

# City of Morro Bay

## City Council Agenda

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### *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.*

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**REGULAR MEETING – JULY 14, 2008**

**CLOSED SESSION – JULY 14, 2008  
CITY HALL CONFERENCE ROOM - 5:00 P.M.  
595 HARBOR ST., MORRO BAY, CA**

**CS-1 GOVERNMENT CODE SECTION 54957.6; CONFERENCE WITH LABOR NEGOTIATOR.** Conference with City Manager, the City's Designated Representative, for the purpose of reviewing the City's position regarding the terms and compensation paid to the City Employees and giving instructions to the Designated Representative.

**CS-2 GOVERNMENT CODE SECTION 54956.8; REAL PROPERTY TRANSACTIONS.** Instructing City's real property negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease of real property as to one (1) parcels.

- Property: Nutmeg Water Tank Parcel, APN 73-084-013.  
Negotiating Parties: Clarice Righetti and City of Morro Bay.  
Negotiations: Voluntary Purchase and Sale or Lease.

**CS-3 GOVERNMENT CODE SECTION 54956.9(B); CONFERENCE WITH LEGAL COUNSEL DUE TO ANTICIPATED LITIGATION.** Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 as to one matter:

- Ann Travers and Barbara Nordin vs. CITY OF MORRO BAY

**CS-4 GOVERNMENT CODE SECTION 54957; PERSONNEL ISSUES.** Discussions regarding Personnel Issues including one (1) public employee regarding appointment, specifically the City Manager.

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

**PUBLIC SESSION – JULY 14, 2008  
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.

COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

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 MINUTES FOR REGULAR CITY COUNCIL MEETING OF JUNE 23, 2008; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-2 RESOLUTION NO. 47-08 CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008 AND REQUESTING CONSOLIDATION WITH THE COUNTY OF SAN LUIS OBISPO; (ADMINISTRATION)

**RECOMMENDATION: Adopt Resolution No. 47-08.**

A-3 RESOLUTION NO. 46-08 APPOINTING ANDREA LUEKER AS CITY MANAGER AND APPROVAL OF EMPLOYMENT AGREEMENT; (CITY ATTORNEY)

**RECOMMENDATION: Adopt Resolution No. 46-08.**

A-4 REVISIONS TO THE MASTER FEE SCHEDULE; (FINANCE)

**RECOMMENDATION: Approve the changes to the Master Fee Schedule.**

A-5 RESOLUTION NO. 43-08 DESIGNATING AND AUTHORIZING INVESTMENT TRANSACTION OFFICERS; (FINANCE)

**RECOMMENDATION: Adopt Resolution No. 43-08.**

A-6 RESOLUTION NO. 44-08 AUTHORIZING THE SUBMITTAL OF A HOME FUNDING APPLICATION; (PUBLIC SERVICES)

**RECOMMENDATION: Adopt Resolution No. 44-08.**

A-7 RESOLUTION NO. 45-08 APPROVING FINAL ABANDONMENT OF AN UNDEVELOPED PORTION OF PALM AVENUE RIGHT-OF-WAY; (PUBLIC SERVICES)

**RECOMMENDATION: Adopt Resolution No. 45-08.**

A-8 AMENDMENT OF THE CAPITAL PROJECTS MANAGER JOB DESCRIPTION AND AUTHORIZATION TO FILL VACANCIES FOR THE CAPITAL PROJECTS MANAGER AND FILL THE SENIOR CIVIL ENGINEER VACANCY AT A LOWER LEVEL; (PUBLIC SERVICES)

**RECOMMENDATION: Approve the amended job description of the Capital Projects Manager and authorize staff to fill the Senior Civil Engineer vacancy at a lower level of an Engineering Technician or Assistant Civil Engineer position.**

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

- B-1 CONSIDERATION OF A CDBG PLANNING AND TECHNICAL ASSISTANCE (ECONOMIC DEVELOPMENT) GRANT APPLICATION FOR A REDEVELOPMENT FEASIBILITY STUDY AND ADOPTION OF A RESOLUTION APPROVING THE APPLICATION AND GRANT AGREEMENT; (PUBLIC SERVICES)

**RECOMMENDATION:** Continue public hearing to the August 11, 2008 City Council meeting.

- B-2 CONSIDERATION OF A CDBG PLANNING AND TECHNICAL ASSISTANCE (GENERAL ALLOCATION) GRANT APPLICATION FOR A REDEVELOPMENT FEASIBILITY STUDY AND ADOPTION OF A RESOLUTION APPROVING THE APPLICATION AND GRANT AGREEMENT; (PUBLIC SERVICES)

**RECOMMENDATION:** Continue public hearing to the August 11, 2008 City Council meeting.

- B-3 EXTENSION OF AN INTERIM URGENCY ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS AND PERMITS TO CONSTRUCT, MODIFY OR PLACE WIRELESS COMMUNICATIONS FACILITIES PENDING COMPLETION OF STUDIES AND THE PREPARATION OF AN UPDATE TO THE CITY'S ZONING ORDINANCE CODE; (CITY ATTORNEY)

**RECOMMENDATION:** Adopt Interim Urgency Ordinance No. 542, which would extend the previously enacted 45-day Ordinance establishing a temporary moratorium on Wireless Communications Facilities pending completion of studies and the preparation of an update to the City's Zoning Code.

C. UNFINISHED BUSINESS – NONE.

D. NEW BUSINESS

- D-1 DISCUSSION ON ZERO-BASED BUDGETS FOR THE 2009-2011 BIENNIAL BUDGET; (FINANCE)

**RECOMMENDATION:** Discuss and direct staff accordingly.

- D-2 DISCUSSION REGARDING THE RECURRING TRANSFER OF EXCESS CASH TO ACCUMULATION FUNDS AT FISCAL YEAR END; (FINANCE)

**RECOMMENDATION:** Direct staff to return with a resolution to adopt the practice of transferring excess cash to the accumulation funds at every fiscal year end.

D-3 CONSIDERATION OF FUNDING FOR THE ECONOMIC VITALITY CORPORATION FOR A COUNTYWIDE TOURISM INDUSTRY STUDY AND A COMMUNITY SPECIFIC STUDY; (ADMINISTRATION)

**RECOMMENDATION:** Consider the information from the presentation by Michael Manchak of the Economic Vitality Corporation regarding additional funding for tourism studies.

D-4 SPACE NEEDS STUDY ON THE CORPORATION YARD; (PUBLIC SERVICES)

**RECOMMENDATION:** Provide staff direction on which option or combination of options to consider in future efforts; and forward recommendations included in this study to the Joint Powers Authority for discussions regarding the location of the Oxidation ditches.

D-5 DISCUSSION ON HARBOR LEASE MANAGEMENT POLICY; (HARBOR)

**RECOMMENDATION:** Discuss and direct staff accordingly.

D-6 CONSIDERATION OF THE USE OF GLOBAL ELECTRIC MOTOR CARS; (CITY COUNCIL)

**RECOMMENDATION:** Discuss and direct staff accordingly.

D-7 DISCUSSION ON SETTING A DATE FOR A WORKSHOP ON THE MANAGEMENT PARTNERS REPORT ON ASSESSMENT OF CITY ORGANIZATION AND FINANCIAL OPTIONS; (ADMINISTRATION)

**RECOMMENDATION:** Schedule a workshop for August 13, 2008 to begin working on the recommendations from the Management Partners report.

D-8 RESCISSION OF COUNCIL ACTION OF JUNE 9, 2008 PERTAINING TO GRANTING ANY PERMIT OR ENTITLEMENT FOR THE CONSTRUCTION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT 545 SHASTA AVENUE AND SCHEDULING A PUBLIC HEARING FOR THE RECONSIDERATION OF THE APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A WIRELESS TELECOMMUNICATIONS FACILITY AT 545 SHASTA AVENUE; (CITY ATTORNEY)

**RECOMMENDATION:** Rescind Council action of June 9, 2008 pertaining to granting any permit or entitlement for the construction of a Wireless Telecommunications Facility at 545 Shasta Avenue and scheduling a public hearing for the reconsideration of the appeal of the Planning Commission's approval of a Wireless Telecommunications Facility at 545 Shasta Avenue on a date prior to August 8, 2008.

D-9 AUTHORIZATION TO HIRE TWO PART-TIME POLICE OFFICER RECRUITS PENDING RESIGNATIONS OF TWO EXISTING POLICE OFFICERS; (ADMINISTRATION)

**RECOMMENDATION:** Authorize the hiring of two part-time Police Officer Recruits pending resignations of two existing Police Officers.

E. 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 772-6200 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.**