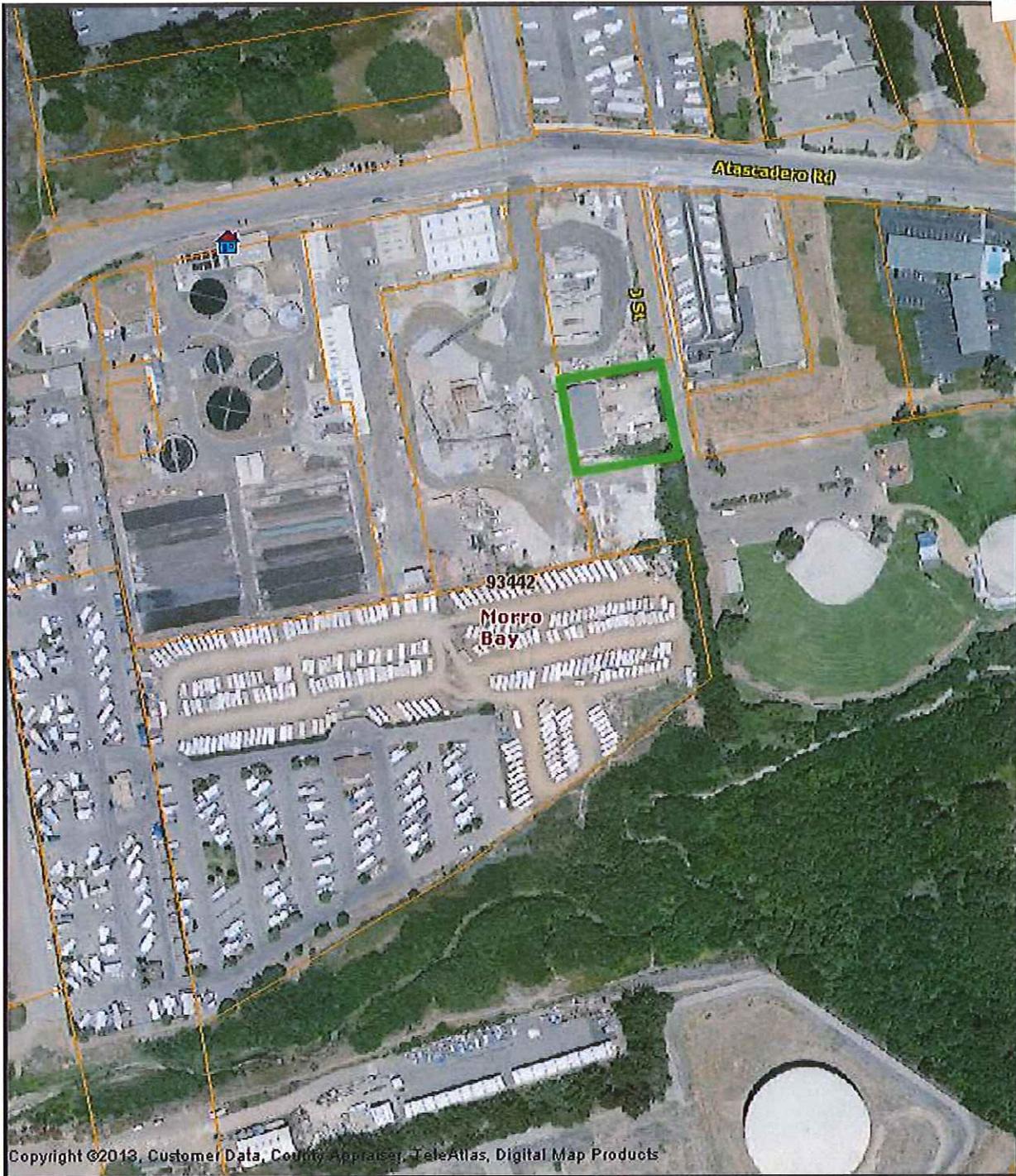
source: TAX_UPDATE (06/01/2005 00:00)



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APN: 066332001
Address: , MORRO BAY CA, 93442
Owner Name: OGLE, CHARLES E
Owner Address: PO BOX 720 , MORRO BAY CA, 93443
Owner Phone:
Building SF:
Acres (Assessor): 0.0
Acres (Calculated): 1.2027
Lot Front:
Lot Depth:
Legal Description: CY MB PTN ATAS BCH
Land SF (Assessor):
Land SF (Calculated): 52389.0
Land Use: VACANT LAND: INDUSTRIAL LOT
Year Built:
Assessed Value: \$34,480
TBM Page: -
Sales Deed Cat:

source: TAX_UPDATE (06/01/2005 00:00)



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APN: 066332002
Address: 68TH ST , MORRO BAY CA, 93442
Owner Name: HALD,JAMES E TR ETAL
Owner Address: PO BOX 712 , CAYUCOS CA, 93430
Owner Phone:
Building SF:
Acres (Assessor): 0.0
Acres (Calculated): 0.5534
Lot Front:
Lot Depth:
Legal Description: CY MB ATAS BCH PTN BL 28C
Land SF (Assessor):
Land SF (Calculated): 24106.0
Land Use: INDUSTRIAL : WAREHOUSE
Year Built:
Assessed Value: \$379,549
TBM Page: E4-1290
Sales Deed Cat:

source: TAX_UPDATE (07/21/1992 00:00)



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APN: 066333002
Address: MORRO BAY , 93442
Owner Name:
Owner Address:
Owner Phone:
Building SF:
Acres (Assessor):
Acres (Calculated): 0.2973
Lot Front:
Lot Depth:
Legal Description:
Land SF (Assessor):
Land SF (Calculated): 12950.0
Land Use:
Year Built:
Assessed Value:
TBM Page:
Sales Deed Cat:

source: TAX_UPDATE (06/01/2005 00:00)



160 Atascadero Rd, Morro Bay, CA 93442, USA

Atascadero Rd

Atascadero

Park St

C-VS/SPD

Main St

Sunset Ave

M-1/PPD/H

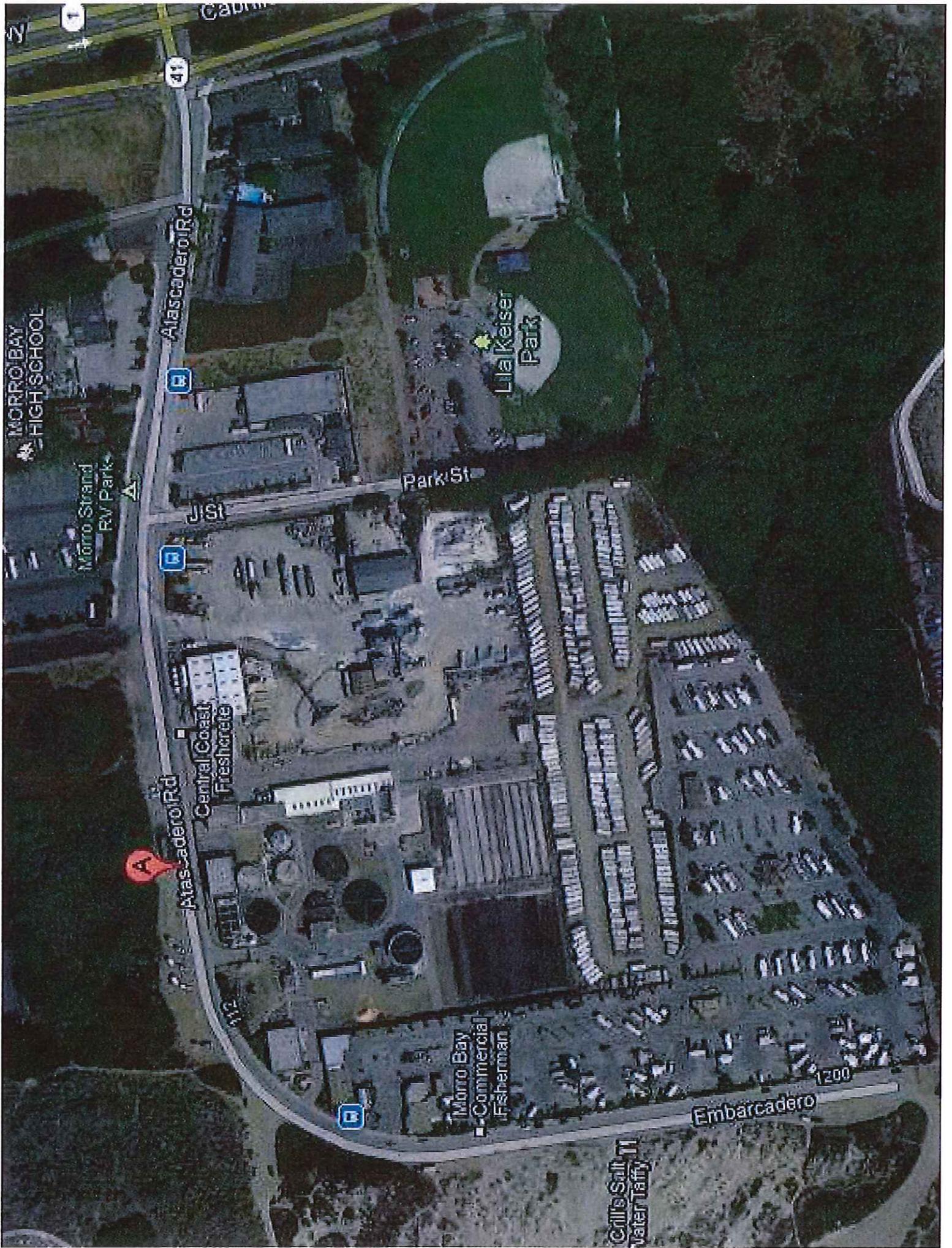
C-VS/SP

C-VS/PPD

M-2/PPD/H

Embrey Rd

M-1/PPD/H



MORRO BAY HIGH SCHOOL

Morro Strand RV Park

Alascadero Rd

Lila Keiser Park

Park St

Central Coast Freshcrete

Masadero Rd

Morro Bay Commercial Fisherman

Embarcadero 1200

Crill's Salt Water Taffy



AGENDA NO: C-3

MEETING DATE: 2/13/2013

Staff Report

TO: Honorable Mayor and City Council **DATE:** January 28, 2013

FROM: Andrea K. Lueker, City Manager
Nancy Johnson, City Councilmember

SUBJECT: Discussion and Recommendation on the Selection Process for Volunteer
Community Services Coordinator

RECOMMENDATION

Staff recommends the City Council review the staff report, the previous staff report from August 14, 2012, approve the job description and determine a selection process for the Volunteer Community Services Coordinator.

BACKGROUND

Councilmember Nancy Johnson raised the issue of an individual (volunteer) to coordinate and disseminate information regarding the available community services in the Morro Bay area. As Councilmember Johnson discussed and received support from fellow council members, there are a number of services available through the City of Morro Bay, County of San Luis Obispo, Senior Citizens Inc. and other non-profit groups, but there does not seem to be one location or individual who coordinates and can make available to the public, this information. These existing services include, but are not limited to assistance for the homeless, disadvantaged children, low income families, seniors and veterans.

The concern is that while these services are available, often community members or transients are not aware of the services or do not know where to go for a comprehensive list of such services. Implementing this concept could serve as a clearing house for our disadvantaged citizens.

This item was reviewed at the August 14, 2012 City Council meeting and Council asked that it be brought back with a job description and a process for selection. Since that time, Councilmembers Johnson and Smukler as well as other members of the community have worked on a job description.

Prepared By: _____

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

DISCUSSION

The draft job description has been attached for review and approval by the City Council

In terms of a selection process for this volunteer position, staff recommends the following:

1. Advertise through a variety of means including a press release, and the Estero Bay Alliance for Care (EBAC).
2. Ask that each potential candidate submit a brief statement of interest.
3. Appoint an interviewing committee comprised of a variety of individuals that could include City Council members, City Manager, Senior Citizen Inc. representation and/or a representative from the EBAC.



AGENDA NO: D-4

MEETING DATE: 8/14/2012

Staff Report

TO: Honorable Mayor and City Council

DATE: August 7, 2012

FROM: Andrea K. Lueker, City Manager
Nancy Johnson, City Councilmember

SUBJECT: Discussion on the Need for a Volunteer “Community Services Coordinator”

RECOMMENDATION

Staff recommends the City Council review the staff report and provide direction on a volunteer “Community Services Coordinator”. Staff further recommends the City Council forward this issue to the Recreation and Parks Commission for review as the proposed volunteer position will likely work closely with the Senior Citizens Inc. organization.

BACKGROUND

Councilmember Nancy Johnson raised the issue of an individual (volunteer) to coordinate and disseminate information regarding the available community services in the Morro Bay area. As Councilmember Johnson discussed and received support from fellow council members, there are a number of services available through the City of Morro Bay, County of San Luis Obispo, Senior Citizens Inc. and other non-profit groups, but there does not seem to be one location or individual who coordinates and has available, this information. These existing services include, but are not limited to help for the homeless, disadvantaged children, low income families, seniors and veterans as well as others.

As discussed, a concern regarding these services is that while they are available, often community members are not aware of the services nor do not know where to go for a comprehensive list of such services. This concept could serve as a clearing house for the entire community.

Prepared By: _____

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____



City of Morro Bay

Volunteer Coordinator's Job Description

GENERAL DESCRIPTION:

This volunteer position, recognized by the City of Morro Bay, and physically located at the Senior Citizen Inc. Office is designated to disseminate information to residents and visitors in Morro Bay about the many and varied programs and services available through other organizations including but not limited to non-profit organizations, the faith community, and local, state and federal government programs. The Volunteer Coordinator position is expected to provide approximately 10 hours each week toward these efforts.

QUALIFICATIONS:

- Preferred experience in a social service-related field.
- The ability to communicate with a variety of others, including those in need of programs and those providing programs.
- The ability to work cooperatively with different types of personalities
- Preferred knowledge and understanding of issues and dynamics with individuals/families in crisis.
- Complete DOJ fingerprinting and background clearance.

ACCOUNTABILITY:

- The volunteer coordinator reports directly to the City Manager or her/his designee.

RESPONSIBILITIES:

- Hold consistent office hours.
- Complete and keep updated a resource data base (both electronic and hard copy) that provides information on all services/programs available in the community.
- Aids in preparation of an annual report on program statistics.
- Actively pursue new opportunities for programs in the Morro Bay area.
- Attend Estero Bay Assistance Committee (EBAC) meetings (as available).
- Conduct and coordinate a variety of methods of outreach regarding available programs and services.
- Pursue grant funding (as appropriate).



AGENDA NO: D-1

Meeting Date: 2/13/2013

Staff Report

TO: Honorable Mayor and City Council **DATE:** February 7, 2013

FROM: Joseph M. Woods, Recreation and Parks Director

SUBJECT: Approval of the Memorandum of Understanding between the Estero Bay Community Pool Foundation, San Luis Coastal Unified School District and City of Morro Bay Regarding the Estero Bay Community Pool Project

RECOMMENDATION:

City Council reviews the attached information, and supports the Memorandum of Understanding (MOU) between the San Luis Coastal Unified School District, Estero Bay Community Pool Foundation, and City of Morro Bay to establish a community pool in the City of Morro Bay.

FISCAL IMPACT:

None

SUMMARY:

City Council has directed staff to work with local agencies forming a collaborative effort to reinstate a public pool. Staff has and will continue to work with available agencies to resolve the need for a local community pool. Recognizing this project is complex, expensive and requires thorough planning, many changes have evolved since efforts began in 2006. Current available agencies working on this effort consist of the School District, and the Estero Bay Community Pool Foundation, as well as the City. In partnering with these stakeholders, the City will continue to make progress to obtain the goal of establishing a community pool in Morro Bay.

BACKGROUND:

The concept of constructing and operating a public pool has been discussed since the closure and removal of the Morro Bay High School pool back in 1998 and 2001 respectively. In 2004, City Council directed staff to reopen negotiations with the School District in the attempt to reestablish a swimming pool on school property. In 2006, City staff met with School District staff to pursue the concept of a joint project, which would involve the County, School District, and the City of Morro

Prepared By: JW

Dept Review:

City Manager Review:

City Attorney Review:

Page 1 of 2

Bay. All three agencies continued to meet in hopes of developing a MOU which would outline agency involvement, commitment, and responsibilities. While these three agencies continued their work, a fourth party became interested in the swimming pool project. This special interest group formed a nonprofit organization named the Morro Bay Community Pool Foundation and immediately began seeking partnerships with the County, District, and City. At the regular City Council meeting of November 10, 2008, Council unanimously supported the Morro Bay Community Pool Foundation. (Staff report, Reso.77-08, and minutes attached)

Concurrently, the Los Osos Pool Foundation was working on establishing a community pool to serve the Los Osos residents. Their efforts were supported by the City of Morro Bay with the allocation of resources, \$15,000, dedicated to a feasibility study. The Foundation contracted with Raymond, Turco and Associates to perform the Estero Bay Area Aquatic Assessment Study which was completed in March 2010. The survey being a “snap-shot” in time conveyed the community’s interest in establishing a single aquatic center in Morro Bay, and would serve the entire Estero Bay communities.

On January 20, 2011, the RPC reviewed the MOU regarding the Estero Bay Community Aquatics Center and recommended approval to the Morro Bay City Council. The MOU was not reviewed by City Council due to unresolved concerns of the stakeholders. Those concerns included the cost of the maintenance and operations and how those costs would be distributed. Furthermore, stakeholders shared the uncertainty of future financial commitments and this uncertainty resulted in a break in progress. Stakeholders then agreed to the table discussions on the MOU between the District, County, Foundation, and City.

DISCUSSION:

Recently, the Los Osos Pool Foundation informed staff of the dissolving of their organization as well as their intent to continue supporting an Estero Bay Community Pool effort. Their non-profit status is in the process of termination and distribution of assets is to be determined by court action. Staff has been in communication with their Board members who have expressed interest in recommending to the court the allocation of accumulated funds be directed to the City of Morro Bay for the exclusive use in establishing a community pool.

Staff contacted the previous stakeholders in the effort to re-establish a MOU. The responsive stakeholders were the School District and the Estero Bay Community Pool Foundation. The attached MOU lists the current stakeholders and outlines the City’s intent to support a collaborative effort to plan, build and operate an aquatics center serving the greater Estero Bay area.

CONCLUSION:

Staff recommends City Council support the MOU between the San Luis Coastal Unified School District, Estero Bay Community Pool Foundation, and City of Morro Bay to establish a community pool in the City of Morro Bay.

MEMORANDUM OF UNDERSTANDING

regarding the

ESTERO BAY COMMUNITY POOL

This MEMORANDUM OF UNDERSTANDING ("MOU"), executed on the last date below stated, is entered into by and between the:

- San Luis Coastal Unified School District ("DISTRICT"),
- City of Morro Bay ("MORRO BAY"),
- Estero Bay Pool Foundation, a California non-profit public benefit corporation ("FOUNDATION"), and,
- Together, DISTRICT, MORRO BAY, and the FOUNDATION are referred to as the PARTIES.

WHEREAS the PARTIES are desirous of working together collaboratively, collectively, and cooperatively, to accomplish the following purpose: plan, build, operate, and maintain a Community Pool at Morro Elementary School which will serve the greater Estero Bay area including: the students of DISTRICT and the residents of Morro Bay, Los Osos, Cayucos, and Cambria;

WHEREAS the PARTIES desirous of setting forth the terms and conditions under which they will work together to accomplish the purpose mentioned above; and,

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

- (1) DISTRICT agrees as follows:
 - a) DISTRICT will provide, through donation, lease or other mechanism suitable to DISTRICT and the PARTIES, a parcel of land adjacent to Morro Bay Community Center on Morro Elementary School property suitable for the purpose of building the Estero Bay Community Pool to include, at a minimum, a 25 yard pool, appropriate storage space, appropriate maintenance and safety equipment, men's and women's locker rooms, office area space for staff and public check-in, and public parking.
 - b) DISTRICT will commit to provide a portion of the financial support needed to operate and maintain the Estero Bay Community Pool.

- (2) MORRO BAY agrees as follows:
- a) MORRO BAY will be the lead agency for planning, permits, construction, operations, and maintenance.
 - b) MORRO BAY will be responsible for programming, staffing, fee collection, and regulations of the facility to ensure a safe –positive experience.
 - b) MORRO BAY will commit to provide a portion of the financial support needed to operate and maintain the Estero Bay Community Pool.
- (3) FOUNDATION agrees as follows:
- a) FOUNDATION will raise funds necessary to develop conceptual and space designs for the proposed Estero Bay Community Pool.
 - b) FOUNDATION will establish an endowment fund, irrevocably dedicated to MORRO BAY, to operate and maintain the Estero Bay Community Pool.
- (5) As a result of this MOU and FOUNDATION'S planning efforts, DISTRICT and MORRO BAY may form a Joint Powers Authority regarding the Estero Bay Community Pool.
- (6) Any party to this MOU may withdraw from this MOU, by providing written notice to the other parties that its governing body has adopted a resolution to withdraw. No withdrawal shall become effective until 60 days after being sent by the respective party.
- (7) All notices required by this MOU shall be in writing and shall be sent by United States mail, postage prepaid, and addressed to the other parties at their principal offices, or to such other addresses as the parties may designate from time to time.
- (8) Should any part, term, or provision of this MOU be decided by a final judgment of a court or arbitrator to be illegal or in conflict with any law of the State of California or otherwise be unenforceable or ineffectual, the remaining parts, terms, and provisions shall not be affected.
- (9) The persons executing this MOU represent that they are duly authorized by the party they represent to execute and bind that party. This MOU is the final, complete, and exclusive statement of the terms of the understanding between the Parties, supersedes all previous understandings between the Parties as to its subject matter, and may be amended only in a further writing executed by Parties.

IN WITNESS WHEREOF, the PARTIES hereto have duly executed this Memorandum of Understanding as of the date last listed below:

SO AGREED,

SAN LUIS COASTAL UNIFIED SCHOOL DISTRICT (DISTRICT)

By: _____ Dated: February_____. 2013
Name, President, Board of Education

CITY OF MORRO BAY (MORRO BAY)

By: _____ Dated: February_____. 2013
Name, Mayor

MORRO BAY COMMUNITY POOL FOUNDATION

By: _____ Dated: February_____. 2013
Name, President



AGENDA NO: <u>D-1</u>
Meeting Date: <u>11-10-08</u> Action: _____

Staff Report

TO: Honorable Mayor and City Council **DATE:** November 10, 2008

FROM: Recreation and Parks Director

SUBJECT: Consideration of the Adoption of Resolution 77-08 - Support for the Morro Bay Community Pool Foundation, and their goal of providing Aquatic Center in conjunction with the County, School District, and City of Morro Bay.

RECOMMENDATION:

Staff recommends Council review the attached information, and considers support of the Morro Bay Community Pool Foundation and their goal of providing Aquatic Center in conjunction with the County, School District, and City of Morro Bay.

FISCAL IMPACT:

None

SUMMARY:

City Council has directed staff to work with San Luis Unified Coastal School District and San Luis Obispo County to form a collaborative effort to reinstate a public pool. Staff has and will continue to work with these agencies to resolve the need for a local community pool. Additionally, a fourth party, the Morro Bay Community Pool Foundation (MBCPF) has emerged with the desire of partnering with the three established agencies. The MBCPF is seeking City of Morro Bay support as they work to provide the community with a state of the art aquatics facility.

Prepared By: <u>JW</u>	Dept Review: _____
City Manager Review: _____	
City Attorney Review: _____	Page 1 of 5

BACKGROUND:

The concept of constructing and operating a public pool has been discussed since the closure and removal of the Morro Bay High School pool back in 1998 and 2001 respectively. In 2004, City Council directed staff to reopen negotiations with the School District in the attempt to reestablish a swimming pool on school property. In 2006, City staff met with School District staff to pursue the concept of a joint project, which would involve the County, School District, and the City of Morro Bay. Please find the attached memorandum dated July 31, 2006. All three agencies continued to meet in hopes of developing a Memorandum of Understanding which would outline agency involvement, commitment, and responsibilities. While these three agencies continued their work, a fourth party became interested in the swimming pool project. This special interest group formed a nonprofit organization named the Morro Bay Community Pool Foundation and immediately began seeking partnerships with the County, District, and City.

DISCUSSION:

The Morro Bay Community Pool Foundation has presented their intent and mission at the Recreation and Parks Commission meeting held, September 2008 meeting. The Foundation does host a web site, www.morrobaypool.org. The following information was derived from their web site and is included for informational and discussion purposes.

Foundation Mission — The Foundation is an organization of individuals, in partnership with participating agencies that are committed to raising funds to build and sustain a community aquatics center.

Foundation Vision

- Develop a state-of-the-art, attractive aquatics facility that can serve as a community-gathering place for all ages.
- Facilitate the building and maintenance of an aquatic facility for the health, safety, recreation, and competition needs of the community.
- Create adequate facilities so that aspiring athletes may excel to their full potential.
- Enhance community spirit.
- Create opportunities for youth and senior programs, particularly before and after-school programs, vital to the health of the whole community.
- Support activities of value for all ages and a place where the whole family can play and exercise.
- Support swim lessons and programs for all ages.

- Promote safe and healthy swimming.
- Support before and after-school recreational programs that cover a diverse range of safe and supervised activities to meet a variety of individual interests and needs.
- Provide individuals of all backgrounds and ages with experiences that will improve their quality of life as well as promote values of health, sportsmanship, community and excellence.
- Create employment and educational opportunities.
- Enhance economic vitality of the community.

CONCLUSION:

Staff recommends Council review the attached information, and adopts Resolution 77-08 which supports the Morro Bay Community Pool Foundation and their goal of providing Aquatic Center in conjunction with the County, School District, and City of Morro Bay.

RESOLUTION NO. 77-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORRO BAY SUPPORTING THE MORRO BAY COMMUNITY POOL FOUNDATION, A NONPROFIT ORGANIZATION WITH THE MISSION TO PARTNER WITH PARTICIPATING AGENCIES THAT ARE COMMITTED TO RAISING FUNDS TO BUILD AND SUSTAIN A COMMUNITY AQUATICS CENTER.

WHEREAS, for many years, San Luis Obispo Unified School District operated an outdoor swimming pool at Morro Bay High School; and

WHEREAS, in 1998, the San Luis Obispo Unified School District closed the outdoor swimming pool at Morro Bay High School due to a lack of funding; and

WHEREAS, the swimming pool at Morro Bay High School was the only public pool available the community; and

WHEREAS, residents of Morro Bay now have limited access to other public swimming pools; and

WHEREAS, a Community Aquatics Center would greatly serve the communities of Morro Bay, Los Osos and Cayucos; and

WHEREAS, the City Council of the City of Morro Bay has directed staff to work with local agencies to reestablish a community swimming pool; and

WHEREAS, the Morro Bay Community Pool Foundation is a local nonprofit organization with the mission to partner with participating agencies that are committed to raising funds to build and sustain a community aquatics center; and

WHEREAS, the Morro Bay Community Pool Foundation is willing to conduct a pool feasibility study using criteria approved by San Luis Obispo County, San Luis Obispo Unified School District, and City of Morro Bay; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Morro Bay, hereby supports the Morro Bay Community Pool Foundation in their mission in building and sustaining a community aquatics center.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 10th day of November, 2008 on the following vote:

Ayes:
Noes:
Absent:

Janice Peters, Mayor

ATTEST:

Bridgett Bauer, City Clerk

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – NOVEMBER 10, 2008

~~MOTION: Councilmember Peirce moved the City Council adopt Resolution No. 76-08 with the amendments as proposed by the City Council, with the exception of Section 6.1 (County or Regional Representation), which would remain as previously written in the City Council Policies and Procedures Manual. The motion was seconded by Mayor Peters~~

Councilmember Winholtz recommended an amendment to the third Whereas, “the City Council desires to amend certain sections.”

Councilmember Peirce and Mayor Peters accepted the amendment to the motion.

VOTE: The motion carried with Councilmember DeMeritt and Councilmember Winholtz voting no. (3-2)

~~D. NEW BUSINESS~~

D-1 CONSIDERATION OF THE ADOPTION OF RESOLUTION NO. 77-08 SUPPORTING THE MORRO BAY COMMUNITY POOL FOUNDATION AND THEIR GOAL OF PROVIDING AN AQUATIC CENTER IN CONJUNCTION WITH THE COUNTY OF SAN LUIS OBISPO, SAN LUIS COASTAL UNIFIED SCHOOL DISTRICT AND CITY OF MORRO BAY; (RECREATION & PARKS)

Recreation & Parks Director Joe Woods stated the City Council directed staff to work with San Luis Unified School District and San Luis Obispo County to form a collaborative effort to reinstate a public pool. Staff continues to work with these agencies to resolve the need for a local community pool. Additionally, a fourth party, the Morro Bay Community Pool Foundation has emerged with the desire of partnering with the three established agencies. The Morro Bay Community Pool Foundation is seeking the City’s support as they work to provide the community with a state of art aquatics facility. Mr. Woods recommended the City Council consider adopting Resolution No. 77-08 supporting the Morro Bay Community Pool Foundation and their goal of providing an Aquatic Center in conjunction with the County of San Luis Obispo, San Luis Coastal Unified School District and the City of Morro Bay.

Councilmember Winholtz requested the following amendment to the resolution: “WHEREAS, residents of Morro Bay now have ~~little~~ limited access to other public swimming pools; and”.

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – NOVEMBER 10, 2008

MOTION: Councilmember Peirce moved the City Council adopt Resolution No. 77-08 in support of the Morro Bay Community Pool Foundation and their goal of providing an Aquatic Center in conjunction with the County of San Luis Obispo, San Luis Coastal Unified School District and the City of Morro Bay with the proposed amendment. The motion was seconded by Councilmember Grantham and carried unanimously. (5-0)

~~12-2 PRESENTATION ON ADOPT-A-TREE PROGRAM AND DISCUSSION ON CITY TREES; (PUBLIC SERVICES)~~

Noah Smukler, member of the Public Works Advisory Board made a presentation on the Adopt-a-Tree Program as a part of the Urban Forest Management Plan. He said the Adopt-a-Tree Program would help create a program that would allow residents and community groups to adopt trees within the City and be the volunteer support network for the Public Services Department. Mr. Smukler noted there would be a tree planting ceremony at City Park on November 22, 2008 coordinated by the Planning Commission, Public Works Advisory Board, Recreation & Parks Department and Morro Bay Beautiful.

Bill Woodson, Treasurer for Morro Bay Beautiful stated the role of Morro Bay Beautiful is to make sure the trees are planted in the appropriate location and maintained to make sure they survive.

Consensus of the City Council was to reaffirm the efforts of the Planning Commission, Public Works Advisory Board, Recreation & Parks Department and Morro Bay Beautiful in developing the Adopt-a-Tree Program; and, requested staff return with a resolution in support of the Adopt-a-Tree Program.

ADJOURNMENT

The meeting adjourned at 8:51 p.m.

Recorded by:

Bridgett Bauer
City Clerk

BOARD OF SUPERVISORS

1055 MONTEREY, ROOM D430 • SAN LUIS OBISPO, CALIFORNIA 93408-1003 • 805.781.5450



RECEIVED
City of Morro Bay

FEB 06 2013

Administration

BRUCE GIBSON
SUPERVISOR DISTRICT TWO

January 30, 2013

Mayor Jamie Irons
City of Morro Bay
595 Harbor Street
Morro Bay, CA 93442

Dear Mayor Irons:

I write in support of the Morro Bay Community Pool Foundation's (MBCPF) request to complete a Memorandum of Understanding (MOU) with the City of Morro Bay to build an Aquatics Center on the North Coast.

The Foundation has worked extremely hard and will continue to work to raise funds necessary to develop the proposed Estero Bay Community Pool. It is also working to establish an endowment fund, irrevocably dedicated to the operation and maintenance of the Community Pool.

The MBCPF is much more than a pool-building organization. It is an independent advocacy group for the swimming community and a great asset to the entire North Coast area. Please accept the MBCPF as a partner so that they may continue to move forward with their planning efforts to establish a Joint Powers Authority.

I am confident with all parties working collaboratively the Foundation will reach their goal of community pool on the North Coast. Please let me know if I can be of further assistance in this effort.

Sincerely,

BRUCE GIBSON
Supervisor, District Two
San Luis Obispo

cc Council
Lucker
Woods



AGENDA NO: D-2

MEETING DATE: 2/13/13

Council Report

TO: City Council

DATE: February 7, 2013

FROM: Jamie L. Irons, Mayor

SUBJECT: Discussion on the Status of the City of Morro Bay and Cayucos Sanitary District Waste Water Treatment Plant Project and Approval for City to Send Letters to State and Federal Legislators Regarding Support and Funding for the Project

RECOMMENDATION

Discuss and advise.

DISCUSSION

Oral Report only to be given by Mayor Irons.

Prepared By: JLIrons

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____