

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
TUESDAY, AUGUST 26, 2014
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

CLOSED SESSION REPORT

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS

- Presentation on the Installation of the Solar Project at "Rockies" at the City's Teen Center
- Presentation by SLOCOG on the Chorro Valley Bike Trail

PUBLIC COMMENT - Members of the audience wishing to address the Council on City business matters not on the agenda may do so at this time. For those desiring to speak on items on the agenda, but unable to stay for the item, may also address the Council 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 AGENDA

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion.

A-1 APPROVAL OF MINUTES FOR THE SPECIAL CLOSED SESSION CITY COUNCIL MEETING HELD ON AUGUST 8, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON AUGUST 11, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE SPECIAL CLOSED SESSION CITY COUNCIL MEETING HELD ON AUGUST 12, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted..

A-4 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON AUGUST 12, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-5 A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF MORRO BAY DECLARING SEPTEMBER 2014 AS "CHILDHOOD CANCER AWARENESS MONTH"; (ADMINISTRATION)

RECOMMENDATION: Approve Proclamation.

A-6 REVIEW AND APPROVAL OF THE 2014 SAN LUIS OBISPO COUNTY IRWM PLAN AND FINDING THAT THE PROJECT IS EXEMPT FROM SECTION 21000 ET SEQ. OF THE CALIFORNIA PUBLIC RESOURCES CODE (CEQA); (PUBLIC SERVICES)

RECOMMENDATION: Review the proposed Integrated Regional Water Management (IRWM) Plan and adopt Resolution 57-14 approving the 2014 San Luis Obispo County IRWM Plan and find that the Project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).

A-7 REGIONAL DISPATCH TRANSITION UPDATE; (POLICE)

RECOMMENDATION: Receive and file this informational report.

A-8 APPROVAL OF JOB DESCRIPTION AND SALARY RANGE FOR THE SUPPORT SERVICES TECHNICIAN IN THE POLICE DEPARTMENT AND AUTHORIZATION TO HIRE; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Approve the job description and salary range for the Support Services Technician in the Police Department, and authorize staff to open a recruitment.

A-9 DISCUSSION AND DIRECTION ON LEAGUE OF CALIFORNIA CITIES RESOLUTIONS; (ADMINISTRATION)

RECOMMENDATION: Authorize the City's voting delegate, Mayor Irons, to support Resolution No. 1 at the League of California Cities Annual Conference..

A-10 REVIEW AND APPROVAL OF CONTRACT WITH DAVID BUCKINGHAM FOR SERVICES AS THE CITY MANAGER; (ADMINISTRATION)

RECOMMENDATION: Approve the employment contract to memorialize the City Council's appointment of David Buckingham as the Morro Bay City Manager, and authorize the Mayor to sign the contract on behalf of the City.

B. PUBLIC HEARINGS - NONE

C. UNFINISHED BUSINESS / SECOND READING AND ADOPTION OF ORDINANCES - NONE

D. NEW BUSINESS

D-1 APPROVAL OF 'DIRECT TO THE PUBLIC "OFF THE BOAT" FISH SALES' IN MORRO BAY AT VARIOUS CITY PUBLIC DOCKING FACILITIES; (HARBOR)

RECOMMENDATION: Approve a minimum one-year trial period for Morro Bay commercial fishermen to sell their catch directly to the public from various public docks.

E. COUNCIL 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: 8/26/2014

MINUTES – MORRO BAY CITY COUNCIL
SPECIAL CLOSED SESSION MEETING –
AUGUST 8, 2014
CITY HALL CONFERENCE ROOM – 8:30 A.M.

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Edward Kreins	Interim City Manager
	Joe Pannone	City Attorney

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Irons called the meeting to order at 8:31am.

SUMMARY OF CLOSED SESSION ITEMS - The Mayor read a summary of Closed Session items.

CLOSED SESSION PUBLIC COMMENTS - Mayor Irons opened the meeting for public comments; seeing none, the public comment period was closed.

The City Council moved to Closed Session and heard the following item:

CS-1 GOVERNMENT CODE SECTION 54957(b)(1) – PUBLIC EMPLOYEE APPOINTMENT:

Title: City Manager

CITY COUNCIL CONVENED TO OPEN SESSION

The City Attorney reported that with regards to the Closed Session Items, the Council did not take any reportable action pursuant to the Brown Act.

ADJOURNMENT

The meeting adjourned at 2:45 p.m.

Recorded by:

Jamie Boucher
City Clerk

MINUTES - MORRO BAY CITY COUNCIL
SPECIAL MEETING – AUGUST 11, 2014
MORRO BAY COMMUNITY CENTER
MULTI-PURPOSE ROOM – 6:00 P.M.

AGENDA NO: A-2

MEETING DATE: August 26, 2014

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Edward Kreins	Interim City Manager
	Jamie Boucher	City Clerk
	Amy Christey	Police Chief
	Steve Knuckles	Fire Chief
	Susan Slayton	Administrative Services Director

ESTABLISH QUORUM AND CALL TO ORDER

SPECIAL MEETING AGENDA ITEM:

I DISCUSSION AND AUTHORIZATION TO CONTRACT WITH SAN LUIS OBISPO COUNTY FIRE AND SHERIFF DEPARTMENTS FOR PUBLIC SAFETY DISPATCH; (ADMINISTRATION)

Interim City Manager Kreins presented the staff report.

Police Chief Amy Christey provided the following: the move will enhance and improve public safety responses through regionalization and collaboration; regionally, contracting dispatch will provide better coordination for multiple jurisdictional responses during emergencies; collaboration will be improved through increased access to more information; the Sheriff's office has new technology allowing for better and quicker communication; in an effort to work towards the goal of the most effective transition, a process was conducted – information was collected and discussions with stakeholders were and will continue to be held.

Fire Chief Steve Knuckles provided a brief history of changes in fire dispatch since the 1930's. He stated the reason behind this move is to improve and enhance safety to emergency personnel. He then went on to describe the enhancements this move will provide for Fire, Harbor and the Coast Guard: the fire and harbor departments will have the same radio coverage for their mobile units in Morro Bay using County Fire's dispatch channel and repeater system; there will be a reduction of Code-3 medical aid responses in Morro Bay with the use of emergency medical dispatch (EMD); there will be a reduction in responses to care facilities for ambulance transportation as a result of EMD; there will improvement for fire, harbor and the coast guard in auto-aid and mutual-aid requests through the SLO Emergency Command Center; they have prepared for this transition by working with the harbor department as well as the coast guard to prepare a response matrix, updated mapping systems, identified a radio and paging policy, and they have created an after-hours phone list for call outs.

Sheriff Ian Parkinson stated that the idea of contracting is about partnerships and he feels they have incredible partnerships. They are working towards a consolidated plan that's more efficient and provides a better service. He stated that this isn't about money in or out; it's about doing the right thing and that is providing Morro Bay with better/more efficient service than they have now. He stated that providing the EMD service to the community is probably the most critical service they will be able to provide. Regarding employees, he is looking for attitude and service and stated they will do everything possible to get Morro Bay dispatchers employed.

Chief Robert Lewin stated that in the world of dispatching, you have to get it right 100% of the time and he feels with a cooperative agreement that can be achieved with Morro Bay. There are 4 methods used to notify the emergency responders of an incident; radio, rip and run which instantly puts out all the call data; and smart phones will be activated. This collaborative effort of being on the same frequency should provide a seamless, interoperable response. The new dispatch center being proposed for EMD and Dispatch is very important as it will allow all dispatch services to be provided out of the same high tech building. As soon as the contract is executed, his department is ready to perform and they are ready to make it succeed.

Under-Sheriff Tim Olivas reinforced that they have the state of the art in technology; having mobile data computers will be a huge asset; and allowing for more than one dispatcher on duty handling emergency calls will provide for a much more effective communication system.

The public comment period for the Special Meeting item was opened.

John Fennacy, President of Friends of Morro Bay Fire Department stated they support the Fire Department and this process. He stressed that the Emergency Medical Dispatching is the key component with this. With this process, the minute you roll, you are constantly updated on a patient's progress. He also stated that anytime you can reduce lights and sirens being activated, you reduce liability and increase public safety.

Sandy Tannler is curious why Council chose to have an Interim City Manager take on this task; she feels it would have been better to have someone with ties to the community do this. She felt the report was a bit inflated; updating technology is paid for by Fee 911 tax money and doesn't come out of the police budget. She doesn't know why it took so long for this information to get to the public. If the fire department wants to separate from the police department, that's great; she doesn't like losing the dispatchers from the police department, we have a unique town and our dispatchers are fantastic. She finished by saying you're kidding yourselves if you don't think you'll soon be losing your police department.

Ken Vesterfelt stated that when he first heard this concept, he felt that we would lose personal contact. He felt reassured when he spoke with a former Morro Bay dispatcher at the regional dispatch center who helped him out with something. He commended all of our dispatchers that have had to multi-task and dispatch our all the agencies themselves – they have done a wonderful job. He finished by asking the City to look at the possible cost savings of transferring fire to Cal Fire; when that regionalization concept was investigated back in 2008, that savings was approximately \$600,000. He was also concerned with how the volunteers would communicate with dispatch.

Randy Anderson Peirce asked if the City had explored the costs and problems if the City is dissatisfied with the system and chooses to return. Is there a ceiling on the contract; ie: increases after the 3 year period?

Bob Keller thinks it's time we centralize our dispatch system. It is cost wise, and more effective in every way. He supports the staff report and urges the Council to vote tonight.

The public comment period for this item was closed.

Councilmember Smukler stated this is an elegant way to improve our department and our community's emergency safety without creating a lot of additional costs or a major shakeup. He is glad to hear we can review the contract and that we'll be working hard on keeping the community updated. He will be voting in favor of this proposal.

Councilmember Leage appreciates the City Manager taking this on and feels he should be commended; it's a real good move. The turnover we've had and the stress they've been under had a lot to do with this.

Councilmember Christine Johnson stated that the goal is to keep the citizens safe, keep the visitors safe, keep us safe from the visitors and keep us safe from one another. How we reach that is a function of our resources. She wonders if we are currently serving the citizens to the best of our ability. It sounds like we are doing an above and beyond job but also feels that there is another option that needs to be considered when looking at keeping people safe. One thing we need to look at is the City's ability to utilize EMD; we are unable to do that here and our citizens will be benefitting from this service. She is in favor of this option but not without anxiety and some pain and suffering for our current staff. She hopes we will make it a priority to maintain their employment either with the City or another agency in as seamless and as stress-free as possible.

Mayor Irons wanted to recognize and thank staff that has worked through this, especially the dispatchers and safety officers. With Mr. Krein's experience, it's the Council's duty to examine this and he thanked him for bringing this forward as well as for involving staff. He feels this is the right decision to move forward with. He appreciated the collaboration that took place.

MOTION: Mayor Irons moved to approve the contract with San Luis Obispo County Fire and Sheriff's Department for Public Safety Dispatch with the caveat of it going to the Board of Supervisors and come back to Council for approval. The motion was seconded by Councilmember Leage and carried unanimously, 5-0.

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

No's: None

ADJOURNMENT

The meeting adjourned at 8:14p.m.

Recorded by:

Jamie Boucher
City Clerk

AGENDA NO: A-3

MEETING DATE: 8/26/2014

MINUTES – MORRO BAY CITY COUNCIL
SPECIAL CLOSED SESSION MEETING –
AUGUST 12, 2014
CITY HALL CONFERENCE ROOM – 4:00 PM

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Edward Kreins	Interim City Manager
	Joe Pannone	City Attorney
	Susan Slayton	Administrative Services Director

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Irons called the meeting to order at 4:08pm.

SUMMARY OF CLOSED SESSION ITEMS - The Mayor read a summary of Closed Session items.

CLOSED SESSION PUBLIC COMMENTS - Mayor Irons opened the meeting for public comments.

Darryl Scheck, Field Representative for SEIU, Local 620 reminded the Council that they have been negotiating for a successor agreement which expired on June 30, 2104 since March. He hopes that discussions will result in a “win-win” for the City and the employee. He spoke to the dramatic increases in the PERS Health Insurance rates - especially for the HMO, the plan that a majority of members use. He is hoping to see more parity with other organizations with regards to insurance dollars provided the employee.

The public comment period was closed.

The City Council moved to Closed Session and heard the following item:

CS-1 CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: Interim City Manager
Employee Organizations: Morro Bay Firefighters’ Association; Morro Bay Police Officers’ Association; Service Employee’s International Union, SEIU Local 620; Management Employees; and, Confidential Employees

CS-2 GOVERNMENT CODE SECTION 54957(b)(1) – PUBLIC EMPLOYEE APPOINTMENT:

Title: City Manager

CS-3 GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR:

Property: Portions of APN No. 066-331-039 (Lila Keiser Park, Cal Poly Storage, Fisherman' Gear Storage and nearby areas)

Agency Negotiators: Edward Kreins, Interim City Manager and Joseph W. Pannone, Interim City Attorney

Negotiating Party: Dynegy Morro Bay, LLC

Under Negotiation: Price and Terms of Payment

CITY COUNCIL CONVENED TO OPEN SESSION

The City Attorney reported that with regards to the Closed Session Items, the Council did not take any reportable action pursuant to the Brown Act.

ADJOURNMENT

The meeting adjourned at 5:20 p.m.

Recorded by:

Jamie Boucher
City Clerk

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – AUGUST 12, 2014
VETERAN’S MEMORIAL HALL – 6:00P.M.

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

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

CLOSED SESSION REPORT – Mayor Jamie Irons reported that with regards to the Closed Session Item heard at the August 8, 2014 Special Closed Session Meeting, Government Code Section: Public Appointment – City Manager that the City Council unanimously selected and appointed a new City Manager, David Buckingham.

CLOSED SESSION REPORT – Interim City Attorney Joe Pannone reported that with regards to Closed Session Items: Conference with Labor Negotiators regarding Morro Bay Firefighters’ Association, Morro Bay Police Officers’ Association, Service Employee’s International Union, SEIU Local 620, Management Employees, and, Confidential Employees; Public Employee Appointment re: City Manager; and, Conference with Real Property Negotiator re: portions of APN No. 066-331-039 (Lila Keiser Park, Cal Poly Storage, Fisherman Gear Storage and nearby areas) the Council did not take any reportable action pursuant to the Brown Act.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS

The Morro Bay Community Foundation President Jeff Eckles presented the City Council with a check in the amount of \$36,694. This money is reimbursement for scholarships awarded local youth for their participation in Morro Bay Recreation & Parks activities. The Community

Foundations' goal/mission is to raise funds for families of children who can't afford to have their children participate in recreational activities – children are our most valuable resource in the community.

The Mayor and City Councilmembers presented Employee Service Pins to individual employees for their 10, 15, 20, 25 and 30 years of service.

PUBLIC COMMENT

Lorraine Farrell from Morro Bay Hat Company presented the Morro Bay Business report. She introduced this new business which is located at 875 Embarcadero, in front of Otter Rock Café. They created the business to enhance the City of Morro Bay as well as to provide residents and tourists alike, attractive hats that will provide protection from the sun. They also have hats for children. In addition to hats, they sell flip flops, scarves, bags, leggings and jewelry. She presented a variety of hats they sell – all of which are easily folded and packed into a suitcase; most are water repellent. Councilmembers acted as models for many of them. She hopes to see people stop by.

Neil Farrell thanked both the Recreation & Parks Department and the Public Services Department for some parking lot striping on Front Street that he had called in about and has since been fixed.

Betty Winholtz announced the annual Yard Sale being held at the Methodist Church this coming weekend; the sale goes from 8am-2pm.

Ken Vesterfelt announced that a Ford F10 group will be showing their vehicles at Tideland Park this coming Saturday. This is a free event. He also thanked the employees for their many years of service.

Joan Solu, as part of the Morro Bay 50th Committee, thanked the Founders Day Picnic Committee and volunteers for such a wonderful event. She also announced the Morro Bay 50th Dahlia Day Parade being held on Saturday, September 6th. She is hoping for participation from the Councilmembers. This is a free, family friendly, fun event.

Betty Forsythe thanked the Chamber, Merchant's Faire and all the people who help keep businesses successful. She works at Fabulous Finds and continuously sees people coming into town from all over wanting to be here because there is so much to do. She also said it's wonderful to have unity in the community again.

Nancy Castle provided a status on the Monday evening dinners. The Lions, St. Tim's, St. Peters, Circle of Friends and Rock Harbor all volunteer their time to provide these meals. Sun n Buns provide cookies and Rock Harbor Espresso provides coffee. Donations are accepted and appreciated. They are serving up to 60 people a night. The meals have expanded to now include the last Wednesday of every month at St. Tim's. She announced that EBAC and the Chamber of Commerce are sponsoring a Resource Fair on October 26th; they will present opportunities to volunteer on a wide variety of organizations.

Roger Ewing spoke on the presentation made Monday night on the improvement of our Public Safety communication skills. He applauds the staff that participated to make this happen. We will have a communication capability that's 21st century and will be of great benefit to the City of Morro Bay. He made a special shout out to Interim City Manager Ed Kreins who had the foresight to pursue this endeavor, we should be proud of his leadership.

Alex Beattie complimented Council for putting the Primary process up for a vote. He hopes the people of Morro Bay pass this measure. He also spoke on the water rate schedule and thinks we need a schedule that rewards those who save water and encourages better use of our water. He also hopes we move rapidly towards getting an outdoor pickle ball court in Morro Bay.

The public comment period was closed.

A. CONSENT AGENDA

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion.

A-1 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON JULY 7, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE SPECIAL CLOSED SESSION CITY COUNCIL MEETING HELD ON JULY 8, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON JULY 8, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON JULY 17, 2014; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-5 STATUS REPORT OF A MAJOR MAINTENANCE & REPAIR PLAN (MMRP) FOR THE EXISTING WASTEWATER TREATMENT PLANT; (PUBLIC SERVICES)

RECOMMENDATION: Receive and file the report.

A-6 WATER RECLAMATION FACILITY (WRF) PROJECT STATUS AND DISCUSSION; (PUBLIC SERVICES)

RECOMMENDATION: Receive and file the report.

A-7 APPROVAL OF THE AMENDMENT TO GRANT AGREEMENT BETWEEN THE CITY OF MORRO BAY AND SOUTH BAY COMMUNITY POOL ASSOCIATION; (RECREATION & PARKS)

RECOMMENDATION: Review and approve the proposed Amendment to the Grant Agreement between the South Bay Community Pool Association (SBCPA) and the City of Morro Bay.

A-8 A RESOLUTION MODIFYING THE MAKE-UP OF THE WATER RECLAMATION FACILITY CITIZEN'S ADVISORY COMMITTEE (WRFCAC); (ADMINISTRATION)

RECOMMENDATION: Approve Resolution 53-14.

A-9 APPROVAL OF SUBLEASE ON A PORTION OF LEASE SITE 86/86W, LOCATED AT 801 EMBARCADERO, BETWEEN 801 EMBARCADERO LLC AND PETRINA-DE COCK, INC. DBA VIRG'S LANDING AND CENTRAL COAST SPORTFISHING; (HARBOR)

RECOMMENDATION: Approval of the sublease as presented.

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

Mayor Irons pulled Item A-6 from the Consent Calendar.

MOTION: Councilmember Christine Johnson moved the City Council approve Items, A-1, A-2, A-3, A-4, A-5, A-7, A-8, and A-9 from the Consent Calendar as presented. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0 with Councilmember Leage abstaining on item A9 only, due to a conflict of interest.

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

No's: None

Abstain: Leage on Item A-9 only due to a conflict of interest.

Mayor Irons pulled Item A-6 in order to get a status report from Project Consultant John Rickenbach. Public Services Director Rob Livick stated that the CMC process is taking longer than anticipated to get the evaluation done; more agencies in the mix complicates matters; the County has approved the scope of work to evaluate CMC so we are now ready for the design consultant to begin that work. Mr. Rickenbach briefly went over where we've been and where we plan on going. In May, the Council selected Rancho Colina as a primary site but also requested we study a regional plant concept at the CMC site. They are also wanting to ensure the report presented is thorough and objective, especially with regards to water rights, water reclamation, timing and logistical issues, and costs. The citizen's advisory committee has been formed and will be meeting soon. He presented a list of consultants that each have their own area of expertise that they are working with regarding various aspects of the project. Each needs

to prepare and present their information which then needs to be put together into a fully scoped report which they now hope to be able to bring back to Council in November.

The public comment period was opened up for Item A-6.

Betty Winholtz is disappointed in the continued expense for more and more consultants resulting in delays and expense. She wants to back off of so much study, make a decision and commit to it.

Roger Ewing is very strongly opposed to going to the CMC site. When we involve outsiders in something regionally we lose control at which point we lose the ability to gain the tertiary water. The main reason for going to tertiary was to guarantee Morro Bay water down the road; CMC would put a major dent in this process. We are wasting time; Colina is our best bet and gives us full control.

John Headding stated we have spent and/or committed approximately \$270,000 on consultants between February and June. He questioned Kestrel Consulting; he hoped it wasn't the same company he was familiar with as they probably wouldn't have the aptitude for this process. He also had previously requested and hoped he would have seen a Gantt chart routinely included with our reports. He isn't anti-consultant, just anti-over spending for consultants. He was surprised to hear that we are looking into CMC as a single cost item project.

Alex Beattie is disappointed at the speed that the study has progressed. He is surprised it took so long to get serious consideration on the CMC site. He encourages Council to compare the plants equally. The CMC plant comes close to where we can apply water to future users; other plants are below their potential water users so you'll have to build more infrastructure.

The public comment period for Item A-6 was closed.

MOTION: Councilmember Christine Johnson moved the City Council approve Item A-6. The motion was seconded by Mayor Irons and carried unanimously, 5-0.

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

No's: None

B. PUBLIC HEARINGS

B-1 APPEAL OF THE PLANNING COMMISSION DENIAL OF COASTAL DEVELOPMENT PERMIT #CP0-408 FOR DEMOLITION AND RECONSTRUCTION OF AN EXISTING SINGLE-FAMILY RESIDENCE AT 1000 RIDGEWAY AVENUE; (PUBLIC SERVICES)

Planning Manager Scot Graham presented the staff report.

Project Consultant Cathy Novak made a presentation on behalf of the applicant giving a brief description of the project, the specific revisions presented to the Planning Commission answering the appeal filed in December, as well as Commission and public comments, and City

policies and codes as they relate to this project and the current appeal. It is her hope that the Council will look at this project objectively. Staff initially reviewed the project for consistency with City codes and regulations and approved the administrative coastal development permit but the project was then appealed to the Planning Commission. She went on to discuss 4 points that seem to be driving this appeal: height; not in character with the neighborhood with size; or too big, bulk and scale; and neighborhood compatibility standards are subjective. Regarding height, the revised plans proposed height is now 2 feet below the maximum allowable height with the exception of 9 linear feet with is 18 inches below the limit. They can't excavate down any further without undesirable consequences because of the street slope and property elevations. If they dropped the floor elevation any further, the slope could cause a small car to bottom out; also it will affect the drainage pattern around the street, driveway and garage resulting in possible flooding issues. They don't feel the total square footage should be a factor because it is not a measuring standard under any City code or policy. It should be noted that the overall footprint of the revised house is smaller than the existing house. Additional points to be made: new design decreased the overall size by 1100 square feet from the original plan; 9 feet was taken from the length of house which expands the front and rear setbacks; the front and rear setbacks exceed the minimum City standards; garage wall was moved back 1 foot on the Ridgeway side; the house will be approximate 10 feet shorter in length than the home across Ridgeway; and if you pushed the house back for additional front yard setback, the house gets higher, not shorter. Regarding neighborhood compatibility, there is no clear standard or perimeters for this. The Planning Commission cited 2 policies from the Zoning Code and LCP as the basis for their finding. 17.48.190 states that the project should be visually compatible with the character of the surrounding area. Also used was LU-15 but neglected to include 2 additional programs which encourage flexibility in the application of development standards with regards to height, setbacks and building coverage and rigid enforcement of any one or all of them can result in unimaginative development. It is their belief that the applicant has met the neighborhood compatibility policies. They are requesting the Council consider all efforts that have been made and recognize this project was modified to meet Planning Commission requests; the appeal should be upheld and the project approved.

The public comment period / public hearing was opened for Item B-1.

Nancy Bast stated the issue was compatibility; this is the 5th hearing and public review is happening only because a fellow resident appealed. The revised plan is too large. If the appeal is upheld, the public will be confronted by an enormous structure. There is no way to lessen the impact of architectural dominance with landscaping because little space is being left on the lot. She urged the Council to deny the appeal.

Alex Beattie stated that a picture is worth a thousand words and this picture isn't compatible with that neighborhood. The home is sitting on a corner lot by the State Park and will stand out like a sore thumb. He agrees with the denial. He also doesn't feel they deserved the parking exception they were granted in 2012; it's not standard policy to grant an exception for a project that hasn't been approved.

Betty Winholtz stated that the bulk comes from looking from the overhang on the 2nd floor. When there is a conflict in policies, the standard is to go with the more restrictive policy. In the

pictures, the way the renditions are taken is from the front porch of the house across the street; it's recessed and doesn't give a true picture of what the house will look like. In the General Plan, page LV3, it talks as to how one should review policies and should be taken into consideration. Also needing to be taken into consideration is page 230 of the Land Use Plan 2.6. There is also discussion on General Plan page 412 as to how to review these kinds of things; there may not be strict standards but there are guidelines.

Debbie Highfell said her biggest concern is the precedent this can set. LU-15 guideline speaks to low intensity appearance but this home doesn't reflect that. It's important we don't recreate what southern California has done. To her mind, this is a conspicuous consumption project.

David Rose doesn't want to offend anybody but is opposed to the proposed project as it has no place in the neighborhood because of the size that it is. This project doesn't protect the common interest of the neighborhood from outlier development. He doesn't want to see this as precedent setting. He has a concern that mansionization will ultimately impoverish everyone who lives there. He doesn't want to feel like we live in a large metropolitan neighborhood. He is in support of the creation of dwelling size guidelines. He is not opposed to a demo and rebuild, just not one this large.

Judy Walters has listened carefully and learned a lot about the project that she didn't know. She is very sincerely opposed to approving this project. This last year, she has visited 3 very wealthy cities, Mendocino, Carmel and Newport Beach and even there, with all their wealth; there is a feeling that they don't allow incompatible buildings.

Jerry Mullen stated that 75% of homes in Morro Bay are 1800 square feet. In this neighborhood, the average house is 1500 square feet. This house is 5100 square feet. He feels that math takes care of the bulk and size issue of this project.

Paul Cooney stated that looking at this project; it's a nice looking home in a neighborhood where there are anywhere from 3 story houses to 1200 square foot houses. He can't see how the home doesn't fit the neighborhood – there's nothing in that neighborhood that looks like anything else in that neighborhood. The building is well within code; that's what we have code for. The applicant should be allowed to build a home compatible to their desires and not the personal whims of a few people.

Kasey Caldwell stated that the first reason for denial is inconsistency with the zoning ordinance – the project is not visually compatible with the character of the surrounding neighborhood. The second reason for denial of the project is that it is not consistent with LUP LU-15, in place to maintain the character of our town. She feels the Planning Commission took great care in reaching their subjective decision. How can the concept of bulk, size and scale be anything but subjective? The plans for this house, as modified, at 5184 square feet were found to be too visually imposing for this neighborhood. In her research she has yet to find any City that has a clear definition for what neighborhood compatibility is; but she has found that most have clearly defined guidelines for the process of establishing whether a proposed project is compatible or not.

Christine Presnell totally supports the approval of the design, size and scale of the home. It's being proposed within the legal property set back and should be allowed. There are all kinds of houses in the neighborhood; these people have spent a great deal of money on the project. She feels custom homes would be an asset, not a deterrent.

Norm Williams stated that Ordinance 17.48.190 says you have to take into account scenic area standards. The garage was originally 1200 square feet and is now down to 1142 square feet; there are 5 bathrooms; this seems to be an enormous project. He urges Council to vote down this project and uphold the Planning Commission recommendation.

Reed Adamson stated it wasn't his intent to create this, before he even started the design process, he spoke with neighbors who were all in favor. They want to retire in Morro Bay. He wants to build a house for his family to visit. He is asking Council to allow them to build his house so he can retire here.

Peter Fresno stated that they chose to live in this neighborhood because he is a golfer. The heights are full of highly mixed homes, that's the trend of Morro Bay. You have people who buy smaller homes and they build up around them.

Treva Thorton feels this home will be an asset to our community. When they built their home 24 years ago, they built every inch they could possible use and still don't have enough room. We all have our own needs, she likes the variety of the homes in the neighborhood.

Ted Dumont addressed the fact that he wished that this wasn't causing contention in the neighborhood. He also brought up the possibility of them being able to add a 2nd unit on the property. He feels all should have equal say, regardless of their financial standing.

Roger Ewing reminded Council why we are here. This project was granted an 11 foot variance in 2012 without any public review. Variances have 3 requirements, none of which he feels were met. Common sense says that the home is too massive for this lot in this neighborhood. It's the wrong design, the wrong size, and the wrong scale. He supports the public services staff decision to deny the project.

Ruel Czach, the project architect, spoke about the applicants and the process they are going through at the City. When talking to the planning department, it was their understanding that the design met all the code requirements, and not once was a policy document that talks about meeting the character of the neighborhood brought up. When they discovered that the neighborhood had concerns, they made the best effort they could to correct the design which will cost the applicant as much as \$50,000. The type of false accusations that have been levied on the Adamsons have divided the neighborhood. He provided a survey conducted with neighbors within 700 feet of the project, 90% of those he talked to supported the project. This survey was presented to the Council.

John Heading stated that Morro Bay, like most cities, is a City of urban planning inconsistencies and exceptions that has led to significant variability and inconsistency from neighborhood to neighborhood. There has been no violation of significant building ordinances

that he has seen. He questioned, do personal property rights prevail in the sense of significant damage to neighbors, neighborhood and the environment – to which he answered yes. You cannot legislate morality. His sense is there is less damage to the neighbors, neighborhood and the environment than the property rights in this situation and the appeal should be upheld.

The public hearing for Item B-1 was closed.

Mayor Irons stated that the dilemma is that we have no clear and concise guidelines. We know we are in need of a General Plan and LCP update. There is a difference between too restrictive and definitively clear guidelines. Our community has spoken clearly on what they feel neighborhood compatibility is. He felt that the Planning Commission parking exception was the single most important mistake which exacerbated the size, bulk and scale of this project as it would have dictated a different house. He feels that part of Council's responsibility is to work with this applicant to come to a conclusion on how he can build his home; it would be a mistake to flatly deny it without some sort of direction.

Councilmember Nancy Johnson stated that what Council needs to do tonight is to decide whether the applicants should be allowed to build the home. She has heard that there are a lot of neighbors who like the house. She feels people should be allowed to build the house they want with the style they want. They have already made concessions to their design; it bothers her they aren't able to do what they were approved to do. We don't have box type or large tracts of homes here. Morro Bay is diverse, she hopes we can accept the diversity and allow them to build the house they want to and feel they need. They aren't asking for any exceptions.

Councilmember Smukler stated that in the absence of clear guidelines, we default to the process we are in now; part of that then becomes the trust that the process, the hearing and decision from Planning Commission, informed by staff and public comment, is a decision that has its merits. At this point he is in support of staff recommendation and the Planning Commission decision because of that. He knows that "a yes" is out there but worries that "a yes" won't be appropriate or available to get to tonight.

Councilmember Leage believes in property rights. There are a lot of older homes there; soon, people will be buying those homes and coming in to do the same thing. As long as he is within his rights, he should be granted the ability to build this house.

Councilmember Christine Johnson is also a property rights advocate. The verbiage from the General Plan is there, while it doesn't give a great deal of direction, because it's there, it has to be recognized and discussed. She feels we are developing by appeal which doesn't seem to be the most efficient use of our time and our community. And she wants to see us address getting interim design standards. She also has concerns about staff decisions that were made when the folks walked in the door. Regarding LU-15, and because it is found in the General Plan, it is something we can't ignore.

Mayor Irons stated we haven't addressed updating our General Plan in many policy decisions including specific design standards or neighborhood compatibility; we know that and we are facing that. How can we get to yes; how can we deny this this when the applicant has used what

documents we have and haven't been able to get there? He is not in favor of approving the project as is, with the parking exception, as that was a mistake. He thinks this should go back to the Planning Commission, the Council shouldn't be designing this.

Councilmember Nancy Johnson stated that the applicants are trying to take an old house and make it meet their needs. Over 80% of the people in the neighborhood approve of this house, so how can we not say it's compatible. Yes, we need defined standards but we need to approve this tonight and allow him to move forward. She doesn't understand why we are doing this to people when the neighbors approve.

Councilmember Smukler stands by his comments earlier. There were some ideas added that could get us to yes and that could help address the compatibility issue; those would be up the applicant to consider. The historical context of how sensitive our neighborhoods have been regarding neighborhood compatibility should be forewarning enough that when wading into this situation, you are putting yourself into an area that warrants much more caution about how much size, bulk and scale you are bringing forward.

Councilmember Leage can't understand the parking exception holding this project up.

Mayor Irons stated we can approve it; we can deny it; or, we can work with the applicant for changes. He doesn't feel it's the right thing to do to deny it without some kind of guidance for them. He'd like to see design guidelines come out of this for this and future projects.

Councilmember Christine Johnson stated that in some ways we complain that our General Plan is 30 years old; but we've had the neighborhood compatibility wording for 30 years; this is something that folks before us thought was important enough to include. She can't ignore what is in the General Plan; we've had outreach to the community, and up until 2009 this was being discussed actively and direction was given to staff to get neighborhood compatibility guidelines done and we didn't.

Cathy Novak came to the podium and stated that at this late hour, they are unclear as to what the question is you are asking us. Parking exception? – there are drainage issues. It's too difficult to give yes or no answers on design changes on the fly. With direction as to what the Council was thinking, the Adamsons would be able to look at that and be able to respond. If anything, they would like to see the Council continue the item and that they should be dealing with Council regarding any type of changes on the project.

MOTION: Mayor Irons moved to go with staff recommendation to adopt Resolution 54-14, denying the appeal and upholding the Planning Commission denial of Coastal Development Permit #CPO-408 for 1000 Ridgeway Avenue. The motion was seconded by Councilmember Smukler and carried 3-2.

Ayes: Irons, C. Johnson, Smukler

No's: N. Johnson, Leage

B-2 HOLD A PUBLIC HEARING AND CONSIDER ESTABLISHING THE SOUTH BAY BOULEVARD UNDERGROUND UTILITY DISTRICT-CITY AREA; (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

The public comment period / public hearing was opened; seeing none, the public comment period / public hearing was closed.

MOTION: Councilmember Smukler moved to approve Resolution 55-14, establishing the South Bay Blvd Underground Utility District within City limits. The motion was seconded by Mayor Irons and carried unanimously, 5-0.

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

No's: None

C. UNFINISHED BUSINESS - None

D. NEW BUSINESS - None

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

Mayor Irons requested Council direct planning staff to develop Interim Planning Guidelines / Neighborhood Compatibility Guidelines. Councilmembers Leage, Smukler and Christine Johnson concurred with this request.

Mayor Irons requested that staff provide Council a status report on the Planning Department (overview of projects, status of policies/plans, staffing, etc.) All Councilmember concurred with this request.

ADJOURNMENT

The meeting adjourned at 10:52p.m.

Recorded by:

Jamie Boucher
City Clerk

AGENDA NO: A-5

MEETING DATE: 8/26/2014

**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY
DECLARING SEPTEMBER 2014 AS
“CHILDHOOD CANCER AWARENESS MONTH”**

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

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in more than 15,000 of our country's young people each and every year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Santa Barbara Cottage Children's Hospital, Children's Hospital Central California, The City of Hope, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award ceremonies and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Morro Bay does hereby proclaim September 2014 as Childhood Cancer Awareness Month”, recognizing the courageous children and all involved in the fight against childhood cancer.

IN WITNESS WHEREOF I have
hereunto set my hand and caused the
seal of the City of Morro Bay to be
affixed this 26th day of August, 2014

JAMIE L. IRONS, Mayor
City of Morro Bay, California



AGENDA NO: A-6

MEETING DATE: August 26, 2014

Staff Report

TO: Mayor and City Council

DATE: August 14, 2014

FROM: Rob Livick, PE/PLS – Public Services Director/City Engineer

SUBJECT: Review and approval of the 2014 San Luis Obispo County IRWM Plan and finding that the Project is exempt from Section 21000 *et seq.* of the California Public Resources Code (CEQA)

RECOMMENDATION

Staff recommends the City Council review the proposed Integrated Regional Water Management (IRWM) Plan and adopt Resolution 57-14 approving the 2014 San Luis Obispo County IRWM Plan and find that the Project is exempt from Section 21000 *et seq.* of the California Public Resources Code (CEQA).

ALTERNATIVES

Not applicable at this time.

FISCAL IMPACT

While this action has no financial impact, having an adopted IRWM Plan does make Water Resources projects that are in compliance with the plan, eligible for potential grant funds.

DISCUSSION

Integrated Regional Water Management Background

Senate Bill 1672 established the Integrated Regional Water Management (IRWM) Act in 2002, intended to promote collaborative, integrated management of water resources. California voters passed a series of propositions, thereby establishing and funding efforts under the State's IRWM Program. These propositions authorized the Legislature to appropriate grant funds for IRWM plans and projects, and to establish eligibility requirements. The IRWM Program is administered by the State's Department of Water Resources (DWR).

As a regional collaboration, local IRWM efforts are conducted under the auspices of a Memorandum of Understanding (MOU) with 23 local agencies, including the Flood Control District, the Cities, the Community Services Districts, the Resource Conservation Districts, and Non-Governmental Organizations (NGO's), who support multiple water resource efforts. The Flood Control District is the lead agency under the MOU, and collectively, the agencies are referred to as the Regional Water

Prepared By: RL

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

Management Group (RWMG). The District is also responsible for development and implementation of San Luis Obispo County (SLOCo) Region’s IRWM Plan (Plan). The Plan was initially developed and adopted by multiple agencies in the county in 2005 and updated in 2007. The following is a table of the grants that have been awarded to the SLOCo Region since the adoption of the initial plan in 2005.

Grant Funding Source	Funded Projects	Grant Funding Allocation	Year Awarded
Prop 50 Planning	Four (4) Planning Studies	\$500,000	2005
Prop 84 Implementation	Los Osos Wastewater Project Flood Control Zone 1/1A Nipomo Supplemental Water Project	\$10,401,000	2011
Prop 1E Implementation	Flood Control Zone 1/1A – Waterway Management Program	\$2,800,000	2011
Prop 84 Planning	IRWMP Update Five (5) Planning Studies	\$1,000,000	2012
Total IRWM Grant Successes in SLO County IRWM Region		<u>\$14,701,000</u>	

To comply with the Proposition 84 2011 Implementation and 2012 Planning Grant Agreements and to meet DWR eligibility requirements, the 2007 IRWM Plan needed to be updated to meet current State standards. In December 2012, the Flood Control District Board of Supervisors approved a contract with GEI Consultants, Inc., to update the IRWM Plan. The plan update is now complete.

Process Requirements

One of the eligibility requirements of the IRWM Program is that an IRWM Plan be formally accepted, as evidenced by a resolution or other written documentation, by the governing bodies of each agency that is part of the RWMG responsible for the development of the Plan and have responsibility for implementation of the Plan (California Water Code Section 10543). Therefore staff recommends that the Council approve the attached resolution adopting the 2014 San Luis Obispo County IRWM Plan for the Flood Control District and the County. The MOU for the RWMG is attached to the resolution since the IRWM Plan needs to demonstrate the governance under which the SLOCo regional efforts are conducted.

CEQA Exemption

The City of Morro Bay Planning staff has reviewed the 2014 San Luis Obispo County Integrated Regional Water Management Plan and has determined that the Plan is exempt from Section 21000 *et seq.* of the California Public Resources Code (California Environmental Quality Act) pursuant to Section 21150 of the California Environmental Quality Act, and Guidelines Section 15262 because the Plan is a planning study which identifies potential projects, programs, and policies for possible future actions, and includes possible actions, subject to future adoption and approval.

IRWM Plan Content

The IRWM Plan has been developed in accordance with State standards and with extensive participation from the RWMG, the WRAC and the general public. The IRWM Plan is on file with the County Clerk’s office, and available at www.slocountywater.org by clicking on the IRWM

button. The Executive Summary for the IRWM Plan is available online.

Through its governance, goals and objectives, and project review process sections, the IRWM Plan provides a united framework among SLOCo Region stakeholders for sustainable water resource management. The IRWM Plan also provides a “one stop shop” for information on the water resources of the county, and related planning and project efforts. The IRWM Plan is intended to be a “living” document, with the ability to update information and the project list within it, as needed. A detailed discussion of IRWM Plan implementation and update efforts are described in Sections J (Plan Implementation and Monitoring) and Q (Plan Implementation and Maintenance Activities).

CONCLUSION

Staff recommends the City Council review the proposed Integrated Regional Water Management (IRWM) Plan and adopt Resolution 57-14 approving the 2014 San Luis Obispo County IRWM Plan and make findings that the Project is exempt from Section 21000 *et seq.* of the California Public Resources Code (CEQA).

ATTACHMENT

San Luis Obispo County 2014 IRWM Plan - Executive Summary

RESOLUTION NO. 57-14

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
ADOPTING THE 2014 SAN LUIS OBISPO COUNTY
INTEGRATED REGIONAL WATER MANAGEMENT PLAN AND
FINDING THAT THE PROJECT IS EXEMPT FROM SECTION 2100 *ET SEQ.*
OF THE CALIFORNIA PUBLIC RESOURCES CODE (CEQA)**

**The City Council
City of Morro Bay, California**

WHEREAS, the State of California has established an Integrated Regional Water Management grant program pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resources Code Section 75001 *et seq.*) (also known as Proposition 84); and

WHEREAS, the Regional Water Management Group for the San Luis Obispo County Region as of the date of this resolution consists of agencies including the City of Morro Bay, that have signed a Memorandum of Understanding (Exhibit "A") and are listed in Exhibit "B"; and

WHEREAS, the concepts, direction and approach to water resources management embodied in the State's Integrated Regional Water Management program guidelines closely match those of the San Luis Obispo County Region; and

WHEREAS, the San Luis Obispo County Integrated Regional Water Management Plan was initially developed and adopted by multiple agencies in the County in 2005 and updated in 2007; and

WHEREAS, an update to the 2007 San Luis Obispo County Integrated Regional Water Management Plan is needed in order to effectively and efficiently integrate the region's water resources management planning objectives and implementation strategies in the following five key areas: Water Supply, Groundwater Monitoring and Management, Flood Management, Ecosystems and Watershed, and Water Resources Management and Communications; and

WHEREAS, the San Luis Obispo County Flood Control and Water Conservation District has coordinated with the Regional Water Management Group to produce the 2014 San Luis Obispo County Integrated Regional Water Management Plan in accordance with 2012 State standards; and

WHEREAS, the 2014 San Luis Obispo County Integrated Regional Water Management Plan identifies goals, objectives, strategies and projects designed to improve regional water supply reliability, water recycling, water conservation, water quality improvement, stormwater capture and management, flood management, recreation and

access, wetland enhancement and creation, and environmental and habitat protection and improvement; and

WHEREAS, the City of Morro Bay has reviewed the 2014 San Luis Obispo County Integrated Regional Water Management Plan and has determined that the Plan is exempt from Section 21000 *et seq.* of the California Public Resources Code (California Environmental Quality Act) pursuant to Section 21150 of the California Environmental Quality Act, and Guidelines Section 15262 because the Plan is a planning study which identifies potential projects, programs, and policies for possible future actions, and includes possible actions, subject to future adoption and approval.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Morro Bay City Council as follows:

Section 1. The 2014 San Luis Obispo County Integrated Regional Water Management Plan for the San Luis Obispo County Region is hereby adopted, and staff of the City of Morro Bay is hereby authorized and directed to implement actions consistent with participating in updates to the plan on a five-year cycle as a Regional Water Management Group Member as described within the plan.

Section 2. The adoption of the 2014 San Luis Obispo County Integrated Regional Water Management Plan for the San Luis Obispo County Region is hereby determined to be exempt from the requirements of the California Environmental Quality Act pursuant to Section 21150 of Section 21150 of the California Public Resources Code and Section 15262 of the State California Environmental Quality Act Guidelines.

Section 3. The staff of the City of Morro Bay is hereby directed to file a Notice of Exemption in accordance with provisions of the California Environmental Quality Act.

PASSED AND ADOPTED by the Morro Bay City Council at a regular meeting thereof held on the 26th day of August 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

Jamie L. Irons, Mayor

ATTEST:

Jamie Boucher, City Clerk

San Luis Obispo County Region
Integrated Regional Water Management Program Participants
Memorandum of Understanding

The undersigned agencies and organizations hereby agree as follows:

1. BACKGROUND

The State of California has established an Integrated Regional Water Management (IRWM) planning and grant program pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code (PRC) Section 75001 et seq., also known as Proposition 84). This program is anticipated to be perpetuated and/or modified by future Bond acts. The IRWM program provides guidance for collaborative efforts to manage all aspects of water resources in a region by crossing jurisdictional, watershed, and political boundaries to involve multiple agencies, stakeholders, individuals, and groups in order to address issues and differing perspectives of all entities involved through mutually beneficial solutions. Regions that develop IRWM plans in accordance with the guidelines are eligible for certain water resources grant funding opportunities.

In accordance with PRC Section 75001 (et seq.) and State IRWM Program guidelines, a Memorandum of Understanding (MOU) (dated 2009), signed by eleven agencies within San Luis Obispo County, established a Regional Water Management Group (RWMG) for the San Luis Obispo County IRWM Region, and the San Luis Obispo County IRWM Region was officially accepted by the State in May 2009.

The San Luis Obispo County IRWM Region water resources stakeholders have determined the need to update the IRWM MOU in order to meet new State IRWM guidelines, to clarify the governance structure for IRWM planning in the San Luis Obispo County IRWM Region, and encourage broader participation. This MOU, in conjunction with the current IRWM Plan, sets forth the San Luis Obispo County IRWM Region's governance structure thereby allowing members and other stakeholders to understand how to participate in the IRWM Plan development and implementation.

2. PURPOSE, GOALS, AND APPROACH

2.1 Purpose. The purpose of this MEMORANDUM OF UNDERSTANDING (MOU) is to establish the mutual understandings among the San Luis Obispo County Region participants with respect to their joint efforts to develop and implement an Integrated Regional Water Management (IRWM) Plan for the San Luis Obispo County Region, including the definition of common IRWM terms, roles and responsibilities of IRWM Program Participants, and decision-making processes.

2.2 Goals. The goal of the IRWM program is to provide a reliable, long-term, and high-quality water supply, and to establish a unified vision among the participants' goals for water quality improvement, ecosystem preservation, water supply protection and enhancement, ground water management and flood management, in the context of social justice and climate change adaptation, while protecting the environment. The adopted IRWM plan will identify major water-related goals, objectives and conflicts within the region, consider a broad variety of water management strategies, identify the appropriate mix of water demand and supply management alternatives, water quality protections, flood management strategies, and environmental stewardship actions.

2.3 Approach. The San Luis Obispo County Region participants are specifying their shared intent to coordinate and collaborate on water management issues, giving consideration to disadvantaged communities and Native American tribes and their water related needs. In order to

enhance participation of stakeholders, it will be necessary to work at a sub-regional level to better understand the water resources needs and priorities throughout the region. When applying for grants, the San Luis Obispo County Region will strive to distribute the grant funding request fairly across the geographic region. The goal is to distribute awarded funding from each grant cycle equally across the sub-regions (i.e. one quarter of the overall funding to benefit each of the three sub-regions' projects/programs and one quarter of the overall funding to benefit regional projects/programs), to the extent feasible.

3. DEFINITIONS

3.1 Integrated Regional Water Management Plan (Plan). A comprehensive plan for a defined geographic area which shall satisfy the requirements of California's IRWM Program.

3.2 San Luis Obispo County Region (Region). The geographic area of San Luis Obispo County, which is coterminous with the San Luis Obispo County Flood Control and Water Conservation District (District) boundary.

3.3 Local Agency. Any city, county, city and county, special district, joint powers authority, or other political subdivision of the state, a public utility as defined in Section 216 of the Public Utilities Code, or a mutual water company as defined in Section 2725 of the Public Utilities Code.

3.4 Program Participants. Development and implementation of the Region's Plan is a collaborative effort undertaken by the Region's participants, as further discussed in Section 4. The effort is being led by the District, in partnership with the Regional Water Management Group, Water Resources Advisory Committee, Implementation Affiliates, and Interested Stakeholders. Only regional projects and programs to be implemented by those agencies which have adopted the Plan will be eligible for grant applications. The Region categorizes IRWM Program Participants into the following:

3.4.1 Regional Water Management Group (RWMG). A group in which three or more local agencies, at least two of which have statutory authority over water supply or water management, as well as those other persons who may be necessary for the development and implementation of the Plan, participate by means of this memorandum of understanding, in accordance with requirements of the California Water Code (CWC § 10539). The Region's RWMG members are signatories to this MOU, have adopted the current Plan, and may designate a representative to participate in RWMG activities and its Working Group. The entities must be either a Local Agency or an IRS 501(c)(3) nonprofit organization. The RWMG has the capacity to carry out projects (i.e. financial resources, management structure, adequate staffing). The agencies/organizations that form the RWMG may have planning or implementation projects eligible for State IRWM grants.

3.4.2 Water Resources Advisory Committee (WRAC). This is the committee comprised of water purveyor, resource conservation district, environmental and agricultural, and other water resources representatives that was originally established in the 1940s to advise the District Board of Supervisors on water resource issues. The WRAC is a Brown Act committee that meets monthly, with the exception of July and August. Many participants are actively engaged in issues relevant to Plan development and implementation, and will represent important stakeholder groups throughout the program.

3.4.3 RWMG Working Group (Working Group). The Working Group will involve representatives from the RWMG who have technical expertise and are able to work on the details associated with IRWM efforts. The Working Group will engage stakeholders at a sub-regional level in order to better understand the specific water resources needs and priorities of that sub-region.

3.4.4 **Implementation Affiliates.** These entities will adopt the Plan by resolution, but would not be signatories of the MOU. The entities must be either a Local Agency or an IRS 501(c)(3) nonprofit organization. The Implementation Affiliates have the capacity to carry out projects (i.e. financial resources, management structure, adequate staffing). In order to have a planning or implementation project eligible for State IRWM grants, agencies must be an Implementation Affiliate if they are not a part of the RWMG.

3.4.5 **Interested Stakeholders.** These individuals, organizations, and nonprofits (including those that are not IRS 501(c)(3) nonprofit organizations) who are interested in the IRWM program. The Interested Stakeholders may sign a letter of support for the Plan, or otherwise provide input to the RWMG, but would not be eligible for directly receiving State IRWM grant funds.

3.5 Sub-regions. The Region's IRWM program seeks to engage stakeholders and understand the water resources needs of the Region. To adequately ensure this balanced access and opportunity for participation in the IRWM program, the RWMG will utilize a sub-regional geographic structure, allowing more focused planning and local outreach efforts that are later brought into the context of the overall IRWM Region. These sub-regions have been deliberately defined in terms of logical planning and watershed/ hydrogeologic unit boundaries. These "sub-regions" include the North Coast, North County, and South County (see Attachment 1).

3.6 Regional Projects or Programs. Projects or programs to be implemented by the RWMG and/or Implementation Affiliates are identified in the Plan and are based upon the State's IRWM Guidelines under which the current Plan was adopted, which includes but is not limited to: reducing water demand through agricultural and urban water use efficiency, increasing water supplies for any beneficial use, improving operational efficiency and water supply reliability, improving water quality, improving resource stewardship, and improving flood management.

3.7 Integration. Assembling into one document the water-related management strategies, projects, programs, and plans of the Region. The development and implementation of the Plan should demonstrate the RWMG is forming, coordinating and integrating separate efforts in order to function as a unified effort in a collaborative manner that balances interests and engages a variety of stakeholders and seeks to efficiently integrate regional resources. The Plan development will identify water management strategies for the Region and the priority projects and programs that demonstrate how these strategies work together to meet goals identified in Section 2. It will also identify regional benefits of linkages between projects and plans that address different primary water-related objectives (for example, identifying regional benefits of linkages between a water supply project and a flood management project in the same watershed).

4. IRWM PROGRAM PARTICIPANTS

4.1 Program Participant Structure. Elements of the Plan will be developed and implemented by the Program Participants. The RWMG, including the District as the Lead Agency, and the Implementation Affiliates are responsible for Plan development and implementation.

4.2 Plan Development and Implementation. The Region's Plan that was adopted by the District, developed in coordination with and approved by stakeholders in 2005, and updated in 2007, will be the basis for subsequent adopted Plans for the Region. The Working Group will propose changes to the previous versions of the Plan to comply with new State guidelines and incorporate new information and projects. Since a key element of the IRWM Program is integration, the RWMG will work with Program Participants to identify water management strategies for the Region and sub-regions and the priority projects that demonstrate how these strategies work together to meet the purpose and goals in Section 2. How each Program

Participant contributes and participates in Plan development and implementation is described below:

4.2.1 Lead Agency. The District will act as the lead agency for Plan development, will execute this MOU, and will adopt the Plan in accordance with 4.3 and 4.4 below. The District will ultimately be responsible for the final production of the Region's Plan, hiring consultant(s) to develop the Plan, and presentations to stakeholders, submittal of IRWM grant applications, and execution and administration of grant agreements with the State. As the Lead Agency, the District will execute and administer agreements with RWMG members and Implementation Affiliates responsible for the implementation of projects that are awarded grants, including data collection relevant to grant agreements, project reporting, etc. Efforts described in Section 4.2.1 are subject to the availability of funding.

4.2.2 RWMG. Members will execute this MOU and adopt the Plan in accordance with 4.3 and 4.4 below. RWMG members will designate a representative with clear authority to represent the agency or organization, provide expertise, provide information in a timely manner, participate in meetings, review and approve technical documents as needed, and will provide the District with their designated representative's contact information. This representative will be eligible to participate on the Working Group. All RWMG members, whether or not their representative is participating in the Working Group, hereby agree to provide information sufficient to meet State guidelines for their regional projects and programs to be included in the Plan and participate in the review of the Plan. RWMG members will consider integrating projects and programs with other agencies when possible, especially with disadvantaged communities and Native American tribes, in accordance with State IRWM Guidelines. RWMG members responsible for the implementation of regional projects and programs awarded grant funding will be responsible, through contract with the District, for complying with the provisions of the District's grant agreement with the State. The RWMG will provide updates to the WRAC and seek WRAC support of recommendations at key decision points.

4.2.3 WRAC. The WRAC will provide a forum for public meetings/ workshops related to Plan development and implementation at key decision points. The WRAC will review and comment on the RWMG recommendations to the District's Board of Supervisors at key decision points.

4.2.4 Working Group. Representatives of the Working Group will be designated by the RWMG member and will have clear authority to represent the agency or organization, provide expertise, provide information in a timely manner, participate in meetings, review and approve technical documents as needed, and will provide the District with their designated representative's contact information. The District will provide materials with sufficient lead time for RWMG member and Working Group engagement. The Working Group will develop information, draft documents and recommendations pertaining to the Plan update consistent with current State IRWM Guidelines during Plan development. Efforts are anticipated to include stakeholder outreach, collection and incorporation of updated data, etc. The Working Group will develop information and recommendations for IRWM program planning and implementation, stakeholder outreach, and pursuit of funding opportunities. All RWMG members will participate in the process to select the Region's IRWM projects and programs for grant applications by way of the Working Group, who will conduct project/program solicitations and evaluations, and will make recommendations on grant funding allocations. The Working Group will need to conduct sub-regional public meetings during Plan development and implementation to facilitate stakeholder participation.

4.2.5 Implementation Affiliates. Implementation Affiliates shall adopt the Plan in accordance with Section 4.3. Implementation Affiliates will designate a representative with clear authority to represent the agency or organization, provide expertise, provide information in a timely manner, participate in meetings, review and approve technical documents as needed, and will provide the District with their designated representative's contact information. All

Implementation Affiliates will provide information sufficient to meet State guidelines for their regional projects and programs to be included in the Plan and participate in the review of the Plan and for implementation activities, such as project status updates, project reporting, data collection, etc. Implementation Affiliates will consider integrating projects and programs with neighboring agencies when possible, especially with disadvantaged communities and Native American tribes, in accordance with State IRWM Guidelines. Implementation Affiliates responsible for the implementation of regional projects and programs awarded grant funding will be responsible, through contract with the District, for complying with the provisions of the District's grant agreement with the State.

4.2.6 **Interested Stakeholders.** Interested Stakeholders may participate in the Plan development and implementation process by way of participation at WRAC and/or RWMG meetings. Interested Stakeholders that are not WRAC members will be notified when an IRWM program item will be reviewed by the WRAC if they request inclusion on the IRWM contact list (Section 5.6). Sub-regional meetings will be required to ensure Interested Stakeholders, including disadvantaged communities, who may not necessarily be able to attend WRAC meetings, can participate in Plan development and implementation.

4.3 IRWM Plan Adoption. Plan approval and adoption will be required of the governing bodies of RWMG members and Implementation Affiliates. Plan updates to meet new State guidelines, add new RWMG Members, add or remove and evaluate regional projects and programs, or other updates to information do not require Plan re-adoption. Significant changes to the Plan, including revised goals and objectives, revised methodologies (such as methodology for evaluating, ranking, and prioritizing projects and programs), revised regional boundaries, or other changes deemed significant by the RWMG and the Lead Agency, will require Plan re-adoption via the decision-making process described in Section 4.5.

4.4 Personnel and Financial Resources. It is expected that Program Participants will contribute the resources necessary to fulfill the responsibilities listed within Section 4 of this MOU. Program Participants that receive implementation grant funding, shall contribute a proportionate share of non-project costs associated with the grant agreement, based on awarded implementation funding (for example, contributing toward the cost of updating the Plan, should that be a condition of grant award)..

4.5 Decision Making. The RWMG shall develop IRWM program materials and will make recommendations to the Lead Agency at key decision points of the IRWM program. Written input will be sought between the representatives of RWMG members in the event the need for a decision arises that cannot be brought forth to the RWMG before a decision needs to be made. The District, by way of its Public Works Department, shall notify the RWMG agencies of recommendations being taken to the District's Board of Supervisors for action. The District's Board of Supervisors may approve, alter, or return any said recommendation of the RWMG. Furthermore, if the District's Board of Supervisors intends to alter an item or proposition approved by the RWMG, the District's Board of Supervisors shall set forth in writing its findings, after which the Board will hold a public hearing. The RWMG agencies shall have the right to appear and address the District's Board of Supervisors.

5. MUTUAL UNDERSTANDINGS

5.1 Need for the Region's IRWM Plan

5.1.1 To improve communication and cooperation between public and private agencies and minimize conflict-generated solutions.

5.1.2 To enhance our existing water management efforts by increasing stakeholder awareness of important issues, providing more opportunities for collaborative efforts and improving efficiencies in government and water management.

5.1.3 To qualify for state grants and other funding opportunities only available to those regions which have developed IRWM plans.

5.2 Subject matter scope of the IRWM Plan. The Plan focuses on water supply, water quality protection and improvement, ecosystem preservation and restoration, groundwater monitoring and management, and flood management as these are the most prevalent water resource issues facing the Region.

5.3 Geographical scope of the IRWM Program. The Region for this memorandum is coterminous with the boundary of San Luis Obispo County. This is an appropriate geographic region for integrated regional water management planning because it encompasses all aspects of water management generally within the same physical, political, environmental, social, and economic boundaries. The Region may engage stakeholders within the three sub-regions in order to better understand the specific water resources needs and priorities of that sub-region, which would then be incorporated into the context of the greater IRWM Region planning and implementation.

The Region is bordered by the Greater Monterey County IRWM region to the north, the Santa Barbara County and Watersheds Coalition of Ventura County IRWM regions to the south, and the Kern County IRWM region to the east.

Water resources issues that overlap neighboring regional boundaries are either covered by existing cooperative water management plans (i.e. Nacitone Watershed Management Plan), adjudication (i.e. Santa Maria Groundwater Basin), and operational agreements (i.e. Nacimiento Reservoir), or have no defining water resource management issue. All of these items are to be included in the Region's Plan consistent with the plans of neighboring regions. The RWMG will continue to coordinate with neighboring regions to address additional water resources issues and possible integrated water management strategies in our respective IRWM plans.

5.4 Non-binding nature. This document and participation in the IRWM program efforts are nonbinding, and in no way suggest that a RWMG member or Implementation Affiliate may not continue its own planning and undertake efforts to secure project funding from any source. An agency/ organization may withdraw from participation in accordance with Section 5.7.

5.5 Other on-going regional efforts. Development of the Plan is separate from efforts of other organizations to develop water-related plans on a regional basis. As the Plan is developed, work products can be shared with these separate efforts to provide them with current information.

5.6 Reports and communications. The WRAC, an IRWM contact list, and the District's website will serve as the forum for updates and correspondence relating to the IRWM program and Plan development.

5.7 Termination. Because the Plan will require periodic review and updating for use into the future, it is envisioned that the joint efforts of those involved will be ongoing in maintaining a living document. Thus this MOU will remain as a reflection of the understandings of the RWMG Members. As indicated, parties to this MOU may terminate their involvement at any time, but must provide all RWMG agencies with 30 days' advance notice of intent to terminate.

5.8 Superseded Prior MOU. This MOU supersedes the MOU dated April 21, 2009 (2009 MOU).

5.9 Counterparts. This MOU may be executed in counterparts and has the same force and effect as if all the signatures were obtained in one document.

6. SIGNATORIES TO THE MEMORANDUM OF UNDERSTANDING

We, the undersigned representatives of our respective agencies or organizations, acknowledge the above as our understanding of how the San Luis Integrated Regional Water Management Plan will be developed.


_____ signature

Rob Livick, PE/PLS
_____ printed name

City of Morro Bay
_____ agency

October 12, 2012
_____ date

Attachment 1 – San Luis Obispo County IRWM Region and Sub-Regions Map

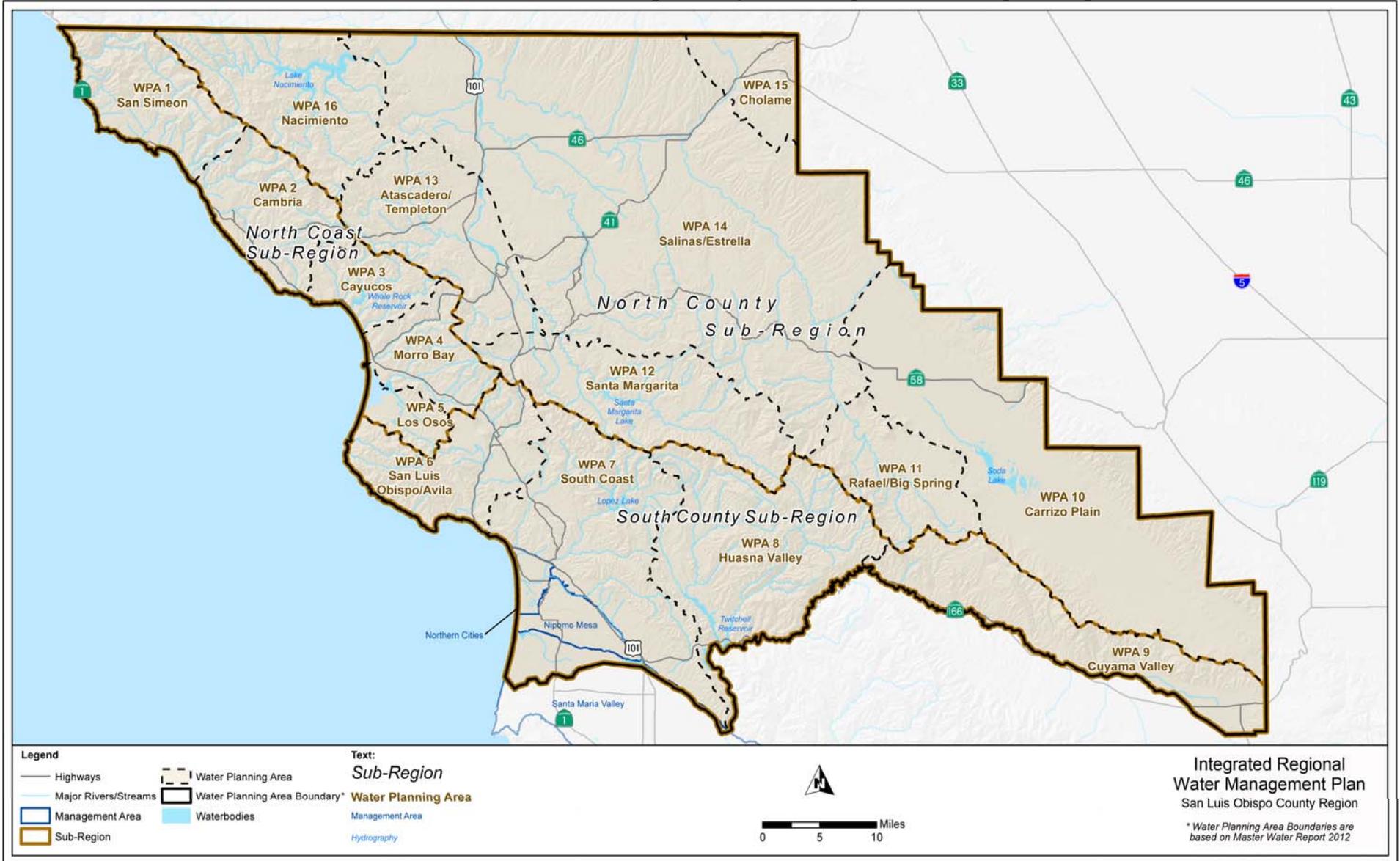


Exhibit B

Memorandum of Understanding Signatories for San Luis Obispo County Region IRWM Participants

Agency or Organization
San Luis Obispo County
San Luis Obispo County Flood Control and Water Conservation District
California Men's Colony
Cambria Community Services District
Central Coast Salmon Enhancement
City of Arroyo Grande
City of Grover Beach
City of Morro Bay
City of Paso Robles
City of Pismo Beach
City of San Luis Obispo
Coastal San Luis Resource Conservation District
Heritage Ranch Community Services District
Land Conservancy
Los Osos Community Services District
Morro Bay National Estuary Program
Nipomo Community Services District
Oceano Community Services District
Templeton Community Services District
San Miguel Community Services District
San Simeon Community Services District
S&T Mutual Water Company
Upper Salinas - Las Tablas Resource Conservation District



San Luis Obispo County
2014 Integrated Regional Water
Management Plan

Executive Summary

JULY 2014





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Executive Summary

Various agencies, non-governmental organizations, and advisory groups actively participate in the management of water resources available to San Luis Obispo County (County). The San Luis Obispo County Flood Control and Water Conservation District (District) was formed in 1945 to implement projects and programs to manage and conserve water resources within the County. The District, in coordination with the San Luis Obispo County Region's Regional Water Management Group (RWMG) and the Water Resources Advisory Committee (WRAC), has been acting as the Lead Agency responsible for development and implementation of the Region's Integrated Regional Water Management (IRWM) Plan. The 2014 San Luis Obispo County IRWM Plan identifies the current challenges facing the County and provides the framework for these agencies to work together to address these challenges for a more sustainable water management future.

The purpose of this 2014 San Luis Obispo County IRWM Plan Executive Summary is to provide a high level overview of how the IRWM process is being used to address the challenges and to provide a framework for ongoing water resources management in the future.

Water Management in San Luis Obispo County

The IRWM Plan was initially developed and adopted by multiple agencies in the county in 2005, and updated in 2007. The 2014 IRWM Plan was developed with the help of volunteer agencies and stakeholders over a two year period following a public process that included over 20 meetings and subregional workshops throughout the County, and was sponsored in part by a Department of Water Resources (DWR) Proposition 84 IRWM Planning Grant, the District, the County, and the Nipomo Community Services District.

The completion of the 2014 IRWM Plan has added focus given the recent drought declaration, the release of the Governor’s *California Water Action Plan*, and potential groundwater legislation.

What Are We Trying to Accomplish?

In San Luis Obispo County we are trying to:

- Improve **resiliency** in the face of uncertain hydrology and climate change
- Improve **interconnections** between our existing supplies and infrastructure to improve reliability, especially in dry years
- Establish and maintain **sustainable** groundwater and watershed management practices

What Are the Challenges?

The Central Coast and San Luis Obispo County face several challenges:

- The County is located in a relatively dry part of the state and is subject to uncertain and highly variable hydrologic conditions
- Constantly changing and growing agricultural, urban, and environmental water demands create a challenging planning environment and increased competition for the finite water supplies
- With a low and dispersed population, the Central Coast region has a limited ability to generate local funding to develop new projects and faces challenges in identifying regional opportunities to take advantage of economies of scale
- Local surface water supplies are limited, and imported water supplies (i.e., State Water Project) are expensive and subject to hydrologic variability
- Groundwater has been relied upon too heavily, leading to the need for increased and sustainable management to maintain both water quantity and quality
- Regulatory requirements/processes, and permitting constraints have limited potential project opportunities, such as desalination



San Luis Obispo County is located between San Francisco and Los Angeles on the Central Coast of California.

Water Supply Challenges within San Luis Obispo County

The challenges described above come together in the water supply challenges that face the County. Because much of the County is dependent upon groundwater for a significant portion of its water supply, sustainable management of groundwater supplies is one of the significant challenges facing the County. The District serves as the monitoring entity for the County, reporting groundwater levels to the California Department of Water Resources (DWR) through their California Statewide Groundwater Elevation Monitoring (CASGEM) Program. DWR uses the CASGEMs information to evaluate all groundwater basins in the State to identify the highest priority basins that are threatened by present or future changes in water demand. Five groundwater basins within San Luis Obispo County have been identified as medium or high priority basins (see **Table ES-1** and **Figure ES-1**).

Table ES-1. CASGEM Priority Basins in San Luis Obispo County

Basin Name	IRWMP Subregion	CASGEMs Priority
Paso Robles	North County	High
Los Osos	North Coast	High
Santa Maria	South County	High
San Luis Obispo Valley	South County	Medium
Cuyama Valley	South County	Medium

Figure ES-1. Portion of DWR’s CASGEM Groundwater Basin Prioritization Map, South Central Region



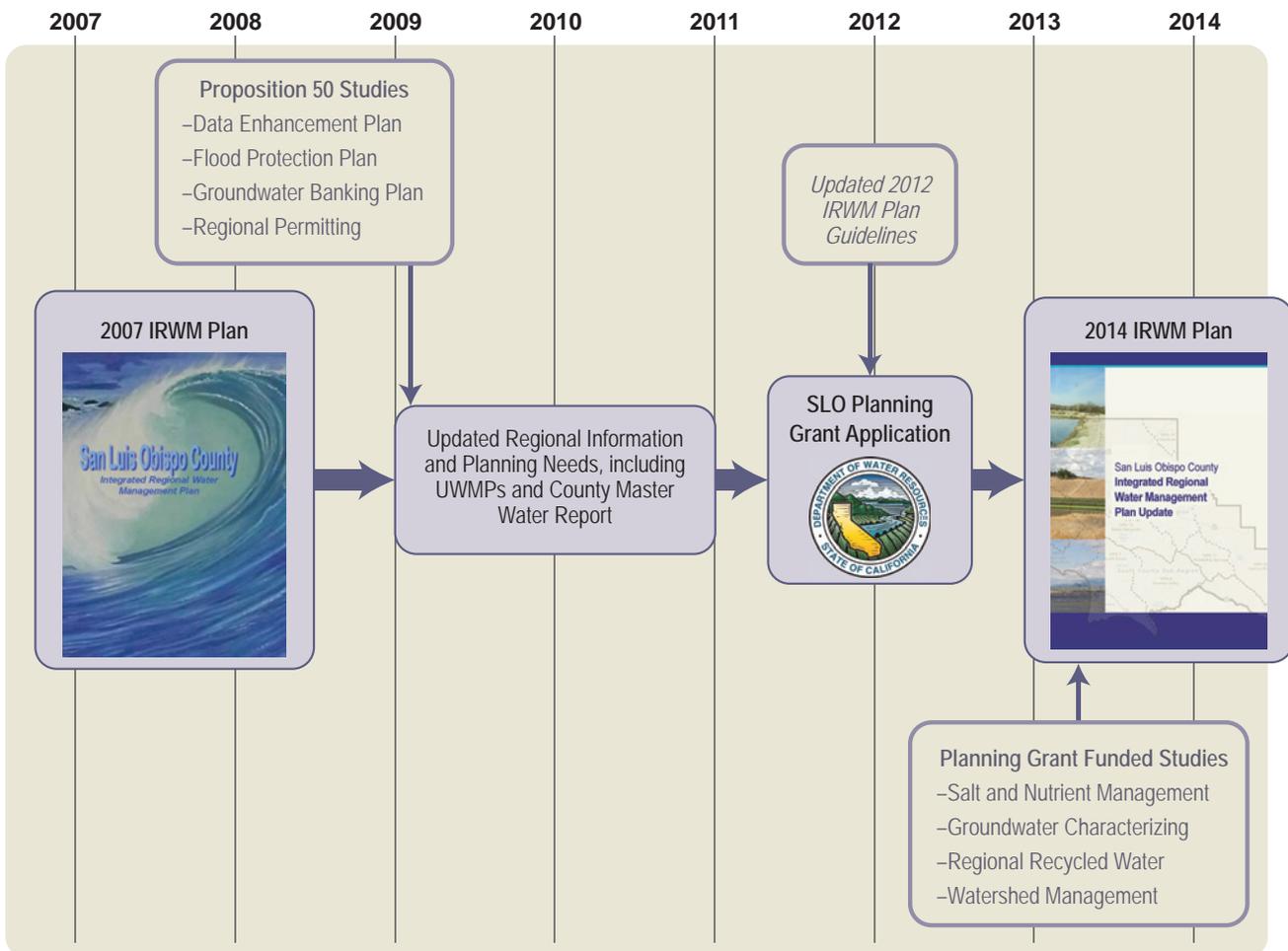
Source: California Department of Water Resources South Central Region CASGEM Groundwater Basin Prioritization Results; June 2, 2014.

Using IRWM Approach to Address These Challenges

As mentioned above, San Luis Obispo County has a long history of water management. Since 2005, comprehensive water management in the county has been guided by the Integrated Regional Water Management (IRWM) approach as shown in **Figure ES-2**.

Each individual participating member agency of the RWMG is required by the State Guidelines to also adopt the DWR approved plan to be eligible to receive future State grant funding. Plan adoption by a member agency also ensures regional support for locally sponsored water resources projects funded through all State, federal, and local grant and loan programs. The IRWM Plan is considered to be a living guidance document for all member agencies to support, and re-adopt if necessary, with each IRWM Plan update which is planned to occur approximately every five years.

Figure ES-2. SLOC IRWM Plan Approach



California Water Action Plan

In December 2013, the State of California released the *California Water Action Plan* (CWAP) which outlined the State's near-term and long-term water priorities. The CWAP provides the State focus and vision for the next five years to guide the State's efforts to:

- Enhance water supply reliability
- Restore damaged and destroyed ecosystems
- Improve the resilience of our infrastructure

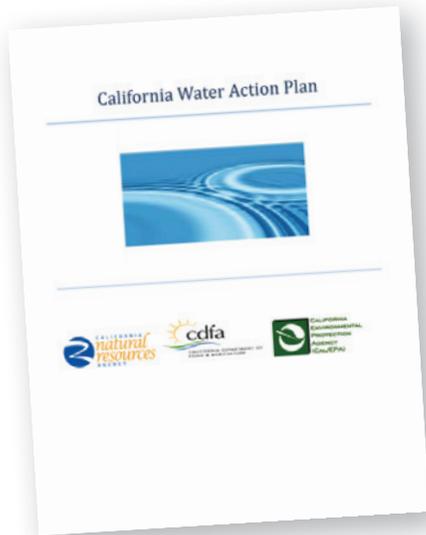
While the CWAP demonstrates and focuses the State's commitment, it recognizes that the State government cannot do it alone. Collaboration with the local and federal partners is essential to address the immediate challenges facing the State which include:

- Uncertain water supplies
- Declining groundwater supplies
- Floods
- Declining native fish species and loss of wildlife habitat
- Population growth and climate change which further increase the severity of these risks
- Water scarcity/drought
- Poor water quality
- Supply disruptions

The State's commitment is demonstrated by the Governor's proposed 2014-2015 budget which is intended to provide a financial foundation for implementing near-term actions for the CWAP, recommending over \$600 million in funding for water efficiency projects, wetland and watershed restoration, groundwater programs, conservation, flood control, and integrated water management.

The CWAP identified the following actions to address the most pressing water issues facing Californians:

1. Make conservation a California way of life;
2. Increase regional self-reliance and integrated water management across all levels of government;
3. Achieve the co-equal goals for the Delta;
4. Protect and restore important ecosystems;
5. Manage and prepare for dry periods;
6. Expand water storage capacity and improve groundwater management;
7. Provide safe water for all communities;
8. Increase flood protection;
9. Increase operational and regulatory efficiency;
10. Identify sustainable and integrated financing opportunities.



The Governor's Final California Water Action Plan was released in January 2014.

Elements Guiding the Development of the 2014 IRWM Plan

The IRWM Plan looks to implement the San Luis Obispo County *Vision* and *Mission*.

The 2014 IRWM Plan:

- Builds on the successful collaboration and planning presented in the 2007 SLO IRWM Plan;
- Incorporates and considers regional planning studies and data generated since 2007;
- Considers and addresses the enhanced State IRWM planning standards;
- Considers changed regional conditions and enhanced planning approaches, including a revised governance approach;
- Addresses the highest priority data gaps and planning needs as determined through a public solicitation and review process; and
- Maintains eligibility for future implementation grants.

San Luis Obispo County IRWM Plan Vision

Create a united framework among SLO County Stakeholders for sustainable water resource management.

San Luis Obispo County IRWM Mission

Facilitate regional plans, programs, and projects to further sustainable water resource management.



Past County Success at Integrated Water Management

The Region has successfully participated in the IRWM Process to leverage local funding by obtaining over \$14 million in grants from the State programs as listed in **Table ES–2**. More importantly, the Region has actively pursued implementation of projects and programs utilizing local funding sources, such as the Nacimiento Water Project (a \$176.1 million, regional, supplemental water supply project funded by a local bond).

Table ES–2. State Grants Successfully Obtained by San Luis Obispo County

Grant Funding Source & Funded Projects	Grant Funding Allocation	Lead Agency
Prop 50 Planning Grant	\$500,000	
Data Enhancement Plan	\$72,500	Flood Control District
Flood Management Plan	\$55,000	Flood Control District
Groundwater Banking Plan	\$185,000	Flood Control District
Regional Permitting Plan	\$187,500	County of San Luis Obispo
Prop 84 Implementation Grant	\$10,401,000	
Grant Administration	\$84,400	Flood Control District
Los Osos Wastewater Project	\$ 5,945,444	County of San Luis Obispo
Flood Control Zone 1/1A – Modified 3c Project	\$2,200,000	Flood Control District
Nipomo Supplemental Water Project	\$2,200,000	Nipomo CSD
Prop 1E Implementation Grant	\$2,800,000	
Flood Control Zone 1/1A –Waterway Management Program	\$2,800,000	Flood Control District
Prop 84 Planning Grant	\$1,000,000	
Update Plan to Meet Standards	\$185,000	Flood Control District
SNMP/Recycled Water Planning		
<i>Identification of Basins Requiring SNMPs</i>	\$15,000	Flood Control District
<i>Santa Maria Groundwater Basin Study</i>	\$200,000	Flood Control District
<i>Paso Robles Groundwater Basin SNMP</i>	\$100,000	City of Paso Robles
<i>Paso Robles Groundwater Basin Model</i>	\$50,000	Flood Control District
<i>Regional Recycled Water Planning</i>	\$200,000	Flood Control District
Watershed Management Planning	\$250,000	Upper Salinas RCD Coastal San Luis RCD
Total IRWM Grant Successes in SLO County IRWM Region	\$14,729,844	



Figure ES-3. Los Osos Wastewater Project Pipe Installation (2013)



Figure ES-4. Nacimiento Water Project, Rocky Canyon Water Storage Tank Construction (2008)

2014 IRWM Plan Projects

During the first half of 2013, the San Luis Obispo County IRWM Plan Update established goals and objectives related to water resources planning and management. To achieve those goals, the Region's participants and stakeholders implement projects and programs. Recent activity on the Plan Update included the creation of the **2014 IRWM Plan Project List**. The IRWM Plan includes both planned projects and programs, and describes how those projects and programs address the IRWM Plan goals, and specifically how each will be implemented. The IRWM Plan also maintains a list of water resources concepts (projects in the preliminary or planning stages) for stakeholders to consider over the Plan's long term implementation.

San Luis Obispo County stakeholders have been actively engaged in the IRWM Plan Update's project solicitation and review process. Altogether, agencies, organizations, and individual stakeholders submitted 91 abstracts for the 2013 call for projects and programs. The proposed abstracts can add value to San Luis Obispo County's integrated management of water resources in the areas of water supply, groundwater management, flood management, ecosystem restoration, and general water resources management.

Current High Priority Projects

The High Priority Project List (**Table ES-3**) identifies the 15 projects/programs that are technically feasible and strategically suited to be fully described in the IRWM Plan. The location of the high priority projects, and subsequently added drought emergency projects, are shown in **Figure ES-6**. See the next section to understand how the recent drought led to additional critical projects being added to the Project List.

Table ES-3. High Priority Projects

Project Title, Sponsor	
1.	Livestock & Land Program, <i>Coastal San Luis Resource Conservation District (CSLRCD) and Upper Salinas-Las Tablas Resource Conservation District (US-LTRCD)</i>
2.	LID Pilot Program, <i>Upper Salinas-Las Tablas Resource Conservation District (US-LTRCD)</i>
3.	North County Fertilizer Regions– Precision Agriculture, <i>Upper Salinas-Las Tablas Resource Conservation District (US-LTRCD)</i>
4.	Attiyah Ranch Conservation Easement, <i>Land Conservancy</i>
5.	Upper Salinas River Basin Water Conservation/Conjunctive Use Project, <i>Templeton CSD</i>
6.	Community Based Social Marketing, <i>Upper Salinas-Las Tablas Resource Conservation District (US-LTRCD)</i>
7.	Improving On-Farm Water Management Through Demonstration, Research & Outreach of Precision Agricultural Best Management Practices, <i>Vineyard Team and Upper Salinas-Las Tablas Resource Conservation District (US-LTRCD)</i>
8.	City of Paso Robles Lake Nacimiento WTP Construction, <i>City of Paso Robles</i>
9.	San Miguel Critical Water System Improvements, <i>San Miguel CSD</i>
10.	8th Street Upper Aquifer Well and Nitrate Removal Facility, <i>Los Osos Community Services District</i>
11.	Los Padres CCC Center– Stormwater LID Treatment Project, <i>Morro Bay National Estuary Program</i>
12.	Oceano Drainage Improvement Project– Hwy 1 & 13th Street, <i>County of San Luis Obispo, Department of Public Works</i>
13.	Lopez Water Treatment Plant Membrane Rack Addition, <i>San Luis Obispo County Flood Control and Water Conservation District</i>
14.	Recycle Water Distribution System Expansion, <i>City of San Luis Obispo</i>
15.	Pismo Beach Recycled Water Project, <i>City of Pismo Beach</i>

Response to Emergencies: 2014 Drought Relief Projects

On January 17, 2014, Governor Edmund G. Brown Jr. proclaimed a State of Emergency as a result of the multi-year drought causing significant impacts throughout California. The San Luis Obispo IRWM Region is experiencing severe drought impacts. As shown in the adjacent *U.S. Drought Monitor* map (Figure ES-5), the Region is located in the hardest hit area of the State. The *U.S. Drought Monitor* has classified the County’s drought condition as D4: Exceptional drought – the highest drought classification possible. As of May 20, 2014, total annual rainfall in the region was approximately 34% of the historical annual average, with annual precipitation below average for the third consecutive year. It is unlikely that precipitation totals will increase substantially this year, as most of the annual precipitation falls between November and April. Given the severe drought conditions and impacts to the Region, the District Board of Supervisors proclaimed a state of local emergency on March 11, 2014. A number of local agencies declared similar emergencies and/or implemented various water conservation measures. The declaration of emergency facilitates the immediate implementation of drought responses, including projects to provide relief from the drought.

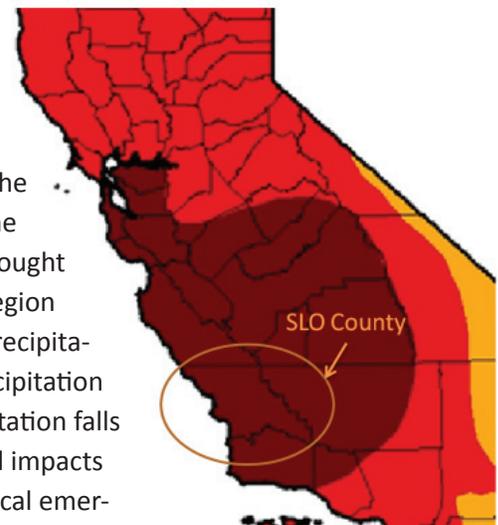
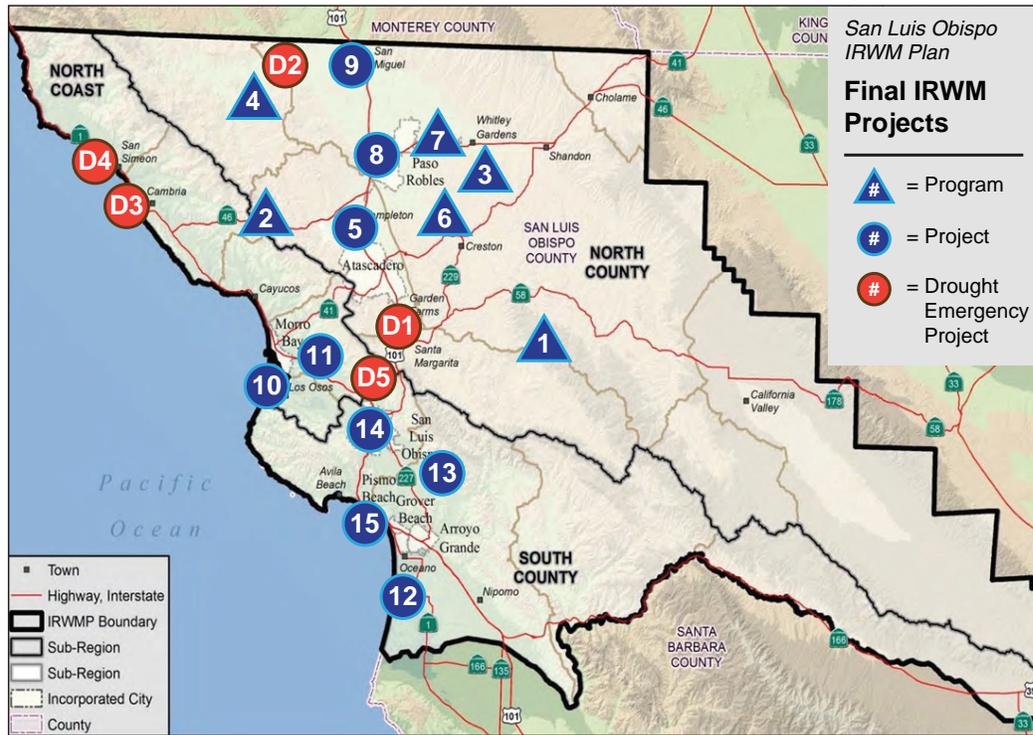


Figure ES-5. U.S. Drought Monitor Map indicating “Exceptional Drought” throughout Central Coast

Figure ES-6. High Priority and Drought Emergency Project Locations



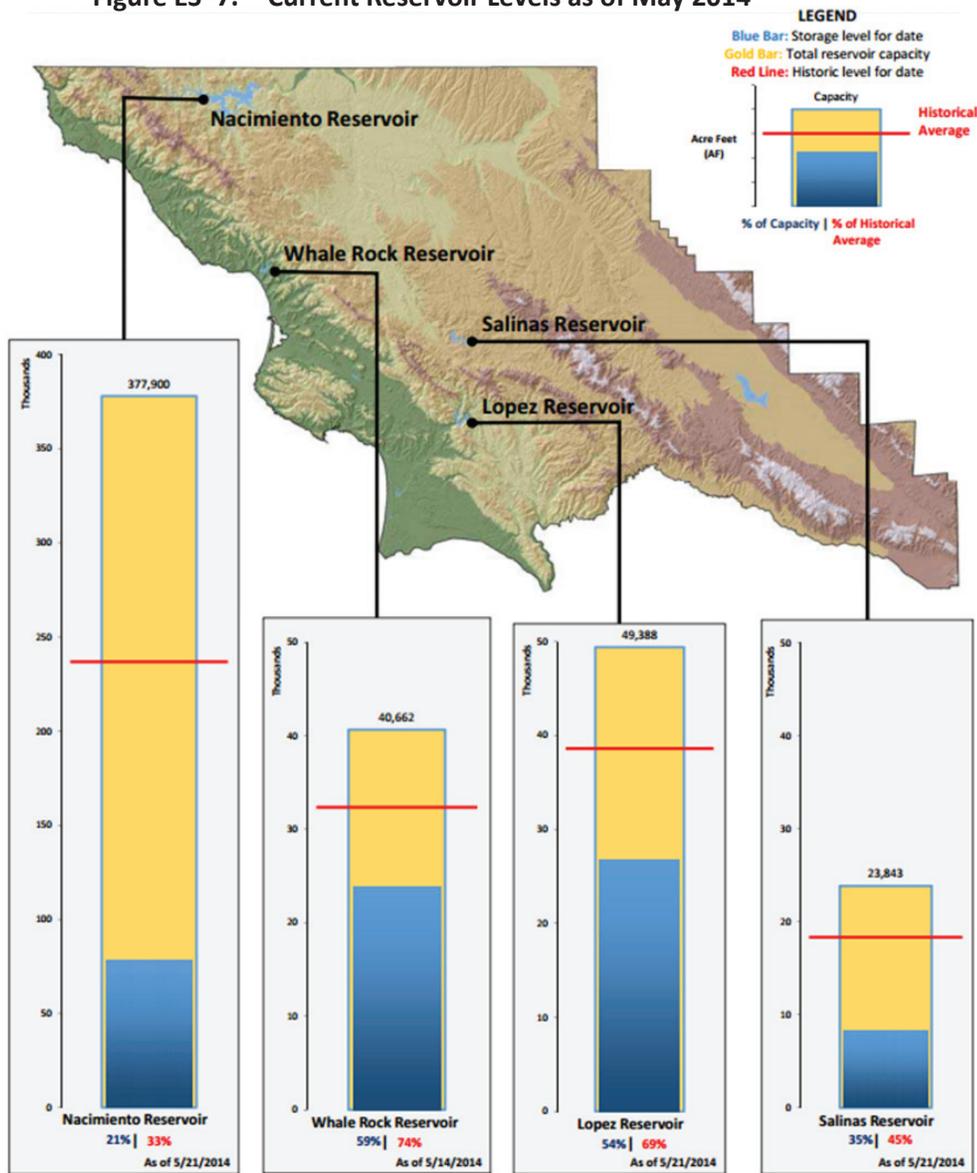
The Region is predominantly supplied by groundwater, with supplemental supplies from local reservoirs and the State Water Project, and several communities are entirely dependent on just one of these sources. Each of these drinking water supplies is severely impacted by the drought, putting communities at risk of having adequate supplies to meet demands. With the 2014 drought, water levels in the groundwater basins have decreased and aquifers along the coast suffer from increased seawater intrusion. **Figure ES-7** shows San Luis Obispo reservoirs’ current water levels compared to both reservoir capacity and historical reservoir levels for this time of year. As shown in the figure, current water levels are well below historical values. It is critical that the regional partners implement projects and programs that improve water supply reliability.

In response to the current drought, the RWMG conducted a drought relief specific project solicitation and prioritization process. Although 18 projects were submitted and incorporated into the IRWM Full Project List, the RWMG prioritized five projects (project locations shown on **Figure ES-6**) that provide relief to communities at risk of not meeting drinking water needs in this drought (see **Table ES-4**).

Table ES-4. San Luis Obispo Region Drought Emergency Projects

Project Title, Sponsor	
D1	CSA 23-Atascadero MWC-Garden Farms CWD Emergency Intertie Project, <i>San Luis Obispo County Flood Control & Water Conservation District</i>
D2	Emergency Water Turnout for Heritage Ranch CSD, <i>Heritage Ranch CSD</i>
D3	Emergency Water Supply Project, <i>Cambria Community Services District</i>
D4	San Simeon Small Scale Recycled Water Project – Purple Pipe Distribution, <i>San Simeon CSD</i>
D5	Salinas Pipeline-Nacimiento Pipeline Emergency Intertie and Pipeline Extension Project, <i>San Luis Obispo County Flood Control & Water Conservation District</i>

Figure ES-7. Current Reservoir Levels as of May 2014



The San Luis Obispo IRWM Region has historically gone through cycles of drought and flood. The region will continue to face fluctuating conditions that affect water resources and may require emergency response planning. The region continues to improve its emergency planning, response and adaptation to these challenges.

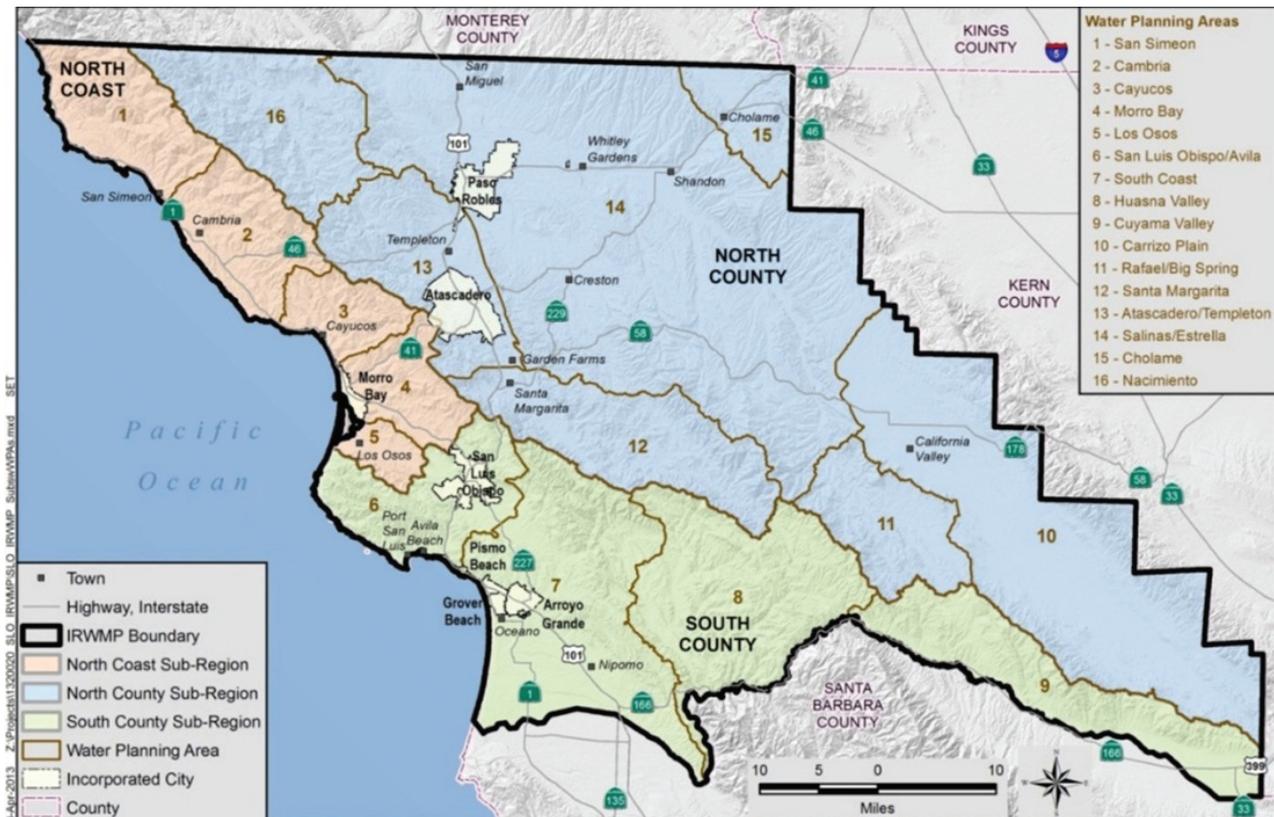


High flows and debris in Arroyo Grande Creek at the railroad bridge (1999 flood event).

San Luis Obispo IRWM Region

The San Luis Obispo County IRWM Region covered by the IRWM Plan is coincident with the boundaries of the San Luis Obispo County Flood Control and Water Conservation District (District) and the County of San Luis Obispo (see **Figure ES-8**). The County’s 3,304 square miles can be broken down further into the North Coast Sub-Region, North County Sub-Region, and South County Sub-Region. The sub-region scale acknowledges each area’s unique attributes and challenges, and differentiates the local issues to allow for meaningful, focused stakeholder involvement. Past planning efforts, including the *County Master Water Report* completed in 2012, used Water Planning Areas (WPAs) to provide increased resolution to local areas within the Sub-Regions. As an additional level of resolution to the WPA concept, watershed “snapshots” are now used as a means of further capturing detailed descriptive information for the Sub-Regions as the plan is updated over time. The Coastal San Luis and Upper Salinas-Las Tablas Resource Conservation Districts took the first step towards inventorying and reporting on information available in each watershed. More information can be found at: <http://slowatershedproject.org/>.

Figure ES-8. San Luis Obispo County IRWM Region, Sub-Regions, and Water Planning Areas (WPAs)



The **North Coast Sub-Region** spans from the County line (San Luis Obispo/Monterey) southward to the community of Los Osos, bounded to the west by the Pacific Ocean and to the east by the Santa Lucia Range. This Sub-Region includes WPAs 1 through 5. This sub-region includes the urban areas of San Simeon, Cambria, Cayucos, Morro Bay and Los Osos.

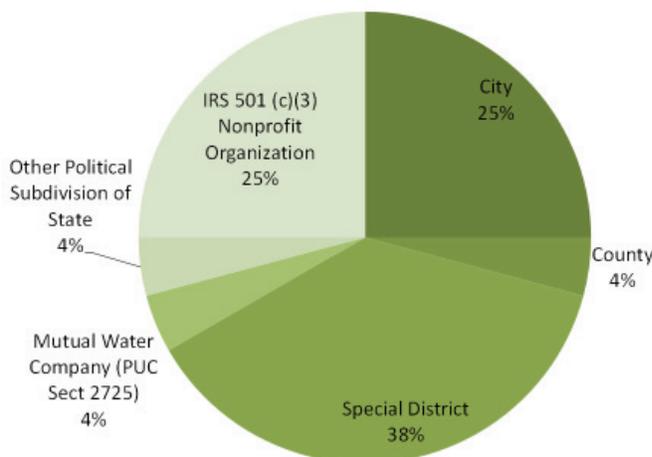
The **South County Sub-Region** spans from the City of San Luis Obispo south to the County line (San Luis Obispo/Santa Barbara), east to the Cuyama Valley, and west to the community of Avila Beach, and includes WPAs 6 through 9. This Sub-Region includes the urban areas of San Luis Obispo, Avila Beach/Port San Luis, Pismo Beach, Arroyo Grande, Grover Beach, Oceano, and Nipomo.

The **North County Sub-Region** includes the WPAs that do not drain directly to the ocean through the County’s coastal regions, and includes WPAs 10 through 16. The North County Sub-Region extends inland from the San Luis Obispo/Santa Barbara County line north to the San Luis Obispo/Monterey County line, bounded to the east by Kern and Fresno Counties, and to the west in part by the Santa Lucia range. This Sub-Region includes urban areas of Paso Robles, Atascadero, Templeton, San Miguel, and Santa Margarita.

Regional Water Management Group

The legislation and the State IRWM Guidelines defines a RWMG as a group to include three or more local agencies, at least two of which have statutory authority over water supply or management, as well as those other persons necessary for the development and implementation of the IRWM Plan. The purpose of the RWMG is to:

- Engage elected officials and water resource management leaders,
- Represent public and stakeholder groups,
- Resolve conflicts,
- Build political support, and
- Achieve a unified front for the Plan’s implementation of regional water projects.



Through the San Luis Obispo County Region Integrated Regional Water Management Program Participants Memorandum of Understanding (MOU), San Luis Obispo local water agencies and IRS 501(c)(3) nonprofit organizations came together and formed the RWMG. The categorical make-up of the RWMG among municipalities (includes land-use), water resources agencies, environmental/non-profit organizations, and special districts is shown in **Figure ES–9** (current list of RWMG agencies is on the back sheet). The number of agencies will likely continue to grow over time.

Figure ES–9. RWMG Member Agency Categories

Disadvantaged Communities

Based on DWR's 2012 analysis, the IRWM Region has four (4) designated Disadvantaged Communities (DACs), including the Communities of San Miguel, Oceano, San Simeon, and the City of San Luis Obispo. All four DACs are signatories to the MOU and represented in the RWMG. All public outreach and communication efforts include and support the involvement of the Region's DACs. In fact, Plan kick-off included six (6) introductory DAC workshops.

It's important to note that the Region faces other obstacles beyond communities challenged by low income. A majority of the Region's land is unincorporated, rural and agricultural land use. Because of this, communities throughout the Region are disadvantaged in terms of their low and dispersed populations, distance to adjacent communities and water systems, and limitations of resources available. This creates difficulties when attempting to achieve economies of scale, or even when simply seeking to implement programs, projects, or system upgrades.

Tribal Councils

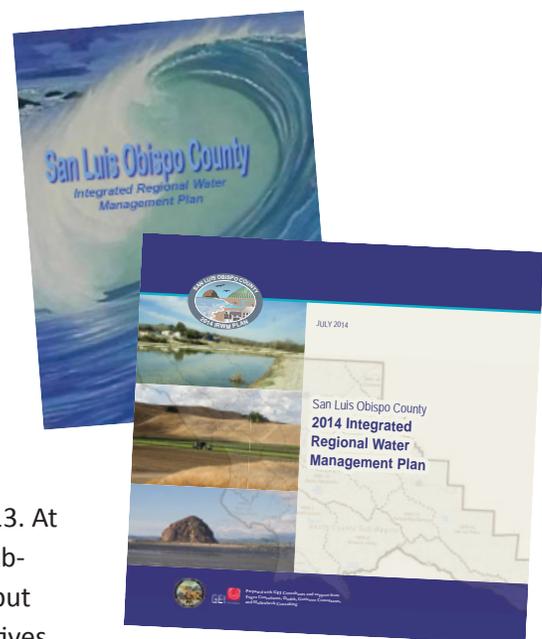
The two prominent Native American Tribes of San Luis Obispo are the Salinan and Northern Chumash Indian tribes. There are no tribal lands with specific water resources management needs; however, members of these tribes are encouraged to engage in the IRWM Program through notifications using the Native American Heritage Commission contact list.

San Luis Obispo Region IRWM Plan Goals and Objectives

The Region's IRWM Plan goals and objectives provide the basis for decision-making and are used to evaluate project benefits in terms of implementing the Region's IRWM Plan. The goals and objectives respond to input on what the RWMG and interested stakeholders perceive to be the Region's major water resources issues. The goals and objectives:

- Focus the IRWM Plan
- Provide a basis for determining the most appropriate resource management strategies for the Region
- Are used to evaluate project benefits
- Guide IRWM project/program prioritization, development, and implementation

A consensus-based approach was used to develop the goals and objectives which included three Sub-Region workshops in March 2013. At the workshops, stakeholders were asked to provide input on their Sub-Region's three most critical water resources issues. Answers varied, but the results show that many of the 2007 IRWM Plan Goals and Objectives remain as important issues facing the Region.





Top Three Issues Identified by Stakeholders:

- Water supply
- Groundwater management
- Water reclamation from wastewater treatment

The three issues with the largest number of occurrences, water supply, groundwater management, and water reclamation from wastewater treatment, represent the majority of stated needs for improving the Region's water resources.

North Coast Priority Issues

In the North Coast, the most pressing water issues include water reclamation from wastewater treatment, sustainable water supplies, and addressing seawater intrusion into fresh groundwater aquifers. These issues reflect the need for increasing water supply reliability in part through water reuse and recycling opportunities, and decreasing groundwater pumping in the coastal groundwater basins.

South County Priority Issues

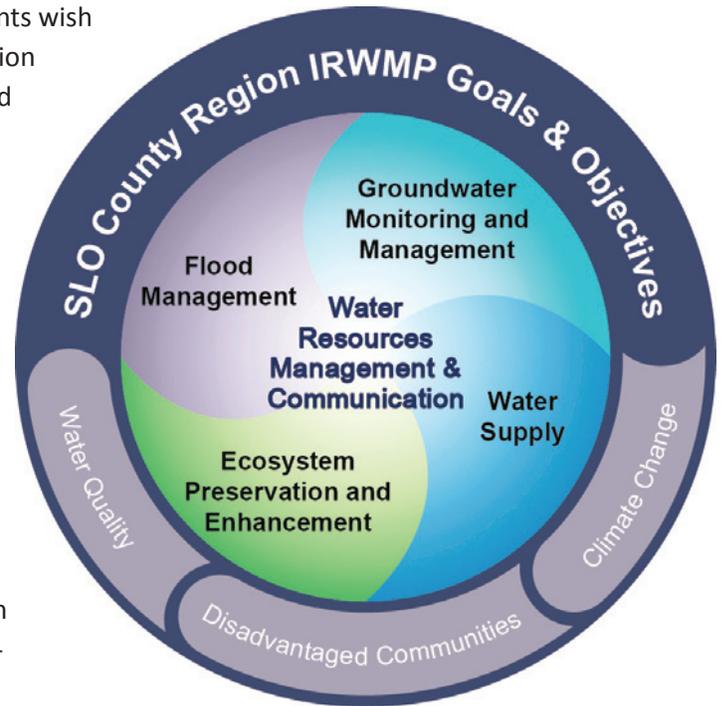
In the South County, the most pressing water issues include groundwater management, flood control, water reclamation from wastewater treatment, and adaptation to climate change. Flood control and adaptation to the impacts of climate change were identified as more pressing issues here compared to the other Sub-Regions.

North County Priority Issues

In the North County, the most pressing water issues include groundwater management, water supply, and groundwater quality. These issues reflect the need for increasing the overall water supply in part through better groundwater management, which is generally considered to include providing additional supplies for conjunctive use with surface water or groundwater recharge.

IRWM Plan Goals

The most pressing issues were translated into the IRWM Plan goals which identify what the RWMG and other IRWM Program Participants wish to accomplish under the broader IRWM Plan Vision and Mission statements. In addition, IRWM Plan objectives were identified that provide more specific, tangible, and measurable activities to ensure the goals' implementation. The goals of this IRWM Plan encompass five categories of water resources management that define the focus of this Region's IRWM Planning effort. These categories are illustrated as a collection of goals that work together to bring synergy to address important issues related to water quality, disadvantaged communities (DACs), and climate change.



Water Supply Goal

The intent of the Water Supply Goal is to maintain or improve water supply quantity and quality for potable water, fire protection, ecosystem health, and agricultural production needs; as well as to cooperatively address limitations, vulnerabilities, conjunctive-use, and water-use efficiency.

Ecosystem and Watershed Goal

The intent of the Ecosystem and Watershed Goal is to maintain or improve the health of the Region's watersheds, ecosystems, and natural resources through collaborative and cooperative actions; with a focus on assessment, protection, and restoration/enhancement of ecosystem and resource needs and vulnerabilities.

Groundwater Monitoring and Management (Groundwater) Goal

The intent of the Groundwater Management and Monitoring Goal is to achieve sustainable use of the Region's water supply within groundwater basins through collaborative and cooperative actions.

Flood Management Goal

The intent of the Flood Management Goal is to foster an integrated, watershed approach to flood management and improved storm water quality through collaborative community supported processes in order to ensure community health, safety, and to enhance quality of life.

Water Resources Management and Communications (Water Management) Goal

The intent of the Water Resources Management and Communications Goal is to promote open communications and regional cooperation in the protection and management of water resources, including education and outreach related to water resources conditions, conservation/ water use efficiency, water rights, water allocations, and other regional water resource management efforts.

Prioritization of IRWM Goals and Objectives

The RWMG has made a deliberate decision not to prioritize the IRWM Plan Objectives on a regional level, but to prioritize them separately for each Sub-Region. The rationale for this decision results from the Region having a broad and complex geographic area made up of a diverse group of stakeholders having varying water resources issues depending on their location. The RWMG has aimed to be as inclusive as possible of all stakeholders in the Region, encouraging their active participation in the IRWM Planning process and considering their concerns and needs. The IRWM Plan Objectives are based on the water resources issues described in the Region, as identified by the three Sub-Region stakeholder groups.

The purpose of introducing the Sub-Region Priorities is to allow for a ranking to take place within each of the Sub-Regions. The Sub-Region Priorities stem from the regional objectives, but speak specifically to local issues and what local objectives are going to be committed to in the implementation of IRWM Projects within each of the Sub-Regions. This approach provides for a discussion of relevant importance and prioritization to the regional Objectives based on the geographic location of the projects.

Sub-Region Priorities Lists

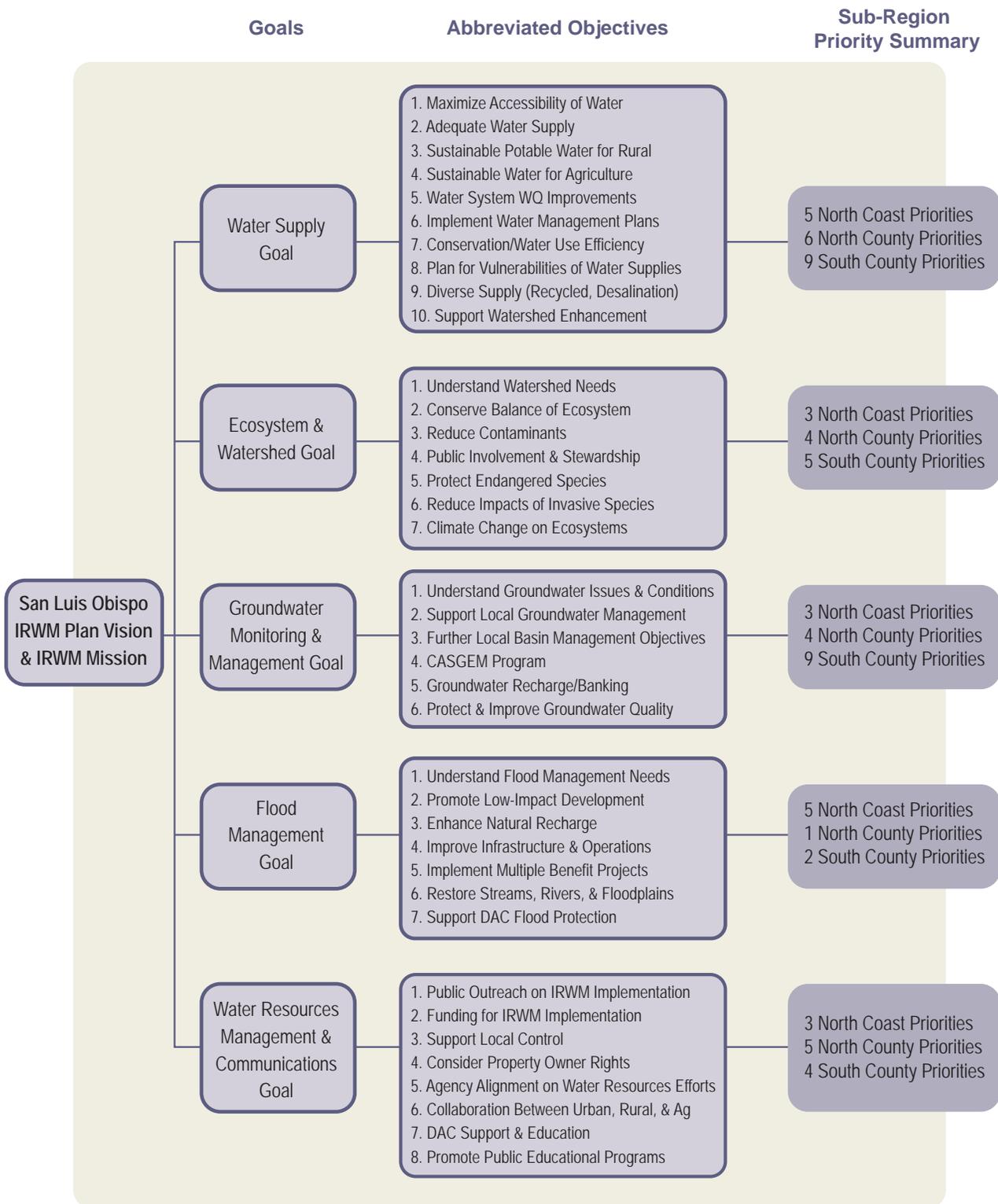
A Sub-Region Priority is defined as an issue or conflict (i.e., not a project or single action) that is taking place in the Sub-Region, which can be resolved through local (or regional) actions within the control and jurisdiction of local agencies. Additionally, a Sub-Region Priority meets one or more of the IRWM Plan Objectives and results in measurable physical benefits.

Described more simply, Sub-Region Priorities are locally driven objectives that are tied to the IRWM Plan's Objectives at the regional level, but hold the emphasis and priority of the Sub-Region stakeholders. In this way, local projects can be formed around objectives that are meaningful to the Sub-Region, and inherently result in physical benefits and synergies with the regional Goals and Objectives.

The method for determining the Sub-Region Priorities began with the Sub-Region's workshop list of issues and concerns. The Sub-Region Priorities were approved by the Sub-Region representatives and have the support of the local stakeholders. It is the intent that each Sub-Region takes ownership of these priorities and updates the list and continues to prioritize it to reflect changes occurring within their Sub-Region over the life of the IRWM Plan.

Figure ES-10 shows the relationship of the Sub-Region Priorities (on the right) to the specific objectives for each IRWM Plan goal (on the left and middle).

Figure ES–10. Sub-Region Priorities



North Coast Sub-Region

This Sub-Region (**Figure ES–11**) includes WPAs 1 through 5 and is characterized by its small coastal watersheds and communities dependent on groundwater and local surface water supplies; its communities, watersheds, water suppliers, and groundwater basins are listed in **Table ES–5**. **Figure ES–12** displays the water resource issues of concern provided by North Coast Sub-Region stakeholders identifying water reclamation and water supply as the issues of greatest concern. Both of these issues highlight small coastal communities not having sufficient groundwater supplies or sea water intrusion limiting groundwater basins’ safe yield.

Figure ES–11. North Coast Sub-Region

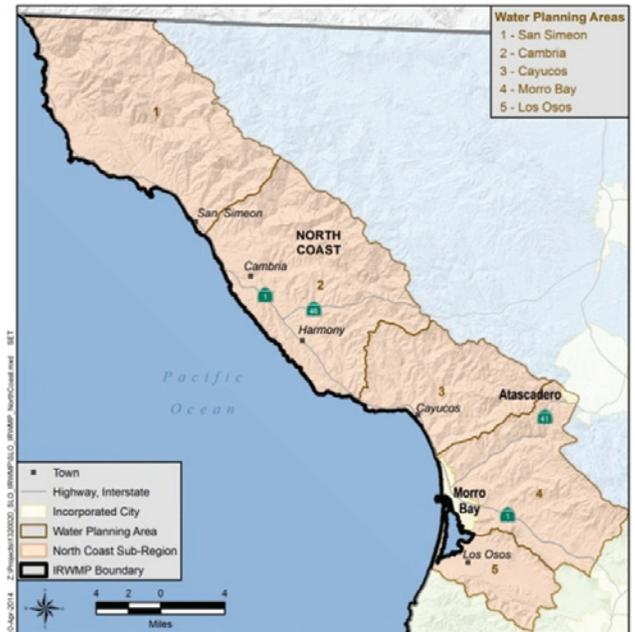


Table ES–5. North Coast Sub-Region Characteristics

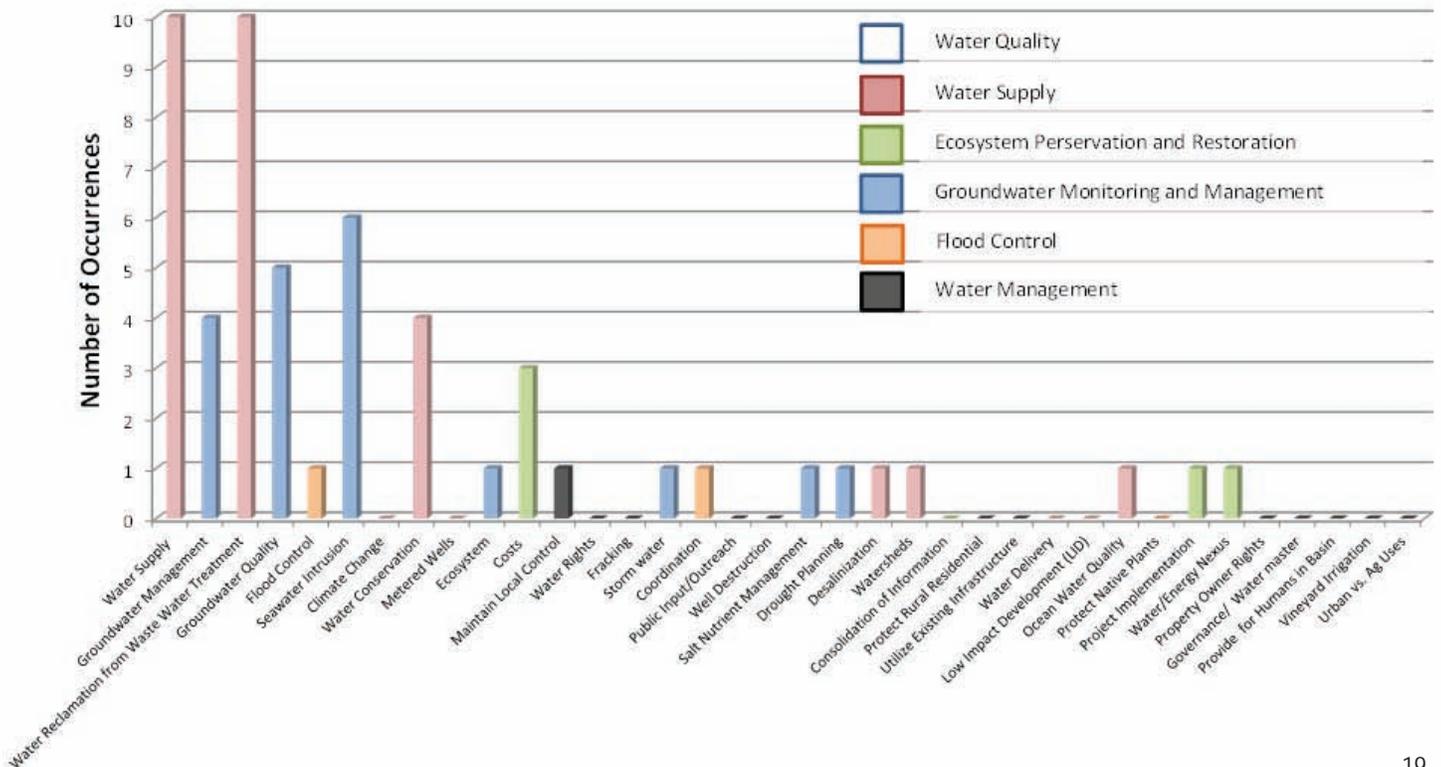
WPA	Local Governments, Communities, Places of Interest	Watersheds	Water Suppliers	Groundwater Basins
1 San Simeon	<ul style="list-style-type: none"> Community of San Simeon Hearst Ranch 	<ul style="list-style-type: none"> San Simeon-Arroyo de la Cruz 	<ul style="list-style-type: none"> San Simeon CSD* 	<ul style="list-style-type: none"> San Carpofo Valley Arroyo De La Cruz Valley Pico Creek Valley
2 Cambria	<ul style="list-style-type: none"> Town of Cambria 	<ul style="list-style-type: none"> Big Creek–San Carpofo Santa Rosa Creek 	<ul style="list-style-type: none"> Cambria CSD* 	<ul style="list-style-type: none"> San Simeon Valley Santa Rosa Valley Villa Valley
3 Cayucos	<ul style="list-style-type: none"> Community of Cayucos 	<ul style="list-style-type: none"> Cayucos Creek–Whale Rock Area 	<ul style="list-style-type: none"> Morro Rock MWC Paso Robles Beach Water Association CSA 10A Cayucos Cemetery District 	<ul style="list-style-type: none"> Cayucos Valley Old Valley Toro Valley
4 Morro Bay	<ul style="list-style-type: none"> California Men’s Colony Cuesta College Camp San Luis Obispo (National Guard) County Office of Education County Operational Center City of Morro Bay 	<ul style="list-style-type: none"> Cayucos Creek–Whale Rock Area Morro Bay 	<ul style="list-style-type: none"> California Men’s Colony* Cuesta College Camp San Luis Obispo (National Guard) County Office of Education County Operational Center City of Morro Bay* 	<ul style="list-style-type: none"> Morro Valley Chorro Valley
5 Los Osos	<ul style="list-style-type: none"> Community of Los Osos 	<ul style="list-style-type: none"> Morro Bay 	<ul style="list-style-type: none"> Los Osos CSD* S&T MWC* Golden State Water Company 	<ul style="list-style-type: none"> Los Osos Valley

*RWGM Member

North Coast Sub-Region Priorities–Key Issues

- Update Water Supply Capital Programs for small coastal communities with alternatives analysis and financial requirements.
- Conduct Sub-Region study on maximum use of recycled water.
- Study the impacts of climate change on coastal community water supplies.
- Seek agency cooperation in regionalizing drinking water, recycled water for irrigation and wastewater.
- Implement water conservation programs and measures.
- Conduct a study on cost-effective methods of improving wastewater discharge quality including improving source quality (i.e., reduced natural contaminants in groundwater) of potable water.
- Understand flow needs and watershed functionality and identify priority areas for water supply enhancement and conservation projects to ensure watershed health.
- Conserve the balance of ecosystem functions/ services.
- Develop a Groundwater Management Plan for all groundwater basins used as drinking water supply.
- Create a State-approved groundwater monitoring program at community or Sub-Region level.
- Determine the safe yield of coastal aquifers.
- Identify, protect, and enhance aquifer recharge areas.
- Distinguish the root cause of flooding problems.
- Restore floodplains, streams, and rivers.
- Promote low impact development projects.
- Develop financial programs for drainage and flood management projects.
- Develop methods to reach out to community on local water-related information and dates for Sub-Region meetings and workshops.
- Initiate inner- and inter-watershed discussions on conservation and reuse options.

Figure ES–12. North Coast Public Concerns of Water Resources Issues



South County Sub-Region

This Sub-Region (**Figure ES-15**) contains a mixture of small coastal communities and higher elevation inland regions dependent on groundwater, and local and State Water Project supplies; it includes WPAs 6 through 9, with communities, watersheds, water suppliers, and groundwater basins listed in **Table ES-7**. **Figure ES-16** displays the issues of concern provided by the South County Sub-Region stakeholders identifying groundwater management and flood control as the issues of greatest concern. The groundwater management issues are due in part to the challenges of managing the adjudicated Santa Maria Groundwater Basin and water shortage problems.

Figure ES-13. South County Sub-Region

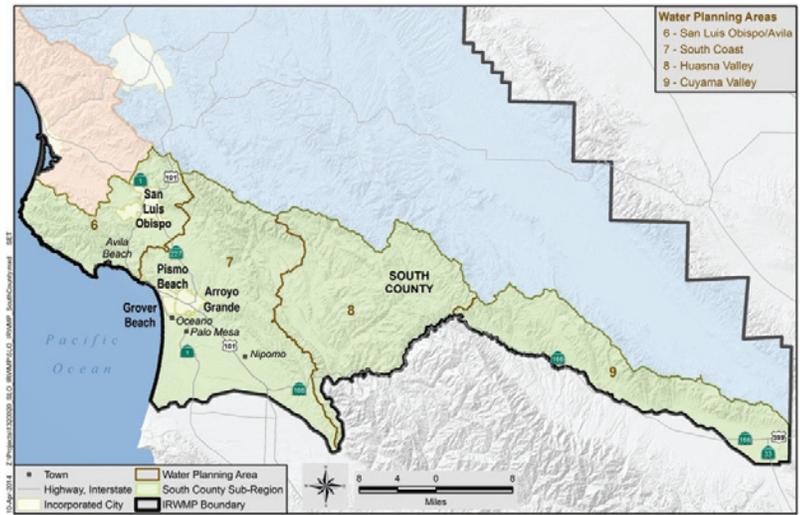


Table ES-6. South County Sub-Region Characteristics

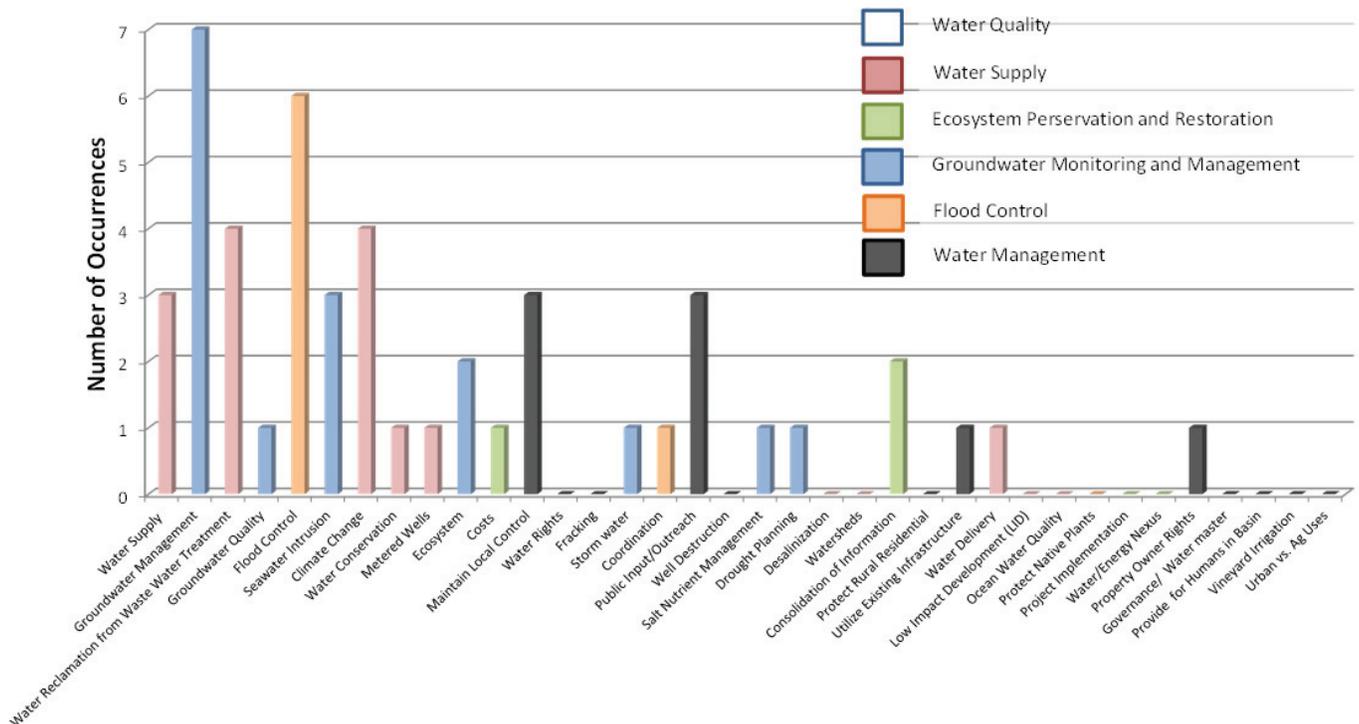
WPA		Local Governments, Communities, Places of Interest	Watersheds	Water Suppliers	Groundwater Basins
6	San Luis Obispo/Avila	<ul style="list-style-type: none"> • Cal Poly San Luis Obispo • Community of Avila Beach • Port San Luis • City of San Luis Obispo 	<ul style="list-style-type: none"> • Irish Hills Coastal Watershed • San Luis Obispo Creek 	<ul style="list-style-type: none"> • Cal Poly San Luis Obispo • Avila Beach CSD • Avila Valley MWC • San Miguelito MWC • CSA 12 • Port San Luis • City of San Luis Obispo* 	<ul style="list-style-type: none"> • San Luis Obispo Valley • San Luis Valley Sub-Basin • Avila Valley Sub-Basin
7	South Coast	<ul style="list-style-type: none"> • Community of Nipomo • Community of Oceano • Palo Mesa Village • City of Pismo Beach • City of Arroyo Grande • City of Grover Beach 	<ul style="list-style-type: none"> • Arroyo Grande Creek • Nipomo Suey Creeks • Pismo Creek • Santa Maria River 	<ul style="list-style-type: none"> • Oceano CSD* • City of Pismo Beach* • City of Arroyo Grande* • City of Grover Beach* • Golden State Water Company • Nipomo CSD* • Rural Water Company • Woodlands Mutual Water Company • Conoco Phillips 	<ul style="list-style-type: none"> • Edna Valley Sub-Basin • Santa Maria River Valley • Arroyo Grande Valley Sub-Basin • Nipomo Valley Sub-Basin • Pismo Creek Valley Sub-Basin
8	Huasna Valley		<ul style="list-style-type: none"> • Alamo Creek • Cuyama River • Huasna River 		<ul style="list-style-type: none"> • Huasna Valley
9	Cuyama Valley		<ul style="list-style-type: none"> • Cuyama River 		<ul style="list-style-type: none"> • Cuyama Valley Basin*

*RWMG Member

South County Sub-Region Priorities—Key Issues

- Seek agricultural and urban supplemental water supplies.
- Study the impacts of sea level rise on coastal community water supplies.
- Develop supplemental water supplies.
- Evaluate potential for groundwater banking/conjunctive use programs and policies (locally or within State Water Project system).
- Investigate options for optimizing use of local surface water storage.
- Maximize production and delivery capacity of the local water supply infrastructure (e.g., capacity improvements to Lopez WTP, pipeline pigging, etc.).
- Evaluate potential for enhanced rainfall.
- Improved diversification of water supply resources for the South County agencies.
- Implementation of coordinated regional conservation programs.
- Finalize/Implement AG Creek Habitat Conservation Plan.
- Develop an inventory of diversions from surface water bodies.
- Install stream gauges on key regional creeks.
- Develop groundwater facilities or projects that increase operational and management flexibility.
- Avoid seawater intrusion (identify risk measures/management thresholds, develop coordinated response).
- Develop management tools (conceptual and groundwater flow models).
- Develop a uniform groundwater monitoring program for the South County groundwater basins.
- Develop uniform metering and reporting for all groundwater pumping in the South County.
- Increase groundwater monitoring (focused on storage).
- Install additional dedicated monitoring wells including down hole transducers in high priority areas.
- Investigate and quantify subsurface flows between the Santa Maria Groundwater Basin management areas.
- Investigate and quantify available storage and reliable yield.
- Establish policies to maintain health of the South County’s groundwater basins.
- Prepare Salt and Nutrient Management Plan(s) to cover the Sub-Region.
- Develop projects to improve the levels of flood protection in urbanized areas.
- Increase storm water retention and percolation.
- Improve collaboration and data-sharing between urban, agricultural, and rural pumpers.
- Maintain collaborative efforts between basin and watershed management groups.

Figure ES–14. South County Public Concerns of Water Resources Issues



North County Sub-Region

Along with a growing urban population, the North County Sub-Region (**Figure ES–13**) is predominantly agriculture and native lands with a dry arid climate dependent on the larger Paso Robles Groundwater Basin and to a lesser extent both local and State surface water supplies. This Sub-Region includes WPAs 10 through 16, with communities, watersheds, water suppliers, and groundwater basins listed in **Table ES–6**. **Figure ES–14** displays the issues of concern provided by the North County stakeholders identifying water supply and groundwater management as the issues of greatest concern. The most significant example of these issues is the debate over how to manage and stabilize water levels in the Paso Robles Basin and associated watersheds for human and environmental needs.

Figure ES–15. North County Sub-Region

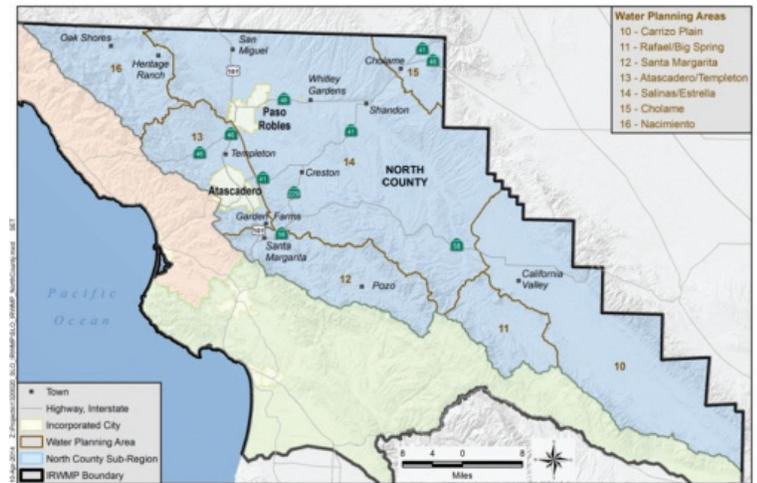


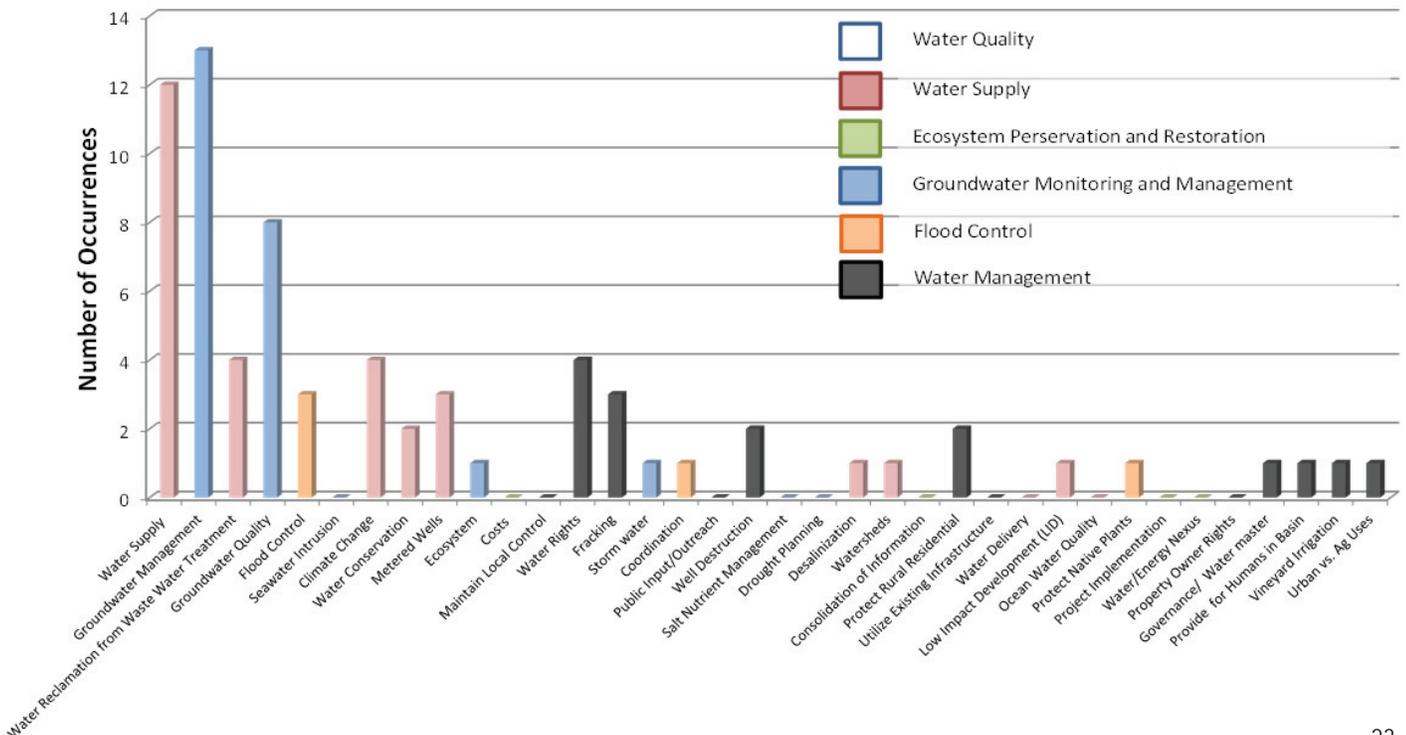
Table ES–7. North County Sub-Region Characteristics

WPA		Local Governments, Communities, Places of Interest	Watersheds	Water Suppliers	Groundwater Basins
10	Carrizo Plain	<ul style="list-style-type: none"> Community of California Valley 	<ul style="list-style-type: none"> Black Sulphur Spring Soda Lake 		<ul style="list-style-type: none"> Carrizo Plain
11	Rafael/ Big Spring		<ul style="list-style-type: none"> Upper San Juan Creek Lower San Juan Creek 		<ul style="list-style-type: none"> Rafael Valley Big Spring Area
12	Santa Margarita	<ul style="list-style-type: none"> Village of Pozo Community of Santa Margarita Santa Margarita Ranch 	<ul style="list-style-type: none"> Upper Salinas–Santa Margarita Area 	<ul style="list-style-type: none"> CSA 23 Santa Margarita Ranch 	<ul style="list-style-type: none"> Pozo Valley Rinconada Valley Santa Margarita
13	Atascadero/ Templeton	<ul style="list-style-type: none"> Community of Templeton Community of Garden Farms City of Atascadero 	<ul style="list-style-type: none"> Mid Salinas–Atascadero Area 	<ul style="list-style-type: none"> Garden Farms CWD Templeton CSD* Atascadero MWC 	<ul style="list-style-type: none"> Paso Robles Atascadero Sub-Basin
14	Salinas/ Estrella	<ul style="list-style-type: none"> Community of San Miguel Community of Shandon Village of Whitley Gardens Village of Creston Camp Roberts City of Paso Robles 	<ul style="list-style-type: none"> Estrella River Huer Huero Creek Lower San Juan Creek Upper San Juan Creek 	<ul style="list-style-type: none"> San Miguel CSD* Camp Roberts CSA 16 (Shandon) City of Paso Robles* 	<ul style="list-style-type: none"> Paso Robles
15	Cholame	<ul style="list-style-type: none"> Community of Cholame 	<ul style="list-style-type: none"> Cholame Creek 		<ul style="list-style-type: none"> Cholame Valley
16	Nacimiento	<ul style="list-style-type: none"> Heritage Ranch Community of Oak Shores 	<ul style="list-style-type: none"> Nacimiento River 	<ul style="list-style-type: none"> Nacimiento Water Company Heritage Ranch CSD* 	

North County Sub-Region Priorities—Key Issues

- Update Water Supply Capital Programs for small inland water systems with alternatives analysis and financial requirements.
- Seek agricultural, rural, and urban opportunities, working with other agencies and regional partners, to develop conjunctive use and drought year water supplies, including private groundwater pumpers.
- Pursue water conservation efforts in all use sectors and supplemental supply projects (non-groundwater) to reduce dependence on groundwater.
- Pursue cost-effective and technically feasible conjunctive use projects to increase water supplies for agricultural, rural, and urban water users.
- Ensure potable water is available for rural residents.
- Seek funding for supplemental water supply.
- Develop quantifiable control studies on manmade actions to improve groundwater quality and/or increase groundwater elevations using currently adopted best management practices.
- Understand watershed functionality and identify specific priorities for ensuring watershed health.
- Protect the Salinas River corridor.
- Pursue land conservation projects that protect watersheds.
- Improve groundwater monitoring programs with participation from urban and agricultural pumpers to track changes in groundwater levels and groundwater quality.
- Establish sustainable yields with an emphasis of improving the larger regional basin.
- Seek funding for supplemental water, conjunctive use and/or groundwater banking programs to provide greater operational flexibility.
- Work to balance groundwater basin through demand management and supply options.
- Identify, protect, and enhance aquifer recharge areas.
- Perform an assessment study on current water rights within the Paso Robles Basin and Salinas River.
- Maintain collaborative efforts with groundwater basin and watershed stakeholders.

Figure ES–16. North County Public Concerns of Water Resources Issues



Plan Update Process

The 2014 IRWM Plan is a living document that will change over time. It documents current and relevant water resources issues facing the Region. The goal is to keep the plan current by incorporating new information as it becomes available. For example, water resources information contained within Urban Water Management Plans (UWMPs), new capital improvement project lists, and DWR IRWM Plan Guidelines are expected to change over time.

The update frequency of the IRWM Plan for re-adoption by the Region’s stakeholders is planned to be every five years. The time in-between each update is spent on a myriad of critical and required tasks to ensure compliance with the IRWM Plan requirements and its implementation, assuming a funding source is available to support this effort. Outreach efforts during the intervening years should strive to keep the IRWM Plan and related activities fresh in the minds of RWMG member agencies, Sub-Region stakeholders, DACs, and project sponsors.

How the IRWM Plan Update meets the 2012 IRWM Plan Guidelines and Plan Review Process

As the 2014 IRWM Plan was developed, the RWMG considered the list of November 2012 DWR IRWM Guidelines to ensure acceptance and approval by the State. **Figure ES–17** shows how the San Luis Obispo 2014 IRWM Plan is organized. **Table ES–8** summarizes where the sections meet the DWR Guideline Standards. A more detailed review table is provided in Appendix Q of the IRWM Plan.

Figure ES–17. IRWM Plan Sections

<i>IRWM Plan Organization</i>	
Section A. Introduction	Section J. Plan Performance and Monitoring
Section B. Governance, Stakeholder Involvement, and Outreach	Section K. Data Management
Section C. Region Description	Section L. Financing Strategies
Section D. Water Supply, Demand, and Water Budget	Section M. Technical Analysis
Section E. IRWM Goals and Objectives	Section N. Relation to Local Water and Land Use Planning
Section F. Resource Management Strategies	Section O. Planning Coordination
Section G. Project Solicitation, Selection and Prioritization	Section P. Climate Change
Section H. Project Integration and Alternatives	Section Q. Plan Implementation and Maintenance Activities
Section I. Plan Benefits and Impacts	Section R. References

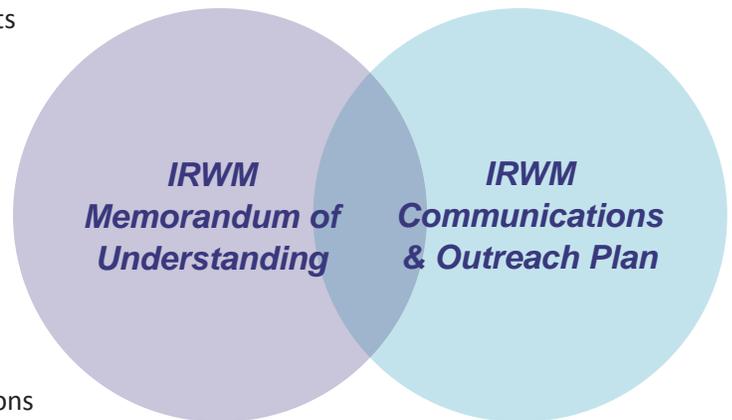
Table ES-8. DWR IRWM Plan Update Standards Reference

DWR IRWM Plan Standard	Section Where Addressed
Governance	B
Region Description	C, D
Goals & Objectives	E
State Resource Management Strategy	F
Integration	H
Project Review Process	G
Impacts and Benefits	I
Plan Performance and Monitoring	J
Data Management	K
Finance	L
Technical Analysis	M
Relation to Local Water Planning	N
Relation to Local Land Use Planning	N
Stakeholder Involvement	B, E, F, G, K, Q
Coordination	O
Climate Change	P

Governance/Stakeholder Outreach

The governance and stakeholder outreach process which guided the preparation of this IRWM Plan is based upon two documents created to define governance and participation in the local IRWM program. The *San Luis Obispo County Region Integrated Regional Water Management Program Participants Memorandum of Understanding* (MOU) establishes the Regional Water Management Group (RWMG) and essential governance structure inclusions.

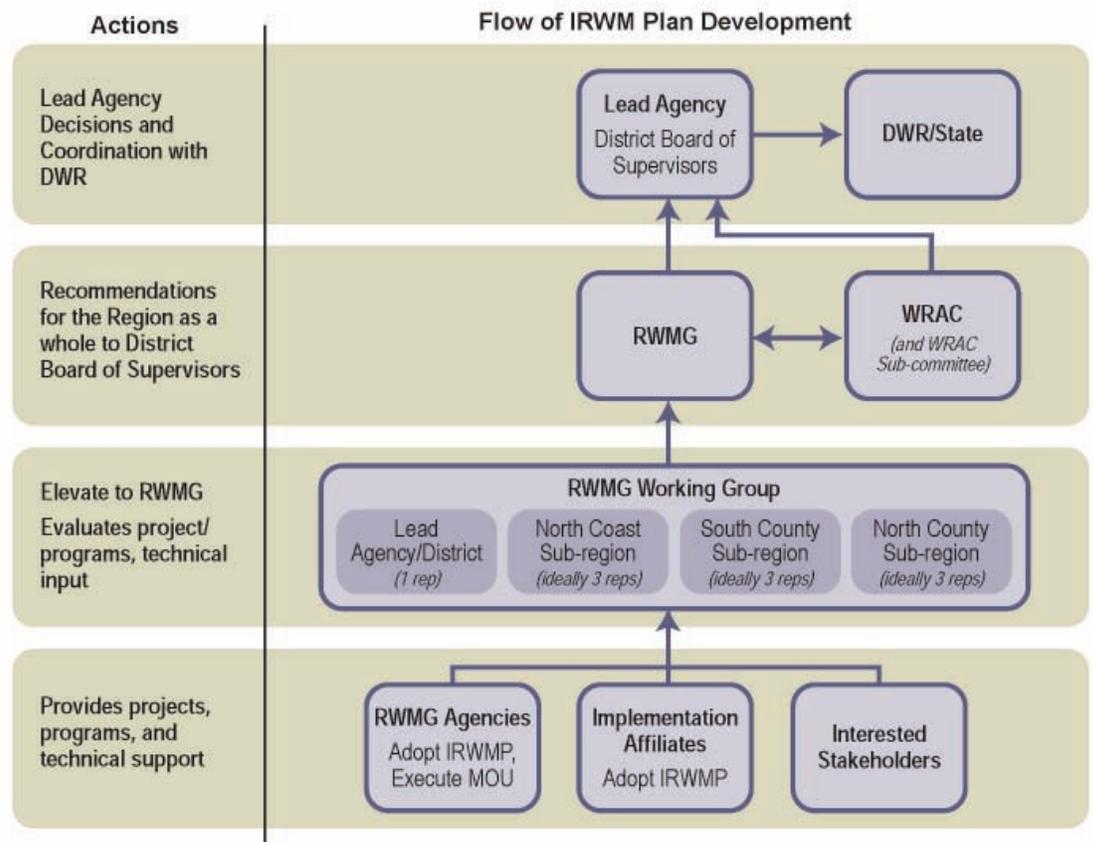
Based upon this MOU, the Region’s Program Participants developed a *Communications and Outreach Plan* – further defining details of governance, outreach, and communications processes utilized to prepare the 2014 IRWM Plan.



Governance Structure

The MOU defines the purpose of the RWMG, its membership, other Program Participants, and each participant’s role and responsibility in program development and implementation. **Figure ES–18** illustrates the IRWM Plan’s governance and organizational structure, as well as functional relationships of the various IRWM Program Participants. Decisions are made at the RWMG meetings and then elevated to the District’s (Lead Agency) Board of Supervisors as-needed for final approval and coordination with DWR.

Figure ES–18. IRWM Governance Structure



Stakeholder Involvement and Public Outreach Process

Public and stakeholder involvement have been integrated into the decision-making process in a manner that ensures education, awareness, balanced opportunity to participate, and clear communication conduits. One of the goals of the public and stakeholder involvement was to strengthen overall regional capacity for carrying on the goals of IRWM throughout future years.

Communications and Outreach

One of the two IRWM governance guidance documents is the Communications and Outreach Plan. The Communications and Outreach Plan is a simple guide on how com-

munication will flow and be managed through the life of the IRWM Program. The purpose is stated as follows:

The purpose of the Outreach Plan is to satisfy DWR outreach requirements and build a solid, inclusive, and representative agency, stakeholder, and DAC base that is supportive of the aims of the IRWM Plan.

The Communications and Outreach Plan built upon the MOU that identifies the IRWM Program Participants (RWMG, WRAC, RWMG Working Group, Implementation Affiliates and stakeholders) involved in the IRWM Plan Update, and describes the planned and periodic communications that will occur between the entities. The County's IRWMP Plan website (hosted at www.slocountywater.org) shown on **Figure ES-20** was used as a repository of information for the RWMG members, stakeholders, and the public. Key Plan development milestones and decision processes were documented in a series of brochures like the ones shown on **Figure ES-19** to elevate the awareness of these accomplishments.

Climate Change

Consistent with DWR IRWM Guidelines, Climate Change Analysis is now considered a critical component in the planning and implementation of water resources management projects and programs. The 2012 IRWM Guidelines require that IRWM Plans address both adaptation to the effects of climate change and mitigation of greenhouse gas (GHG) emission resulting from IRWM project implementation. As a result, the Region identifies and prioritizes the Region's vulnerabilities to climate change, ranking project impacts and identifying potential mitigation and adaptation responses.

In the process of evaluating climate change for the San Luis Obispo County IRWM Plan area, a Vulnerability Assessment Checklist was prepared that considers GHG emissions between possible project alternatives occurring in the Region. As part of this analysis and with the knowledge of the three Sub-Regions (i.e., climate and socio-economic variables), each Sub-Region is examined individually using a list of questions intended to better understand the unique vulnerabilities of climate change. Each Sub-Region includes a set of categories

Figure ES-19. SLOC IRWM Plan Update Brochures

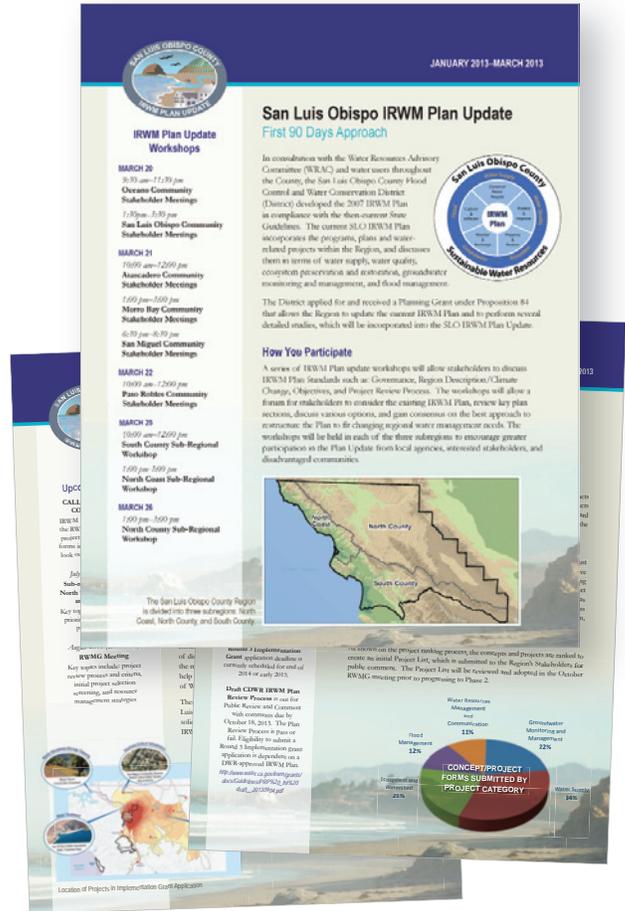
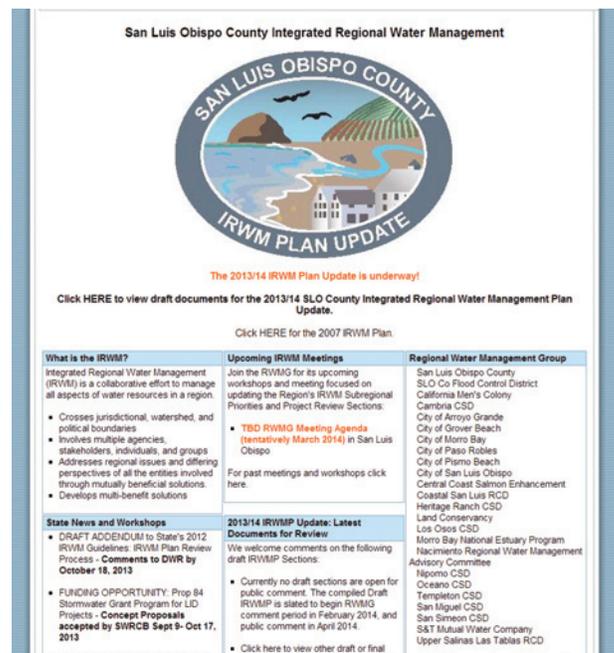


Figure ES-20. SLOC IRWM Plan Update Website



and a scoring system to assist in prioritizing projects intended to address the vulnerabilities based on the level of impact and the ability to mitigate for climate change in whole or in part. Prioritization of each Sub-Region is as follows:

Priority Rating 1 – significant vulnerabilities that have far-reaching impacts, are very likely to occur, have a willingness to pay and can be addressed through well-defined near-term projects where/when feasible.

Priority Rating 2 – significant vulnerabilities with a high adaptive capacity and can be addressed through specific projects and planning studies and/or monitoring programs where/when feasible.

Priority Rating 3 – less than significant vulnerabilities for consideration in future long-term projects and planning studies and/or monitoring programs where/when feasible.

Shown in **Table ES–9** are the rating categories and their ranking for each Sub-Region. The listing of vulnerabilities begins below the table.

Table ES–9. Sub-Region Vulnerability Rating Categories and Ranking

Sub-Region	Rating Categories	Rating
North Coast Sub-Region	Inadequate Storage Capacity	1
	Saltwater Intrusion and Coastal Inundation	1
	Ecosystems and Habitat	2
	Water Quality	2
	Water Demand	3
	Flooding	3
South County Sub-Region	Decreased Water Supply	1
	Coastal Inundation	1
	Water Demand	2
	Water Quality	2
	Ecosystems and Habitat	2
	Flooding	2
North County Sub-Region	Water Supply	1
	Water Demand	1
	Water Quality	2
	Ecosystems and Habitat	2
	Flooding	3

Project Identification and Selection Process

Project Solicitation Process

San Luis Obispo County stakeholders have been actively engaged in the IRWM Plan Update's project solicitation and review process. From June to December 2013, water resources concepts and projects/programs were solicited from stakeholders. Altogether, agencies, organizations, and individual stakeholders submitted 91 abstracts for the 2013 call for projects and programs. Stakeholders submitted abstracts that should add value to the Region's integrated management of water resources in the areas of water supply, groundwater management, flood management, ecosystem restoration, and general water resources management.

Compiling the Full Project List

The submitted projects were reviewed and initially ranked in accordance with the RWMG-approved project review guidelines (follow the IRWMP quicklink at www.slocountywater.org). Some submittals were either not IRWM-related or were integrated into another project submittal. Of the 91 submittals, 81 were added to the Full Project List - 52 of those were classified as concepts and 29 were classified as projects/programs. Concepts, programs, and projects from the 2007 IRWM Plan were also reviewed, 34 of which were added to the Full Project List as well. As a result of this project screening, the 2013 IRWM Plan Full Project List includes 115 projects.

Creating the Final IRWM Plan Project List

On October 2nd, 2013, the IRWM review process and resulting Full Project List was presented to the RWMG. Various integration opportunities were noted at that meeting. The RWMG asked the RWMG Working Group (and Project Sponsors) to meet and integrate/finalize the IRWM Plan Project List (includes both the Full Project List and Project Short List).

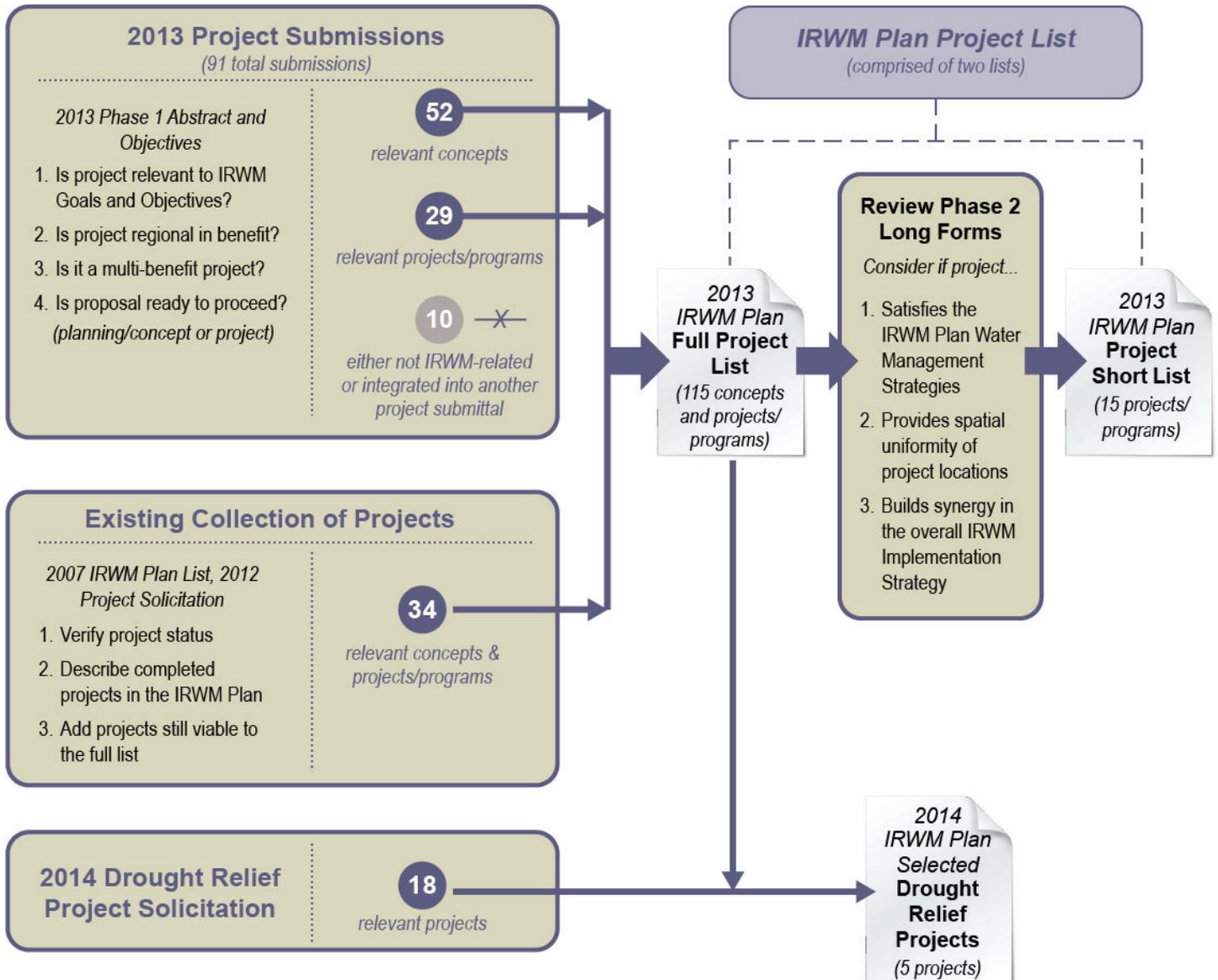
The RWMG Working Group held that public meeting on October 16th, 2013 to review the IRWM Plan Project List. The whole process and resulting integrated IRWM Project List was published as a brochure (Volume 5) and sent out to the RWMG and interested stakeholders in order to seek input, inform the public, and solicit comments. This brochure memorializes the results of this six month process to develop both the Full Project List and the Project Short List to be included and evaluated in the IRWM Plan.

Why Two Lists?

The purpose of having two lists is to satisfy the State's requirements of an IRWM Plan (Final IRWM Project List), and to constantly maintain a list of the region's most current projects for use in selection upon notification of regional or local funding opportunities (Full Project List). The Full Project List is updated on an as-needed basis (at a minimum of every two years) such as was described earlier with the emergency drought project solicitation. All projects included on this list are considered to be a part of the IRWM Plan and will be considered for future funding and implementation opportunities.

Figure ES-21 visually describes how the collection of projects from the 2007 IRWM Plan, the 2012 project solicitation, the Phase 1 2013 Project Abstracts (and Objective Worksheet), and the Phase 2 Project Long Forms were combined to form the Full Project List and which was further screened to create the Project Short List.

Figure ES-21. Project Solicitation and Selection Process



Financing Strategies

To date, the IRWM Planning effort has been funded through the District. The District serves as the approving body and lead agency for the IRWM Plan's development and implementation. While the District is governed by the San Luis Obispo County Board of Supervisors, its Board members and shared County staff act separately, depending on assigned responsibilities, on behalf of both the County of San Luis Obispo and the District.

The District receives local funding through its general property tax allocations and from revenues provided by participating agencies, organizations, and other parties benefiting from District services. Both the District and DWR provide funding for developing and updating the IRWM Plan. DWR funding for planning and implementation of the IRWM Plan has historically been obtained through the District's application for publically supported grants issued as part of Propositions 50 and 84; both being water bond measures voted by the people of California to support integrated water resources management in the State.

Local Agency Funding

Sources of local funding in the IRWM Region are constrained for direct use in implementing new capital projects and management programs identified in the IRWM Plan. This includes sources of funding that RWMG member agencies will use to meet maintenance and operations obligations for IRWM projects. Each member that seeks grant funding to supplement local funding programs will need to demonstrate that maintenance and operations funds are to be committed to the projects. Proof of local funding can be accomplished through an adopted capital improvement plan, other engineering feasibility studies and reports, rate studies, or an approved funding program adopted pursuant to California requirements.

Grants

Like other regions of the state, the IRWM Region has a limited ability to pay for further projects or programs. With numerous areas of the Region being designated in the 2010 census as low income (i.e., in addition to State designated DACs), there is a limited ability to raise local revenue. This makes grants and loans an important element in leveraging the limited local financing capacity. Fortunately, grants and/or loans are available from time to time that can facilitate implementation of IRWM Plan projects and programs. One of the keys for successful pursuit of grants for project implementation includes having well-developed projects to the appropriate level of detail that meet grant funding requirements.

Plan Implementation

An adaptive management process has been adopted to create a balance between a stable Plan that guides action, and a resilient Plan that allows for responding to changed circumstances. The approach to updating and amending the IRWM Plan is intended to ensure its effective implementation over time and to make the San Luis Obispo County IRWM Plan a living document.

Changes to regional and Sub-Region planning assumptions and priorities, to State and federal legislative and/or policy (i.e., responsiveness to the *California Water Action Plan*), or climate conditions could create a need to update the list of projects and programs. Areas of uncertainty that could drive a Plan update include litigation, changes in on-farm water use practices, State and federal coastal plans, and major changes in land use that would have an effect on the Region's water use.

As a result, the IRWM Plan Update schedule provided in **Figure ES-22** provides for periodic and on-going activities with one or more taking place each year to maximize efficiencies and utilization of staff and financial resources.

Plan Performance and Monitoring

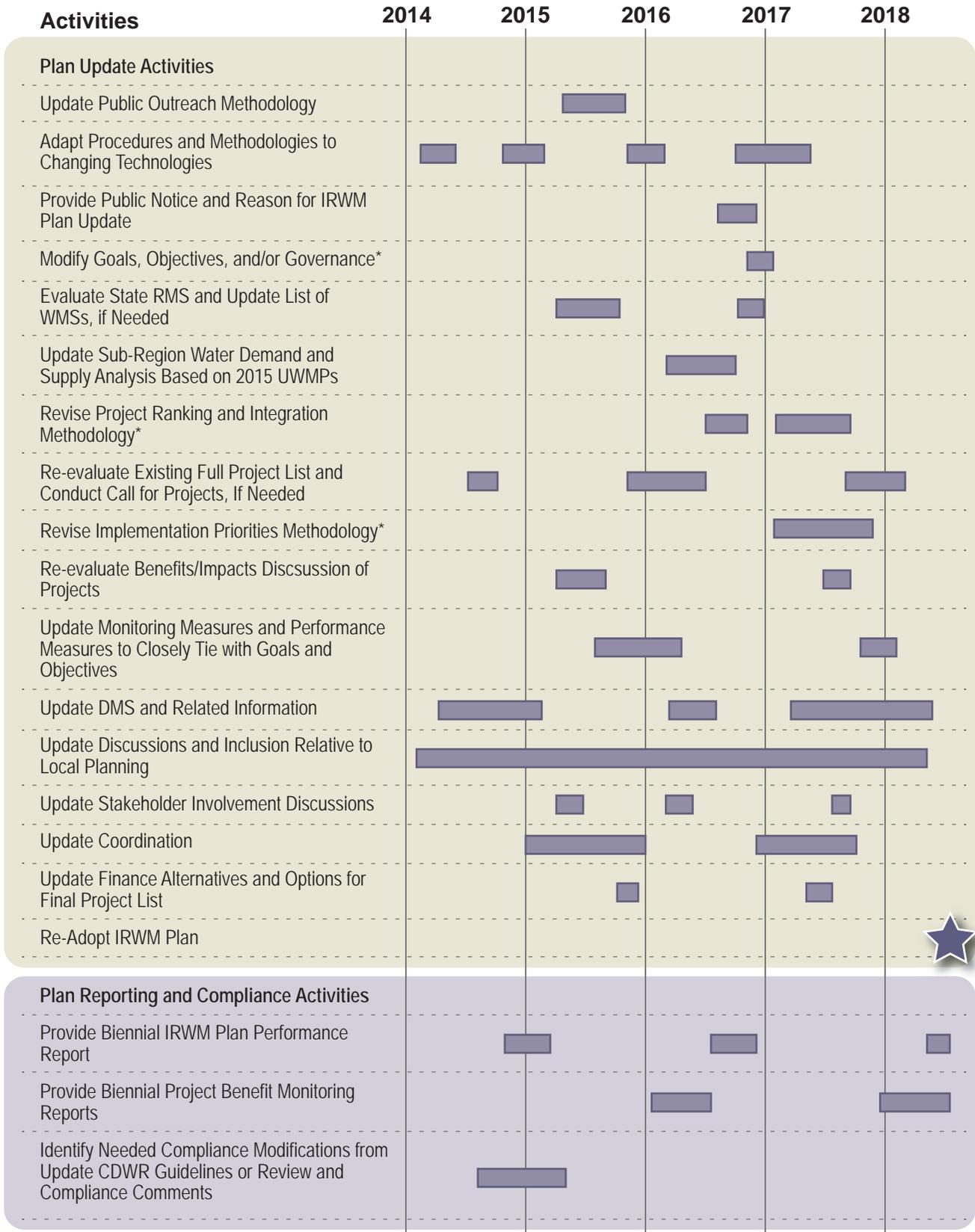
The IRWM Plan legislation and DWR standards require that IRWM Plans include performance measures and a monitoring program to document progress towards meeting IRWM Plan Objectives, and a methodology that the RWMG can use to oversee and evaluate implementation of plan and projects. The purpose of the Plan Performance and Monitoring strategy is to document how the IRWM Plan Objectives are to be measured and how the projects will be overseen and evaluated in order to ensure the anticipated IRWM Plan objectives are being met.

IRWM Plan Structure

In response to the stated accomplishments and challenges facing the State and San Luis Obispo County Region, the 2014 IRWM Plan contains a set of publicly supported strategies for addressing those challenges with projects, programs, and policies that will help the Region meet statewide priorities and regional needs. The IRWM Plan also describes potential impacts and benefits of the projects, programs and policies, and how they will be financed and monitored to ensure the intended objectives are met.

In the end, the document must address specific requirements in the DWR IRWM Guidelines (DWR, November 2012). The IRWM Plan's organization (shown in **Figure ES-17**) is intentionally structured around the State requirements to assist in the review and approval of the document.

Figure ES-22. IRWM Plan Update Schedule



* Constitutes Plan Re-Adoption



SAN LUIS OBISPO REGION'S IRWM PLAN VISION AND MISSION STATEMENTS

IRWM PLAN VISION

*Create a united framework
among SLO County
Stakeholders for sustainable
water resource management.*

IRWM PLAN MISSION

*Facilitate regional plans,
programs, and projects to
further sustainable water
resource management.*

For additional information about the 2014 IRWM Plan and access to the electronic documents associated with this effort, visit:

<http://www.slocountywater.org/>

PROJECT CONTACT

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

IRWM Program Manager

County of San Luis Obispo, Department of Public Works
County Government Center, Room 206
San Luis Obispo, CA 93408
(805) 781-5252
PWD@co.slo.ca.us

REGIONAL WATER MANAGEMENT GROUP

San Luis Obispo County	Heritage Ranch CSD
San Luis Obispo County Flood Control and Water Conservation District	Land Conservancy
California Men's Colony	Los Osos CSD
Cambria CSD	Morro Bay National Estuary Program
City of Arroyo Grande	Nipomo CSD
City of Grover Beach	Oceano CSD
City of Morro Bay	Templeton CSD
City of Paso Robles	San Miguel CSD
City of Pismo Beach	San Simeon CSD
City of San Luis Obispo	S&T Mutual Water Company
Central Coast Salmon Enhancement	Upper Salinas - Las Tablas Resource Conservation District
Coastal San Luis Resource Conservation District	



San Luis Obispo County
2014 Integrated Regional Water Management Plan
Executive Summary

MODIFIED JULY 28, 2014



Prepared by GEI Consultants with support from Fugro Consultants, Dudek, Gutierrez Consultants, and Hollenbeck Consulting.



AGENDA NO: A-7

MEETING DATE: 8/26/2014

Staff Report

TO: Honorable Mayor and City Council

DATE: August 18, 2014

FROM: Amy Christey, Police Chief

SUBJECT: Regional Dispatch Transition Update

RECOMMENDATION

Staff continues to meet and perform tasks associated with the integration for regional public safety dispatching. This report serves as an update for the current status of the transition to County Fire and Sheriff's Office public safety dispatch centers. Staff recommends you receive this informational report.

FISCAL IMPACT

Based on the July 29 report, the City of Morro Bay will save a minimum of **\$42,912** the first year in personnel expenses. Further, the report included information for transition costs, which included the cost for converting the Police Department's Mobile Data Computers (MDC) to integrate with the sheriff's system. On August 15, 2014, the Sheriff's Office provided the City with an *Agreed upon Start-Up Costs* estimate. The estimate included expenses related to County IT support and equipment upgrades for the repeater system located at the Sheriff's Coast station, infrastructure upgrade, and software conversion for the Mobile Data Computers. The estimated costs assessed by the County thus far are **\$25,044.74**. Further, the City is assessing City owned radio repeater located on Black Hill. There may be additional costs related to repeater maintenance, and upgrades to wiring and the generator.

BACKGROUND

On August 11, 2014, Council approved the Authorization to Contract with San Luis Obispo County Fire and Sheriff Departments for Public Safety Dispatch. During the presentation, the Interim City Manager, along with representatives from the Morro Bay Police and Fire Departments, SLO County/Cal Fire and the Sheriff's Department discussed the benefits of the proposal, the associated transition costs, and implementation of the program. Since that time, members from each of the departments have been participating in meetings and preparing for the transition.

Prepared By: AC

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

DISCUSSION

Since the August 11, 2014 City Council meeting, the Police Chief and Fire Chief have been implementing equipment and system upgrades for the transition of City dispatching services to County Fire and the SLO Sheriff's dispatch center. Additionally, the Harbor Director, Recreation and Parks Director and the Public Services Director have made recommendations for this transition.

The City has identified systems that need to be integrated with the regional dispatch centers. These systems include: radio repeaters owned by the Sheriff's Office and the City, police vehicle MDC, Computer Aided Dispatch (CAD) integration with Records Management System (RMS), 9-1-1 phones lines and police department business lines, and on-call call-out procedures for partner departments.

The City and County agencies have been meeting and discussing career opportunities for our current dispatch employees.

CONCLUSION

The Police Department and Fire Department continue to collaborate with affected City departments, County Fire and the Sheriff's Office. We continue to meet weekly to ensure a smooth transition to a regional approach to public safety dispatch services and will continue to provide status updates as progress occurs.



AGENDA NO: A-8

MEETING DATE: 08/26/2014

Staff Report

TO: Mayor and City Council Members **DATE:** August 12, 2014

FROM: Susan Slayton, Administrative Services Director

SUBJECT: Approval of Job Description and Salary Range for the Support Services Technician in the Police Department and Authorization to Hire

RECOMMENDATION

Staff recommends the City Council approve the job description and salary range for the Support Services Technician in the Police Department, and authorize staff to open a recruitment.

ALTERNATIVES

There are no alternatives available.

FISCAL IMPACT

This position will be placed in the Service Employees International Union (SEIU, Local 620). The proposed salary range is \$42,978 to \$52,239. Benefits will be approximately 30% of salary, for a total cost range of \$55,878 – \$67,910.

SUMMARY/ DISCUSSION

While the recent decision to consolidate dispatch services with San Luis Obispo County Sheriff and Fire removes emergency dispatch services from Morro Bay, it does not remove the required recordkeeping function that has been performed by the dispatchers. Staff is proposing a new position, Support Services Technician, whose primary duties will be department recordkeeping, along with property and evidence support.

Staff is providing a job description for this position and has assigned the salary range in the SEIU salary schedule that is currently paid to the Administrative Technician and Administrative Utilities Technician. The salary range is \$42,978 to \$52,239 with benefits for this varying, depending on the person hired; 30% is a comfortable average to use, and will result in benefits of \$12,900 to \$15,671

Prepared By: _____

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

for a total cost estimated between \$55,878 and \$67,910.

Should one of the existing dispatchers apply for and is chosen as the Support Services Technician, the City will choose to Y-rate that individual until the Support Services Technician range increases, through cost of livings, to the Y-rated salary range. The total cost of a Y-rated dispatcher is \$52,935 in salary + \$15,880 in benefits, or \$68,815.

CONCLUSION

With Council's approval of the job description as well as authorization to hire, it is staff's hope to begin the recruitment process immediately.

Attachment A: Job description

CITY OF MORRO BAY
SUPPORT SERVICES TECHNICIAN

DEFINITION:

Under general supervision, performs a wide variety of police-related clerical and recordkeeping duties; collects, indexes, processes, maintains, retrieves, copies, distributes and updates confidential police records and reports; provides requested information to law enforcement personnel and the public, as appropriate; works within a police department setting and is required to type crime reports which may contain extremely unpleasant or offensive material; responsible for maintaining the confidentiality of highly sensitive information in strict compliance with established codes, rules, and regulations; may assist with property and evidence; and performs related work as required.

CHARACTERISTICS:

1. Employees in this classification are non-sworn, and part of miscellaneous employee group, which is represented by the Service Employees International Union, Local 620.
2. The customary work schedule is Monday through Friday from 8am to 5 pm.
3. FLSA status is non-exempt.
4. Employees in this classification report to the Support Services Coordinator.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

The responsibilities and essential duties performed on a frequent and recurring basis by an incumbent include the following:

1. Performs a wide variety of technical and clerical duties, accurately and with attention to detail, in support of departmental operations, including collecting, indexing, processing, maintaining, retrieving, copying, and distributing police reports, records, and information.
2. Receives complaints and reports from the public by telephone and over the counter.
3. Operates a personal computer, printer, applicable software and various other office machines to enter data, prepare/transcribe reports, process forms and produce correspondence.
4. Enter, inquire, and retrieve information from records management systems, such as CLETS, NLETS, NCIC, and other related databases.
5. Maintains and updates individual case and crime reports.
6. Processes bookings, arrests, citations, stolen vehicle and traffic collision reports, fingerprint cards and officer statistics.
7. Receives and processes warrants, subpoenas and court reports.
8. Completes, types and processes forms, reports and correspondence from rough drafts, notes or verbal instructions.

9. Answers telephone calls and counter inquiries, and responds to questions regarding department procedures.
10. Provide a variety of services to the public, including receipt of monies owed to the City, and providing copies of reports to citizens, insurance companies and other agencies.
11. May provide LiveScan fingerprinting services.
12. May assist with receiving, processing, storing, safeguarding, delivering, releasing, and disposing of property and evidence.
13. Performs a variety of specialized clerical or recordkeeping duties and other tasks related to the Police Department as needed.

CONTACTS AND RELATIONSHIPS:

1. The Support Services Technician has substantial contact with police records and Police Department staff.
2. Additional contact is made with law enforcement representatives from other agencies, court officials, and the general public.

QUALIFICATION GUIDELINES:

The knowledge and abilities which are required to perform the duties and responsibilities of this class are as follows:

Knowledge of:

1. Modern office procedures, practices, and equipment.
2. English usage, spelling, grammar and punctuation.
3. Recordkeeping principals and procedures.
4. Computer programs and word processing applications as they relate to area assigned.
5. Basic math.
6. Filing and indexing methods.
7. Receptionist and telephone techniques.
8. Customer service.

Ability to:

1. Perform a variety of responsible and sensitive clerical work and maintain the confidentiality of information as prescribed by law.
2. Understand and carry out oral and written directions.
3. Identify with Department and City goals and objectives, and understand City priorities and needs.
4. Assemble data and prepare reports.
5. Multi-task.
6. Learn and apply rules, regulations and policies applicable to the area assigned.
7. Make accurate mathematical calculations.
8. Operate a personal computer and use applicable software programs.

9. Operate standard office equipment/machines such as copier, typewriter, scanner and facsimile.
10. Communicate effectively, both orally and in writing.
11. Interact with the public with courtesy and tact.
12. Establish and maintain effective relationships with those contacted in the course of work.
13. Read and write at the level required for successful job performance.

Education:

Graduation from high school.

Experience:

One year of performing responsible clerical duties, to include some public contact work. Prior experience in a law enforcement agency is preferred.

Physical Tasks and Working Conditions Include the Following:

1. Work is performed in an office environment and requires sitting for prolonged periods of time, using a computer keyboard and screen.
2. An incumbent stands, walks, and may twist, reach, bend, crouch and kneel.
3. An incumbent may also climb stairs and ladders and grasp, push, pull, drag, and lift boxes of files and other office items, weighing 30 pounds or less.
4. An incumbent must be able to meet the physical requirements of the class and have mobility, vision, hearing and dexterity levels appropriate to the duties to be performed.
5. The noise level in the work environment is generally moderate.

Licenses and/or Certificates Required:

Must possess a valid California Class C driver's license.

SELECTION GUIDELINES

1. Formal application, rating of education and experience, oral interview and reference check; job-related tests may be required. Selection process shall also include complete background, polygraph, psychological, and pre-employment drug screening.
2. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.
3. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Approved by the Morro Bay City Council on August 26, 2014.



AGENDA NO: A-9

MEETING DATE: 8/26/14

Staff Report

TO: Mayor and City Council

DATE: August 19, 2014

FROM: Jamie Boucher, City Clerk

SUBJECT: Discussion and Direction on League of California Cities Resolutions

RECOMMENDATION

Staff recommends that Council authorize the City's voting delegate, Mayor Irons, to support Resolution No. 1 at the League of California Cities Annual Conference.

ALTERNATIVE

1. As requested by staff, authorize the City's voting delegate to support the League of California Cities Resolution as presented.
2. Contrary to staff's input, authorize the City's voting delegate not to support the League of California Cities Resolution as presented.

FISCAL IMPACT

Not applicable.

DISCUSSION

The League of California Cities 2014 Annual Conference is scheduled for September 3-5, 2014 in Los Angeles, California. An important part of the Conference is the Annual Business Meeting which is scheduled on Friday, September 5 at noon at the Los Angeles Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

At this year's conference, the League will consider one resolution being brought forth for vote. The League encourages each City Council to consider the resolutions and determine a City position so that the voting delegate can represent the City's position on each.

Attached to this report is the Annual Conference Resolutions Packet which includes the verbiage for the resolution, as well as background information, at least 5 letters of concurrence by cities and additional information related to consideration of each resolution. Also attached is staff's written input on their insights of the proposed resolution being considered.

CONCLUSION

Staff recommends that Council authorize the City's voting delegate to support the League of California Cities Resolution as proposed.

Prepared By: J Boucher

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____



City of Morro Bay

POLICE DEPARTMENT

850 Morro Bay Blvd.

Morro Bay, CA 93442

(805) 772-6225 fax: (805) 772-2224

Amy Christey
Police Chief

August 14, 2014

TO: Ed Kreins – Interim City Manager

FROM: Amy Christey – Police Chief

RE: Support for LOCC Resolution to Address the Increasing Problems to Public Safety related to the Impacts of Illegal Marijuana Grows, Production and Distribution of Illegal Marijuana

I recommend supporting the League of California Cities (LOCC), resolution to address the increasing problems to public safety related to the impacts of illegal marijuana grows, and the production and distribution of illegal marijuana. The resolution seeks to address the presence of illegal marijuana growing sites on State and federal public lands which are creating unsafe condition for visitors and the members of our community. Further, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding. We have experienced violence and lawlessness related to illegal marijuana on at least two occasions during my tenure.

On one occasion, very near City Hall, the police department received a call indicating there had been an explosion at a residence. Upon further investigation, the department discovered the explosion was related to manufacturing of Honey Oil, a byproduct of illegal marijuana. One person was hospitalized and the residence was red tagged due to structural damage.

The next incident, related to the distribution of illegal marijuana, involved persons who burglarized a residence to steal illegal marijuana. During that incident, one person was battered and the police were required to evacuate residents to apprehend the suspects.

I hereby request City Council support the LOCC resolution.



City of Morro Bay

Morro Bay, CA 93442

(805) 772-6201

www.morro-bay.ca.us

August 15, 2014

TO: Edward Kreins – Interim City Manager

FROM: Rob Livick PE/PLS – Public Services Director/City Engineer

RE: Support for League of California Cities (LOCC) Resolution to address the Environmental Effects of Illegal Marijuana Cultivation

The Public Services staff has reviewed the draft resolution and recommends support for the LOCC, Redwood Empire Division's effort to submit a resolution for consideration by the League's General Assembly at the September 2014 Annual Conference.

The Division's resolution seeks to address the critical environmental impacts of unregulated and illegal marijuana cultivation.

The unregulated outdoor cultivation of marijuana can potentially cause damage to the State's fish and wildlife habitat through habitat destruction and the unregulated use of fertilizers and pesticides. Additionally, the illegal water diversions used in the illegal cultivation of marijuana posed a threat to the threatened and endangered anadromous fish species, such as the steelhead trout.

The unregulated indoor cultivation of marijuana is an additional environmental and public safety concern due to the increased energy used in indoor cultivation and the unpermitted electrical conversions needed to install the lighting needed to grow the marijuana.

Therefore, based on the aforementioned reasons, I hereby request City Council support this LOCC resolution; that requests that the Governor and Legislature work with the League and local government to address these environmental concerns.

FINANCE
595 Harbor Street

ADMINISTRATION
595 Harbor Street

FIRE DEPT.
715 Harbor Street

PUBLIC SERVICES
955 Shasta Avenue

HARBOR DEPT.
1275 Embarcadero Road

CITY ATTORNEY
595 Harbor Street

POLICE DEPT.
870 Morro Bay Boulevard

RECREATION & PARKS
1001 Kennedy Way

RECEIVED
City of Morro Bay

AUG 05 2014

Administration

July 14, 2014

TO: Mayors, City Managers and City Clerks
League Board of Directors

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2014 Annual Conference Resolutions Packet.

Annual Conference in Los Angeles. This year's League Annual Conference will be held September 3-5 in Los Angeles. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at www.cacities.org/ac. We look forward to welcoming city officials to the conference.

Annual Luncheon/Business Meeting - Friday, September 5, 12:00 p.m. The League's Annual Business Meeting will be held at the Los Angeles Convention Center.

Resolutions Packet. At the Annual Conference, the League will consider the one resolution introduced by the deadline, Saturday, July 5, 2014, midnight. The resolution is included in this packet. Resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. These letters of concurrence are included with this packet. We request that you distribute this packet to your city council.

We encourage each city council to consider the resolution and to determine a city position so that your voting delegate can represent your city's position on each resolution. A copy of the resolution packet is posted on the League's website for your convenience: www.cacities.org/resolutions.

The resolutions packet contains additional information related to consideration of the resolution at the Annual Conference. This includes the date, time and location of the meetings at which the resolution will be considered.

Voting Delegates. Each city council is encouraged to designate a voting delegate and two alternates to represent their city at the Annual Business Meeting. A letter asking city councils to designate their voting delegate and two alternates has already been sent to each city. Copies of the letter, voting delegate form, and additional information are also available at: www.cacities.org/resolutions. The deadline for submitting a voting delegate form prior to the Annual Conference is August 15, 2014.

Please Bring This Packet to the Annual Conference
September 3 – 5, Los Angeles



*Annual Conference
Resolutions Packet*

2014 Annual Conference Resolutions



116th Annual Conference

Los Angeles

September 3 - 5, 2014

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: Two policy committees will meet at the Annual Conference to consider and take action on the resolution referred to them. The committees are Environmental Quality and Public Safety. These committees will meet on Wednesday, September 3, 2014, at the JW Marriott Hotel in Los Angeles. The sponsor of the resolution has been notified of the time and location of the meetings.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 4, at the Los Angeles Convention Center, to consider the reports of the two policy committees regarding the resolution. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:00 p.m. on Friday, September 5, at the Los Angeles Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (47 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, September 4. If the petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution may be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 3, 2014
JW Marriott Los Angeles Hotel
900 West Olympic Boulevard, Los Angeles

Environmental Quality: 9:00 a.m. – 10:30 a.m.
Public Safety: 10:30 a.m. – 12:00 p.m.

General Resolutions Committee

Thursday, September 4, 2014, 1:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

Annual Business Meeting and General Assembly Luncheon

Friday, September 5, 2013, 12:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

- 1 - Policy Committee Recommendation to General Resolutions Committee
- 2 - General Resolutions Committee
- 3 - General Assembly

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Site			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Site			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- A Approve
- D Disapprove
- N No Action
- R Refer to appropriate policy committee for study

ACTION FOOTNOTES

* Subject matter covered in another resolution

a Amend+

Aa Approve as amended+

** Existing League policy

Aaa Approve with additional amendment(s)+

*** Local authority presently exists

Ra Refer as amended to appropriate policy committee for study+

Raa Additional amendments and refer+

Da Amend (for clarity or brevity) and Disapprove+

Na Amend (for clarity or brevity) and take No Action+

W Withdrawn by Sponsor

Procedural Note: Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the floor of the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee:

Resolutions initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

2014 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY AND PUBLIC SAFETY POLICY COMMITTEES

1. **A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO CONVENE A SUMMIT TO ADDRESS THE DEVASTATING ENVIRONMENTAL IMPACTS OF ILLEGAL MARIJUANA GROWS ON BOTH PRIVATE AND PUBLIC LANDS THROUGHOUT CALIFORNIA AND THE INCREASING PROBLEMS TO PUBLIC SAFETY RELATED TO THESE ACTIVITIES BY WORKING IN PARTNERSHIP WITH THE LEAGUE OF CALIFORNIA CITIES TO DEVELOP RESPONSIVE SOLUTIONS AND TO SECURE ADEQUATE FUNDING FOR COST-EFFECTIVE IMPLEMENTATION STRATEGIES.**

Source: Redwood Empire Division

Concurrence of five or more cities/city officials: Cities of Arcata; Blue Lake; Clearlake; Cloverdale; Crescent City; Eureka; Fort Bragg; Healdsburg; Lakeport; Trinidad; and Ukiah

Referred to: Environmental Quality and Public Safety Policy Committees

Recommendation to General Resolutions Committee:

WHEREAS, public concerns in response to widespread damage to fish and wildlife resources and degradation to California's environment, and threats to public safety resulting from illegal marijuana cultivation statewide requires urgent action by the Governor and the Legislature, and

WHEREAS, local governments and the public support the State's primary objectives in complying with environmental laws including the Clean Water Act, Porter-Cologne Water Quality Control Act, and Endangered Species Act and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for future citizens of California, and

WHEREAS, illegal marijuana cultivation activities include habitat destruction and fragmentation, poaching wildlife, illegal water diversions, unregulated use of fertilizers, pesticides, insecticides, rodenticides, soil amendments contaminating land and waters without regard for the cumulative impacts to the environment or public health, and

WHEREAS, changing global climate conditions are posing escalated threats in California to health, well-being, nature and property; as evidenced by critical water shortages across the state due to prolonged drought conditions, and

WHEREAS, illegal water diversion for the purpose of cultivating marijuana plantations poses a direct threat to California's endangered and threatened anadromous fish species, including coho salmon, Chinook salmon, steelhead trout and other aquatic species, especially at critical life phases during seasonally low flow conditions; and

WHEREAS, California is a leader in the global effort to fight climate change and is pursuing a broad, integrated strategy to reduce greenhouse gas emissions and conserve energy, yet in a recent Lawrence Livermore Lab study estimated that upwards of 10% of electricity usage statewide can be attributed to indoor marijuana cultivation; these sites are often the causation of fires and home invasion incidents due to criminal activity, and

WHEREAS, the presence of illegal marijuana growing sites on State and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding, and

WHEREAS, the issue of illegal marijuana grows has reached a crisis level across the state as evidenced by the murder of former League Board member, Fort Bragg Councilmember and veteran forester Jere Melo who was fatally shot down while investigating a report of a marijuana grow on private timberlands in northern California.

RESOLVED, at the League General Assembly, assembled at the League Annual Conference on September 5, 2014 in Los Angeles, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands and the increasing problems to public safety related to these activities.

FURTHER RESOLVED, that the League will work with its member cities to educate State and federal officials regarding emerging concerns from their communities and citizenry and to the challenges facing local governments. Therefore, we request the Governor and the Legislature to work with the League to provide responsive solutions with adequate funding support and effective State and federal government leadership to address widespread environmental damage and associated threats to public safety impacting every region in the State of California.

//////////

Background Information on Resolution No. 1

Source: Redwood Empire Division

Background:

When California voters approved Proposition 215 in 1996 there was little thought given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana grow sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction that often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Public concern for widespread, landscape-level environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Current Problem Facing California's Cities:

Cities throughout California state have struggled with regulating inmedical marijuana dispensaries and grow houses along with the associated community impacts of those facilities and land use activities. Many unforeseen environmental impacts and public safety concerns are now emerging as a consequence of increased production and demand for marijuana.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The presence of illegal marijuana growing sites on state and federal public lands creates unsafe conditions for visitors. These lands are managed with taxpayer support and are intended to be for enjoyment by the public, recreation and conservation. However, the increasing level of violence and threats to public safety related to illegal marijuana grows on both private and public lands are contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Redwood Empire Division Resolution:

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the rising threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions, and secure adequate funding for implementation strategies.

The issues surrounding marijuana production and distribution are complex and require a comprehensive statewide approach. California cities need to have a strong voice in this process. The mission of the League of California Cities is to enhance the quality of life for all Californians and we believe that our strength lies in the unity of our diverse communities on issues of mutual concern.

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League of California Cities Staff Analysis on Resolution No. 1

Staff: Tim Cromartie (916) 658-8252
Committee: Public Safety Policy Committee

Summary:

This Resolution seeks to highlight the environmental and public safety issues triggered by illegal marijuana cultivation, and calls upon the League, the Governor and the Legislature to take action by convening a summit to address the environmental impacts of such cultivation sites. It also calls upon the State of California to provide solutions in response, including sufficient funding to decisively address the problem.

Background:

The sponsor of this resolution argues that when California voters approved Proposition 215 in 1996, little thought was given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana cultivation sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction which often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Public concern for widespread environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Note: The League of Cities has joined with the California Police Chiefs Association to co-sponsor legislation, SB 1262 (Correa), to establish a regulatory scheme for medical marijuana that protects local control, addresses the public safety concerns triggered by marijuana regulation, and imposes health and safety standards on marijuana for the first time. However, the measure does not address environmental issues, due to the expense and complexity associated with adding that objective to a bill that already has far-reaching regulatory goals combined with a critical need to contain state costs.

Fiscal Impact:

If the policy advocated by the Resolution is implemented by the state, there will be ongoing and unspecified costs to the State General Fund for enforcement activities, primarily in the rural counties where many of the illicit marijuana cultivation sites are located. Conservatively, the annual costs could run in the hundreds of thousands to low millions to patrol likely grow sites, crack down on illegal water diversion activities, and provide consistent environmental clean-up made necessary by illegal rodenticides and pesticides.

Comment:

To assure success, counties will have to be actively involved in any policy change geared toward rigorous and consistent enforcement against illegal marijuana grows, given the fact that many of the cultivation sites are located in rural areas under the direct authority of county governments. This will require a dialogue with counties, during which the question of local political will to enforce the law, in addition to securing the necessary funding, will arise. If counties should opt not to play an active part in an aggressive enforcement strategy, the chances of success are questionable.

Existing League Policy:

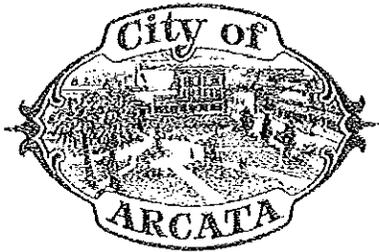
Related to this Resolution, existing policy provides:

- The League opposes the legalization of marijuana cultivation and use for non-medicinal purposes.
- Reaffirming that local control is paramount, the League holds that cities should have the authority to regulate medical marijuana dispensaries, cooperatives, collectives or other distribution points if the regulation relates to location, operation or establishment to best suit the needs of the community.
- The League affirms that revenue or other financial benefits from creating a statewide tax structure on medical marijuana should be considered only after the public safety and health ramifications are fully evaluated.

LETTERS OF CONCURRENCE

Resolution No. 1

Illegal Marijuana Grow Site



736 F Street
Arcata, CA 95521

July 2, 2014

City Manager (707) 822-5953	Environmental Services 822-8184	Police 822-2428	Recreation 822-7091
Community Development 822-5955	Finance 822-5951	Public Works 822-5957	Transportation 822-3775

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The Arcata City Council supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California, and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. ALL of the rural areas adjacent to the City of Arcata and throughout Humboldt County have been greatly affected by the devastating environmental impacts of illegal marijuana grows!

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me at any time at mwheatley@cityofarcata.org if you have any questions.

Sincerely,



Mark E. Wheatley, Mayor

cc: Kathryn Murray, President, Redwood Empire Division, c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, via email srounds@cacities.org



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Blue Lake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Lana Manzanita, Mayor Pro-Tem at 707-497-8159 or joe2zither1@gmail.com, if you have any questions.

Sincerely,

Lana Manzanita
Mayor Pro-Tem
City of Blue Lake

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Clearlake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Clearlake is experiencing significant issues with illegal grows in the city limits. Individuals are squatting on lands not belonging to them and planting large grows. Grows are being planted near and along creeks going through the city with unknown substances potentially leeching into the waterways. Others are renting properties and clear cutting them of oak and other trees for plant sites often without the knowledge of the property owner. Homeowners tell of not being able to enjoy their own properties with grow sites next to them creating untenable odors, spewing of foul language and concern of threats to their personal safety if they complain. We hear often the concern of increased crime due to the grows in the city.

As a member of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Joan Phillipe at 707-994-8201 x120 or city.administrator@clearlake.ca.us, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Joan L. Phillipe".

Joan L. Phillipe
City Manager

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



June 25, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Cloverdale supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Throughout the Redwood Empire region including the City of Cloverdale, illegal marijuana grows negatively impact our environmental health and public safety. Last year, the Cloverdale Police Department eradicated over 300 plants within our City Limits. Please note that Cloverdale is a total of 2.5 square miles. These plants use scarce water resources during a water shortage emergency caused by the current drought and contribute to lawlessness that threatens the public safety of our citizens.

On a personal level, the City of Cloverdale continues to be heartsick for the loss of City of Fort Bragg Council Member JereMelo. Jere was murdered as a result of investigating an illegal marijuana grow. Jere was an exceptional leader in our region, the League of California Cities and the State of California. The City of Cloverdale misses him greatly.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Cloverdale City Manager Paul Cayler at 707-894-1710, if you have any questions.

Sincerely,

Carol Russell
Mayor
City of Cloverdale

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



CITY OF CRESCENT CITY
377 J STREET
CRESCENT CITY, CA 95531

707-464-7493
707-465-4405 (FAX)

Mayor Rick Holley * *Mayor Pro Tem Ron Gastheau*

Council Member Richard Enea * Council Member Kelly Schellong * Council Member Kathryn Murray
City Clerk Robin Patch * City Attorney Robert N. Black * City Manager Eugene M. Palazzo

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Crescent City supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Illegal marijuana grows have a devastating impact on the State and federal public lands surrounding our community. They create unsafe conditions for our visitors. The use of unregulated fertilizers, pesticides, insecticides and rodenticides contaminate the land and ground water.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Eugene Palazzo, City Manager at 707-464-7483 ex 232 or cpalazzo@crecentcity.org, if you have any questions.

Sincerely,

Richard Holley
Mayor
Crescent City

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



CITY OF EUREKA

531 K Street • Eureka, California 95501-1146

CITY MANAGER

• (707) 441-4144
fax (707) 441-4138

June 26, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Eureka supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Our city has seen an increase in gang activity and organized crime within the Greater Eureka Area as a result of illegal growing operations. Our law enforcement and community safety have been negatively impacted by these criminal activities.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager Greg Sparks at 707.441.4140 or gsparks@ci.eureka.ca.gov, if you have any questions.

Sincerely,

Greg L. Sparks
City Manager
City of Eureka

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



CITY OF FORT BRAGG

Incorporated August 5, 1889

416 N. Franklin St.
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802
<http://city.fortbragg.com>

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

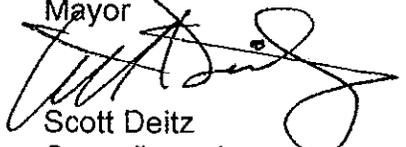
The City of Fort Bragg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Fort Bragg lost City Councilmember and former Mayor Jere Melo in August 2011 when he walked into an illegal grow site and was shot and killed by the person guarding said site.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager Linda Ruffing at 707-961-2823 or lruffing@fortbragg.com, if you have any questions.

Sincerely,


Dave Turner
Mayor


Scott Deitz
Councilmember


Meg Courtney
Vice Mayor


Doug Hammerstrom
Councilmember


Heidi Kraut
Councilmember

cc: Kathryn Murray, President, Redwood Empire Division c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org



**CITY OF HEALDSBURG
ADMINISTRATION**

401 Grove Street
Healdsburg, CA 95448-4723

Phone: (707) 431-3317

Fax: (707) 431-3321

Visit us at www.ci.healdsburg.ca.us

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Healdsburg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me either by phone at (707) 431-3317 or by e-mail at jwood@ci.healdsburg.ca.us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Wood". The signature is stylized and cursive, with a long horizontal stroke at the end.

James D. Wood
Mayor
City of Healdsburg

cc: Kathryn Murray, President, Redwood Empire Division
c/o Sara Rounds, Regional Public Affairs Manager,
LOCC Redwood Empire Division, srounds@cacities.org

CITY OF LAKEPORT

*Over 100 years of community
pride, progress and service*



July 1, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: ENVIRONMENTAL AND PUBLIC SAFETY IMPACTS OF ILLEGAL MARIJUANA GROWS RESOLUTION

Dear President Cisneros:

The City of Lakeport supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me at (707) 263-5615, Ext. 12 or by email at kparlet@cityoflakeport.com if you have any questions.

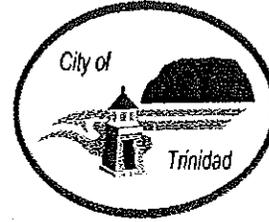
Sincerely,

Kenneth Parlet, II
Mayor

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

CITY OF TRINIDAD

P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223
Fax: (707) 677-3759



July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Trinidad supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue.

Sincerely,

A handwritten signature in black ink that reads "Julie Fulkerson".

Julie Fulkerson
Mayor

Cc: Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division



June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Ukiah supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Jane Chambers, City Manager, at 7407-463-6210 or jchambers@cityofukiah.com, if you have any questions.

Sincerely,

Philip E. Baldwin
Mayor

Mary Anne Landis
Vice Mayor

Benj Thomas
Councilmember

Douglas F. Crane
Councilmember

Steve Scalmanini
Councilmember

Cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



AGENDA NO: A-10

MEETING DATE: August 26, 2014

Staff Report

TO: Honorable Mayor & City Council **DATE:** August 19, 2014

FROM: Edward S. Kreins, Interim City Manager

SUBJECT: Review and approval of contract with David Buckingham for services as the City Manager

RECOMMENDATION

Approve the employment contract to memorialize the City Council's appointment of David Buckingham as the Morro Bay City Manager, and authorize the Mayor to sign the contract on behalf of the City.

ALTERNATIVES

No alternatives proposed.

FISCAL IMPACT

Refer to terms and conditions of the contract. The total cost to the City of Morro Bay for salary and all benefits for the new City Manager is \$199,183 per year. For the purposes of comparison only, the total budgeted for the City Manager in the 2014/15 fiscal year was \$229,126.

SUMMARY

On August 8, 2014, the City Council unanimously agreed to conditionally offer the position of City Manager to Mr. Buckingham. That offer of employment was made and accepted by Mr. Buckingham. The attached contract was developed based upon the terms agreed upon in the letter offer of employment and was prepared by the City Attorney.

BACKGROUND

The City of Morro Bay advertised nationally for City Manager in several professional publications, and received approximately fifty applications. The applications were reviewed and screened for qualifications; numerous applicants were interviewed by the Interim City Manager, and the most qualified candidates were invited to participate in a selection process.

Eight applicants were interviewed by two different citizen groups consisting of five residents, four

Prepared By: _____

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

City Managers and the San Luis Obispo County Administrative Officer. The interview groups provided their evaluations to the City Council. All eight candidates were interviewed by the City Council in two groups of four. The interview groups that participated in the interviews that included Mr. Buckingham unanimously recommended him for the position of City Manager.

At the completion of the interview process the City Council voted unanimously to conditionally offer the position of City Manager to Mr. Buckingham. That offer of employment was made and accepted by Mr. Buckingham.

CONCLUSION

Staff recommends that the City Council, after review of the attached contract, appoint Mr. Buckingham as the Morro Bay City Manager.

**CITY MANAGER
EMPLOYMENT AGREEMENT
between the
City of Morro Bay
and
David Buckingham**

1. Parties and Date

This Agreement is entered into by and between the City of Morro Bay, California, a municipal corporation (the "City"), and David Buckingham, an individual ("Buckingham"). The City and Buckingham are sometimes individually referred to as a "Party" and collectively as "Parties."

- A. Buckingham has the necessary education, experience, skills and expertise to serve as the City's City Manager.
- B. The City Council of the City (the "City Council") desires to employ Buckingham to serve as the City Manager of the City.
- C. The Parties further desire to execute this Agreement pursuant to the authority of and subject to the provisions of Government Code Sections 53260 *et seq.*
- D. In consideration of the foregoing Recitals and the performance by the Parties of the promises, covenants, and conditions herein contained, the Parties agree as provided in this Agreement.

2. Employment

The City hereby employs Buckingham as its City Manager; and Buckingham hereby accepts such employment.

3. Commitments and Understandings

A. Buckingham's Commitments

(1) Duties & Authority

- (a) Buckingham shall be the chief executive officer of the City and be responsible to the City Council for the proper administration of all affairs of the City.
- (b) Buckingham shall perform all of the duties of the City Manager as set forth in Chapter 2.12 of the Morro Bay Municipal Code (the "Municipal Code"), the California Government Code, and City policies and procedures approved by the City Council, as may be provided from time to time.
- (c) Buckingham shall administer and enforce policies established by the City Council and promulgate rules and regulations as necessary to implement City Council policies.
- (d) To accomplish this, Buckingham shall have the power and shall be required to:
 - (i) Attend all meetings of the City Council, unless excused by the Mayor, and take part in the discussion of all matters before the City Council. Buckingham shall receive notice of all regular and special meetings of the City Council.
 - (ii) Review all agenda documents before preparing the agenda for any regular or special meetings of the City Council. Buckingham may publicly endorse or oppose any proposed agenda items placed on the agenda by persons other than himself or his staff.
 - (iii) Direct the work of all appointive City officers and departments that are the concern and responsibility of the City Council, except those that are directly appointed by or report directly to the City Council. Buckingham may undertake any study or investigation he believes is

necessary or desirable and shall make any study or investigation the City Council directs. Buckingham shall endeavor to implement changes that he believes will result in greater efficiency, economy, or improved public service in the administration of City affairs.

- (iv) Recommend to the City Council from time to time, adoption of such measures as he may deem necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services.
- (v) Consolidate or combine offices, positions, departments, or units under his jurisdiction. Buckingham may be the head of one or more City departments.
- (vi) Conduct research in administrative practices in order to bring about greater efficiency and economy in City government, and develop and recommend to the City Council long-range plans to improve City operations and prepare for future City growth and development.
- (vii) Provide management training and develop leadership qualities among department heads and staff as necessary to build a City management team that can plan for and meet future challenges.
- (viii) Exercise control of City government in emergencies as authorized by the Municipal Code and California law.

(2) Hours of Work

- (a) Buckingham is an exempt employee but is expected to engage in those hours of work that are necessary to fulfill the obligations of the City Manager position. Buckingham does not have set hours of work as the person filling the City Manager position is expected to be available at all times.

(b) It is recognized that Buckingham must devote a great deal of time to the business of the City outside of the City's customary office hours, and to that end his schedule of work each day and week shall vary in accordance with the work required to be performed. Buckingham shall spend sufficient hours on site to perform the City Manager's duties; however, Buckingham has discretion over his work schedule and work location, subject to the foregoing provisions requiring Buckingham to spend sufficient time on site to satisfactorily carry out his duties.

(3) Disability or inability to perform

(a) In the event Buckingham becomes mentally or physically incapable of performing the City Manager's functions and duties with reasonable accommodation and it reasonably appears such incapacity will last for more than six months, the City Council may terminate Buckingham's employment and this Agreement. If the City Council does elect so to terminate Buckingham due to incapacity, Buckingham shall receive all severance benefits provided in Subsection 6.C below.

B. City Commitments

- (1) The City shall provide Buckingham with the compensation, incentives and benefits specified elsewhere in this Agreement.
- (2) The City shall provide Buckingham with a private office, secretarial assistance, staff, office equipment, supplies, automobile allowance, and all other facilities and services adequate for the performance of the City Manager's duties.
- (3) The City shall pay for or provide Buckingham reimbursement for all actual business expenses. The City shall provide Buckingham a City credit card to charge appropriate and lawful business expenses.
- (4) The City agrees to pay the professional dues and subscriptions on behalf of Buckingham which are necessary for Buckingham's continuation and full participation in national, regional, state, or local associations and organizations necessary and desirable for the good of the

City, and for Buckingham's continued professional participation and advancement.

- (5) The City agrees to pay the travel and subsistence expenses of Buckingham to pursue official and other functions for the City, and meetings and occasions to continue his professional development, including, but not limited to, national, regional, state, and local conferences, and governmental groups and committees upon which Buckingham serves as a member.
- (6) The City also agrees to pay for the travel and subsistence expenses of Buckingham for short courses, institutes and seminars that are necessary for the good of the City or for the professional development of Buckingham.
- (7) The City recognizes the desirability of representation in and before local civic and other organizations, and subject to approval of the City Council, Buckingham is authorized to become a member of local civic clubs or organizations, for which the City shall pay membership dues. The City's payments shall be restricted to dues only. All other expenses related to membership are the responsibility of Buckingham.
- (8) Given the importance of technological tools to the effective and efficient business of City government, the City shall provide computer, iPad, high-speed internet access, cellular phone, pager, electronic calendar, fax, copy machine and similar devices to Buckingham at the City's expense, at the City Manager's office.

C. City Council Commitments

- (1) The City Council sets policy for the governance and administration of the City, and it implements its policies through the City Manager.
- (2) The City Council recognizes to meet the challenges facing the City they must exercise decisive policy leadership. As one step in carrying out this leadership responsibility, the City Council commits to spending time each year outside of regular City Council meetings to work with Buckingham and City staff on setting goals and priorities for the City government, and to work on issues that may be inhibiting the maximal achievement of City goals.

- (3) Except for the purpose of inquiry, the City Council and its members shall deal with all subordinate City employees, officers, contractors, and consultants solely through Buckingham or Buckingham's designee, and neither the City Council nor any member thereof shall give orders to any subordinate of Buckingham, either publicly or privately.
- (4) The City Council agrees none of its individual members will order the appointment or removal of any person to any office or employment under the supervision and control of Buckingham.
- (5) The City Council agrees that any criticism of a City staff member shall be done privately through Buckingham.
- (6) Neither the City Council nor any of its members shall interfere with the execution of the powers and duties of the City Manager by Buckingham. Buckingham shall take orders and instructions from the City Council only when it is sitting as a body in a lawfully held meeting.

D. Mutual Commitments

(1) Performance Evaluation

- (a) Annual performance evaluations are an important way for the City Council and Buckingham to ensure effective communications about expectations and performance.
- (b) The City Council recognizes that for Buckingham to respond to its needs and to grow in the performance of the City Manager position, Buckingham needs to know how the City Council Members evaluate Buckingham's performance.
- (c) To assure that Buckingham gets this feedback, the Council shall conduct an evaluation of Buckingham's performance at least once each year. The City Council and Buckingham agree that performance evaluations, for the purpose of mid-course corrections, may occur quarterly or several times during each calendar year. The Parties may use an outside facilitator paid by City

funds to assist them in conducting this evaluation, at the option of Buckingham.

- (d) While performance evaluations for the purpose of mid-course corrections may occur several times during the year, the annual evaluation shall occur between January and February of each year.
- (e) In July of each year Buckingham and the City Council will create goals or other outcome measures that will provide the basis for determining the next year's performance results incentive.
- (f) The annual review and evaluation shall be in accordance with specific criteria developed jointly by the City Council and Buckingham. Such criteria may be added to or deleted as the City Council may from time to time determine in consultation with Buckingham.
 - (i) The City Council and Buckingham shall define such goals and performance objectives as they mutually determine are necessary for the proper operation of the City for the attainment of the City Council's policy objectives, and the City Council and Buckingham shall further establish a relative priority among those goals and performance objectives.

(2) ICMA Code of Ethics

- (a) The Parties mutually desire for Buckingham to be subject to and comply with the International City Management Association (ICMA) Code of Ethics (Attachment A).
- (b) Buckingham commits to comply with the ICMA Code of Ethics.
- (c) The City and the City Council agree that neither the City Council nor any of its members will give Buckingham any order, direction, or request that would require Buckingham to violate the ICMA Code of Ethics.

4. COMPENSATION

The City agrees to provide the following compensation to Buckingham during the term of this Agreement:

A. Compensation & Required Employer Costs

(1) Base Salary

- (a) The annual salary for the position of City Manager shall initially be \$160,000.00. Except as may otherwise be described in this Agreement, subsequent increases must be agreed to by both parties and require formal action of the City Council.
- (b) Buckingham shall be paid at the same intervals and in the same manner as regular City employees.
- (c) The City shall not at any time during the term of this Agreement reduce the base salary, compensation or other financial benefits of Buckingham, unless as part of a general City management salary reduction, and then in no greater percentage than the average reduction of all City department heads.

(2) Required Employer Costs

- (a) Medicare, employer's share.
- (b) Unemployment Compensation.
- (c) Public Employees Retirement System (PERS).

The City contracts with the California Public Employees' Retirement System for retirement benefits. The City will pay the City's share for participation in the Public Employees' Retirement System.

- (d) The cost of any fidelity or other bonds required by law for the City Manager.
- (e) The cost to defend and indemnify Buckingham as provided in Subsection 7.E below.

(f) Worker's Compensation.

B. Basic Benefits

(1) Holidays

Buckingham is entitled to 13 paid holidays per calendar year.

(2) Leave Allowance

(a) Annually, Buckingham shall receive 15 vacation days and 12 sick leave days. Buckingham shall be paid for any unused accrued vacation upon either voluntary or involuntary termination of employment.

(b) Buckingham shall be entitled to unlimited executive/administrative leave per fiscal year, at his discretion; provided, that the City Council can review that use and reserves the right to restrict that use if a majority of the City Council determines the City's best interests are not being served due to Buckingham's use of executive/administrative leave.

(3) Moving Allowance

On or before November 3, 2014, the City shall pay Buckingham a moving allowance of \$15,000.

(4) Automobile

Buckingham shall be provided a monthly automobile allowance of \$450.00 in exchange for making a vehicle available for his own use and for City-related business and/or functions during, before and after normal work hours.

(5) Benefits that Accrue to Other Employees

Buckingham shall be entitled to all benefits, rights, and privileges accorded to City Department Directors except as otherwise provided in this Agreement; provided, that Buckingham will be responsible for carrying and paying for his and his family's health insurance. If there is any conflict between this Agreement and any resolution fixing

compensation and benefits for City Department Directors or other unclassified employees, this Agreement shall control.

5. SECURITY

A. Pensions

Deferred Compensation

(1) Section 457 Plan

The City will make, in one lump payment on July 1 of each calendar year, an annual contribution equal to \$17,500.00 into a qualified Section 457 Plan from one of the City approved plans as selected by Buckingham. Amounts contributed under this section shall be to the benefit of Buckingham in accordance with the Deferred Compensation Plan participation agreement.

(2) Internal Revenue Code Compliance

All provisions of this Subsection 5.A are subject to the provisions and limitations of the Internal Revenue Code and its related regulations as amended from time to time. No requirement of any provision of this Subsection 5.A shall be effective if it would violate any provision of the Internal Revenue Code or its related regulations, and the inability of the City to effectuate such requirements shall not constitute a breach of this Agreement.

B. Insurance

(1) Disability Insurance

(a) Short Term - same as other full-time employees

(b) Long Term - same as other full-time employees

(2) Life Insurance

Term life insurance in the amount of \$50,000.00.

6. SEPARATION

A. Resignation/Retirement

Buckingham may resign at any time and agrees to give the City at least 45-days' advance written notice of the effective date of his resignation, unless the Parties otherwise agree in writing. If Buckingham retires from full time public service with the City, then Buckingham may provide six months' advance notice. Buckingham's actual retirement date will be mutually established.

B. Termination & Removal

- (1) Buckingham is an at-will employee serving at the pleasure of the City Council as provided in Government Code Section 36506.
- (2) The City Council may remove Buckingham at any time, with or without cause, by a majority vote of its members. Notice of termination shall be provided to Buckingham in writing. Termination, as used in this Agreement, shall also include a request that Buckingham resign, a reduction in Buckingham's salary or other financial benefits (except for a reduction consistent with Subsection 4.A(1)(d) of this Agreement), a material reduction in the powers and authority of the City Manager, or the elimination of the City Manager's position. Any such notice of termination or act constituting termination shall be given at or effectuated at a duly noticed regular meeting of the City Council.
- (3) Buckingham shall not be removed during the 90-day period preceding or following any City election for membership on the City Council, or during the 90-day period following any change in membership of the City Council, except upon unanimous vote of the City Council.
- (4) Given the at-will nature of the position of City Manager, an important element of the employment agreement pertains to termination. It is in both the City's interest and that of Buckingham that any separation of Buckingham from the position of City Manager is done in a businesslike manner.

C. Severance Pay

- (1) In the event Buckingham's employment is terminated by the City Council during such time Buckingham is willing and able to perform the City Manager's duties under this Agreement, then in that event the City agrees to pay Buckingham a lump sum cash payment equal to six-months' (6-months') base salary then in effect as provided in 4.A(1) above.
- (2) In the event the City refuses, following written notice of non-compliance, to comply with any provision in this Employment Agreement benefiting Buckingham, or Buckingham resigns following requests by a majority of the City Council that he resign, then, in that event, Buckingham may, at his option, be deemed to be "terminated" as of the date of such refusal to comply or request to resign and this severance pay provision shall be actuated.
- (3) All payments required under this Subsection 6.C. are subject to and shall be interpreted to comply with the limitations set forth in Government Code Section 53260, as amended.
- (4) The Parties agree in the event the City were to fail or refuse to promptly and fully provide and pay to Buckingham all of the severance and other benefits due upon termination as provided by this Agreement, he would sustain material damages. Those damages could include, among other losses: the loss of the opportunity to transition employment, the loss of alternate employment opportunities, the loss of income, the loss of opportunities for retraining or further education, the erosion of personal investments and savings, the loss of retirement benefits, physical displacement or the loss of a residence, the loss of insurance and medical benefits, expenses for professional counseling, the loss of standard of living including educational opportunities for children, and the resultant emotional distress to Buckingham and his family. Those damages are, and will continue to be, impracticable and extremely difficult to ascertain. Accordingly, in the event the City shall fail or refuse to promptly and fully provide and pay to Buckingham all of the severance benefits or other benefits due upon termination as provided by this Agreement, then the City shall pay to Buckingham, as liquidated damages, a lump sum cash payment equal to 6-

months' current base salary as provided in Section 4.A(1) above in addition to all other severance benefits provided by this Agreement. Any such payments shall constitute liquidated damages only and not additional severance pay or benefits subject to the provisions of Government Code Section 53260.

- (5) Buckingham hereby knowingly waives any and all rights he may have pursuant to the provisions of that certain document, California Joint Powers Insurance Authority ("CJPIA") 2013-2014 Memorandum of Liability Coverage ("MOLC"), and titled "Termination of Chief Executive's Employment Liability."

D. Involuntary Resignation

- (1) In the event that the City Council formally or a majority of the City Council informally asks Buckingham to resign, then Buckingham shall be entitled to resign and still receive the severance benefits provided in Subsection 6.C., above.
- (2) Buckingham has relied upon the provisions of the Municipal Code upon entering into this Agreement, as it pertains to the City Manager's role, powers, duties, authority, responsibilities, compensation and benefits. In the event the City Council adds, deletes or amends the Municipal Code without Buckingham's consent, and such addition, deletion or amendment is inconsistent with the terms of this Agreement and the City Manager's role, powers, duties, authority, responsibilities, compensation and benefits as currently provided, then Buckingham shall have the right, at his sole option, to give the City Council notice that such amendment(s) constitute a request by the City Council for Buckingham's involuntary resignation.
- (3) Upon receipt of such notice, the City Council shall have thirty days in which to do one of the following: (a) rescind the amendment(s); (b) renegotiate this Agreement to Buckingham's satisfaction; (c) confirm that Buckingham is being asked to involuntarily resign; or (d) take no action. In the event that either (c) or (d) occurs, or the City is unable to accomplish (b), then Buckingham shall be entitled to resign and still receive the severance benefits provided in Subsection 6.C., above.

E. Separation for Cause

- (1) Notwithstanding the provisions of Subsections 6.C. and 7.A., Buckingham may be terminated for cause. As used in this section, "cause" shall mean only one or more the following:
 - (a) Conviction of any felony or conviction of a misdemeanor involving an abuse of Buckingham's position as City Manager;
 - (b) Continued abuse of non-prescription drugs or alcohol that materially affects the performance of the City Manager's duties; or
 - (c) Repeated and protracted unexcused absences from the City Manager's office and duties.
- (2) In the event the City terminates Buckingham for cause, then the City shall terminate this Agreement immediately, and Buckingham shall be entitled to only the compensation accrued up to the date of termination, payments required by Subsection 6.F., below, and such other termination benefits and payments as may be required by law. Buckingham shall not be entitled to any severance benefits provided by Subsection 6.C.
- (3) In the event the City terminates Buckingham for cause, the City and Buckingham agree that neither Party shall make any written or oral statements to members of the public or the press concerning Buckingham's termination except in the form of a joint press release which is mutually agreeable to both Parties. The joint press release shall not contain any text or information that would be disparaging to either Party. Provided, however, that either Party may verbally repeat the substance of any such press release in response to inquiries by members of the press or public.

F. Payment for Unused Leave Balance

- (1) On separation from City employment, Buckingham shall be paid for all unused accrued leave allowances provided in Subsection 4.B.(2)(a) above, and/or Buckingham may apply the sick leave time to service credit for retirement purposes, as permitted by the City's agreement with PERS.

Accumulated leave balances shall be paid at Buckingham's monthly salary rate at the effective date of separation.

- (2) In the event Buckingham dies while employed by the City under this Agreement, his beneficiaries or those entitled to his estate shall be entitled to his earned salary, and any in-lieu payments for accrued benefits, including compensation for the value of all accrued vacation balances.

7. MISCELLANEOUS PROVISIONS

A. Term

The term of this Agreement shall commence on September 27, 2014, and continue until terminated as provided herein.

B. Provisions that Survive Termination

Many sections of this Agreement are intended by their terms to survive the termination of Buckingham's employment with the City, including but not limited to Section 7 and Subsection 7.E. These sections, and the others so intended, shall survive termination of employment and termination of this Agreement.

C. Amendments

This Agreement may be amended at any time by mutual agreement of the City and Buckingham. Any amendments are to be negotiated, put in writing, and adopted by the City Council.

D. Conflict of Interest

- (1) Buckingham shall not engage in any business or transaction nor shall have a financial or other personal interest or association, direct or indirect, which is in conflict with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business, personal, or political associations. This section shall not serve to prohibit independent acts or other forms of enterprise during those hours not covered by active City employment, providing such acts do not constitute a conflict of interest as defined herein.

- (2) Buckingham shall also be subject to the conflict of interest provisions of the California Government Code and any conflict of interest code applicable to Buckingham's City employment.
- (3) Buckingham is responsible for submitting to the City Clerk the appropriate Conflict of Interest Statements at the time of appointment, annually thereafter, and at the time of separation from the position.

E. Indemnification

- (1) To the full extent of the law as provided by the California Torts Claims Act (Government Code Section 810 et seq.) and the indemnity provisions of this Agreement, whichever shall provide the greatest protection to Buckingham, the City shall defend and indemnify Buckingham against and for all losses sustained by Buckingham in direct consequence of the discharge of the City Manager's duties on the City's behalf for the period of Buckingham's employment.
- (2) The City shall defend, hold harmless and indemnify Buckingham against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Buckingham's duties as City Manager. The City may compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon.
- (3) Whenever Buckingham shall be sued for damages arising out of the performance of the City Manager's duties, the City shall provide defense counsel for Buckingham in such suit and indemnify Buckingham from any judgment rendered against Buckingham; provided that such indemnity shall not extend to any judgment for damages arising out of any willful wrongdoing. This indemnification shall extend beyond termination of employment and the otherwise expiration of this Agreement to provide protection for any such acts undertaken or committed in Buckingham's capacity as City Manager, regardless of whether the notice of filing of a lawsuit occurs during or following employment with the City. This indemnity provision shall survive the termination of the Agreement and is

in addition to any other rights or remedies that Buckingham may have under the law.

- (4) The City and all parties claiming under or through it, hereby waives all rights of subrogation and contribution against Buckingham, while acting within the scope of the City Manager's duties, from all claims, losses and liabilities arising out of or incident to activities or operations performed by or on behalf of the City or any party affiliated with or otherwise claiming under or through it, regardless of any prior, concurrent, or subsequent active or passive negligence by Buckingham.

F. Severability

If any clause, sentence, part, section, or portion of this Agreement is found by a court of competent jurisdiction to be illegal or unenforceable, such clause, sentence, part, section, or portion so found shall be regarded as though it were not part of this Agreement and the remaining parts of this Agreement shall be fully binding and enforceable by the Parties hereto.

G. Laws Affecting Title

In addition to those laws affecting a City Manager, Buckingham shall have the same powers, rights and responsibilities as a Chief Executive Officer, City Administrative Officer or City Manager, as those terms are used in local, State or Federal laws.

H. Jurisdiction and Venue

This Agreement shall be construed in accordance with the laws of the State of California, and the Parties agree that venue shall be in San Luis Obispo County, California.

I. Compliance With AB 1344

Notwithstanding any other provision of this Agreement, the Parties agree to fully comply with the Government Code sections that are part of AB 1344, as it was effective on January 1, 2012, ("AB 1344") and to fully comply with other applicable law as it exists as of the date of execution of this Agreement and as this Agreement may be amended from time to time thereafter. In that regard, the following

Government Code sections are hereby incorporated into the terms of this Agreement:

§53243. Reimbursement of paid leave salary required upon conviction of crime involving office or position.

§53243.1. Reimbursement of legal criminal defense upon conviction of crime involving office or position.

§53243.2. Reimbursement of cash settlement upon conviction of crime involving office or position.

§53243.3. Reimbursement of non-contractual payments upon conviction or crime involving office or position.

§53243.4. Abuse of office or position defined.

Buckingham has reviewed, is familiar with, and agrees to comply fully with each of those provisions, if any are ever applicable to Buckingham, including Buckingham agrees any cash settlement or severance related to the termination Buckingham may receive from the City shall be fully reimbursed to the City if Buckingham is convicted of a crime involving an abuse of his office or position.

In addition, AB 1344 also includes Government Code section 3511.2. Notwithstanding any other provisions of this Agreement, the City is prohibited through this Agreement or any amendment thereto or in any other way to provide an automatic renewal of this Agreement that provides for an automatic compensation increase in excess of a cost-of-living adjustment or a maximum cash settlement in excess of certain limits established by section 3511.2. Government Code section 3511.2 is hereby incorporated into this Agreement.

J. Entire Agreement

This Agreement represents the entire agreement of the Parties, and no representations have been made or relied upon except as set forth herein. This Agreement may be amended or modified only by a written, fully executed agreement of the Parties.

K. Notice

Any notice, amendments, or additions to this Agreement, including change of address of either party during the term of this Agreement, which Buckingham or the City shall be required, or may desire, to make shall be in writing and shall be sent by prepaid first class mail or hand-delivered to the respective Parties as follows:

(1) If to the City:

City of Morro Bay
595 Harbor Street
Morro Bay, CA 93442

(2) If to Buckingham:

David Buckingham

_____, CA 9____

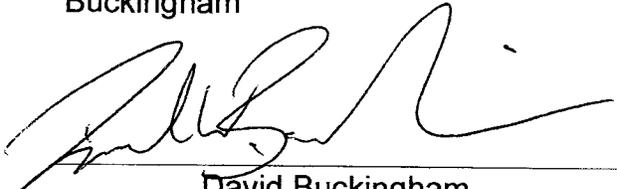
8. Execution

IN WITNESS WHEREOF the Parties have executed this Agreement as of the day and year first above written.

"City"

"Buckingham"

By: _____
Jamie Irons, Mayor



David Buckingham

ATTEST:

By: _____
Jamie Boucher,
City Clerk

APPROVED AS TO FORM:

By: _____
Joseph W. Pannone,
Interim City Attorney



AGENDA NO: D-1

MEETING DATE: August 26, 2014

Staff Report

TO: Honorable Mayor and City Council

DATE: August 8, 2014

FROM: Eric Endersby, Harbor Director

SUBJECT: Approval of 'Direct to the Public "Off the Boat" Fish Sales' in Morro Bay at Various City Public Docking Facilities

RECOMMENDATION

Staff recommends the City Council approve a minimum one-year trial period for Morro Bay commercial fishermen to sell their catch directly to the public from various public docks.

ALTERNATIVES

1. Approve 'direct to the public "off the boat" fish sales' by commercial fishermen at various public docks of the individual fisherman's choosing with prior notification to, and approval by, the Harbor Department (staff recommendation).
2. Approve 'direct to the public "off the boat" fish sales' by commercial fishermen at a single designated public dock with prior notification to, and approval by, the Harbor Department.
3. Do not approve any fish sales from City public docks.

FISCAL IMPACT

No direct fiscal impact to the Harbor Department is anticipated. There is potential indirect positive fiscal impact by way of an economically healthier commercial fishing fleet.

SUMMARY

There exists a desire by some Morro Bay commercial fishermen to be allowed to sell their catch direct to the public from their vessels at existing City dock facilities, as opposed to conducting those sales in their slips as is the current practice. The Harbor Advisory Board reviewed this issue and recommended a minimum one-year trial period for this practice. Staff agrees with the Board's action and is recommending approval.

BACKGROUND

After hearing from several Morro Bay commercial fishermen at the March 6, 2014 Harbor Advisory Board meeting, the Board requested a future agenda item to discuss the potential need for, and interest in, a centralized location for a dock(s) to be used for 'direct to the public "off the boat" fish sales'.

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____

The Harbor Advisory Board considered this item at their May 1, 2014 meeting. The staff report and minutes from that meeting are included with this staff report.

At this meeting, the Board voted unanimously to recommend to the City Council the establishment of an existing public dock location that could be used by commercial fishermen for direct sales of their catch to the public. It was recommended to try this for a minimum one year trial period.

DISCUSSION

Typically, if fishermen wish to sell their catch direct to the public from their vessel they conduct those sales at their vessel's slip. In several other harbors, there is a designated dock or wharf area where fishermen are allowed to tie-up and sell their catch direct to the public. Due to the centralized nature of such a "one stop" situation, this method can be more conducive to direct sales.

Several dock locations were considered and supported by the Harbor Advisory Board, including Tidelands Park as well as our three street-end docks. Staff feels that all 4 of those dock options are viable and are being recommended as on-site sale locations. Should Council decide that sales should occur at only one location, then based on availability, ease of public access and parking, high visibility and pedestrian traffic, the Tidelands Park side-tie dock appears to be the most logical location for this use. This dock was largely built with Department of Boating and Waterways grant funding for public boating facilities. Provided that the number of commercial fishermen selling their catch from their vessels there does not adversely impact general public boating access to the dock, staff see no reason that this activity would be in conflict with the public's use of this facility.

CONCLUSION

Staff is recommending approval of 'direct to the public "off the boat" fish sales' by commercial fishermen from various City public docks with prior notification to, and approval by, the Harbor Department, and provided those sales do not adversely impact the boating public's use of those same facilities, for a one year trial period.



AGENDA NO: D-1

MEETING DATE: May 1, 2014

Staff Report

TO: Harbor Advisory Board

DATE: April 13, 2014

FROM: Eric Endersby, Harbor Director

SUBJECT: Discussion and Recommendations Regarding the Need for, Location and Use of and Interest in a Potential Dock Designated for Direct to the Public “Off the Boat” Fish Sales in Morro Bay

RECOMMENDATION

Receive input and make recommendations, if any, regarding a potential dock designated for direct to the public “off the boat” fish sales.

FISCAL IMPACT

No impact at this time. Possible future fiscal impact if the City pursues building such a facility.

BACKGROUND

At the March 6, 2014 Harbor Advisory Board meeting, the Board expressed consensus in a future agenda item to discuss the potential need for and interest in a centralized location for a dock to be used for direct to the public “off the boat” fish sales, with input to be taken from the public as to their interest in having such a location, from the commercial fishermen as to their numbers interested in participating in a scheduled sales program and from the Harbor Department as to the location and logistics of establishing such a dock.

DISCUSSION

In the past, several Morro Bay commercial fishermen have expressed the desire for a centralized location where direct to the public “off the boat” sales would be allowed and encouraged. As it stands today, a fisherman’s only option in Morro Bay for this popular sales method is to conduct it from their assigned slip. Since this is not often scheduled nor done in one consistent location, public participation can be limited and in some cases even be discouraged due to its lack of consistency.

With the advent of the “FishLine” seafood “app” and other internet-based real-time advertising opportunities, interest in the possibility of a centralized and organized direct to the public fish sales dock or other location is renewed, and in combination may create the synergy for such a dock to be widely utilized and successful.

Prepared By: EE

Dept. Review: EE

In addition, while not specifically identified in the recently City Council-accepted Morro Bay Fishing Community Sustainability Plan, an “off the boat” fish sales location would lend itself to Recommendation 4 of the Sustainability Plan. Recommendation 4 is the continued promotion and marketing of the Morro Bay fishing community to “better communicate its unique attractions, particularly a working waterfront, sustainable fishing industry and rich estuarine setting.”

With input from the public, commercial fishermen and Harbor Department staff, the Harbor Advisory Board is being asked to provide recommendations, if any, regarding this issue. Any recommendations will be brought to the City Council, as appropriate, during the budgeting and capital improvement planning processes, and acted upon as time, resources and Council directions allow.

CONCLUSION

The Harbor Advisory Board is being asked to take input and discuss the possibility of a centralized public “off the boat” fish sales dock location in Morro Bay, and make recommendations, if any, to staff and City Council.

D. NEW BUSINESS

D-1 Discussion and Recommendations Regarding the Need for, Location and Use of, and Interest in a Potential Dock Designated for Direct to the Public "Off the Boat" Fish Sales in Morro Bay

Mr. Endersby said at a past Harbor Advisory Board meeting, some of the commercial fishermen expressed interest in designating a dock for off-the-boat fish sales to the public. He said with the advent of the "FishLine" seafood app and other internet-based, real-time advertising, there is renewed interest in a central location in Morro Bay. This would only require a change to the Harbor Rules and Regulations.

Discussion by the Board on locations of public docks, Tidelands dock, or a dock inside the Measure D area such as where the oyster barge is located. Discussion on the importance of a one-year trial period. Mr. Alward said of the 20 respondents to their recent e-mail survey, 15 fishermen indicated they would like to try selling fish off their boats to the public at a designated dock.

Chair Eckles asked Mr. Alward if he knew of any drawbacks. Mr. Alward said some of the fish buyers thought this might mean competition to their business, but they receive large catches, whereas the public dock would be for small catches of fish. He believes this would be a benefit to the City by bringing in more tourists. This drawback could be long lines of people and the circulation of foot-traffic.

Mr. Endersby said there may be an issue with the Tidelands dock usage because it was funded by DBW as a recreational boat facility versus commercial use. He will verify. Mr. Doughty said recreational boaters do use Tidelands dock and so the entire dock should not be designated for commercial fish sales. Mr. Endersby said the street-end public docks at the Galley Restaurant, Rose's, and Associated Pacific are centrally located which would be good for foot traffic and are not heavily used by boaters. He also stressed the regulations of the Health Department which would not allow fish processing or cleaning at the dock.

Motion: Chair Eckles moved to recommend to City Council the establishment of a temporary dock, with a duration of at least one year, to be used for direct sales of whole fish to the public by commercial fishing boats. The motion was seconded by Mr. McClish, and carried unanimously.

~~D-2 Discussion and Recommendations Regarding the Need for, Location and Use of, and Interest in Expanded Fish Cold Storage Capabilities in Morro Bay~~

~~Mr. Endersby said the Board had expressed interest in discussing the possibility of establishing expanded fish cold storage capabilities in Morro Bay. He said the Morro Bay Fishing Community Sustainability Plan identifies the potential need for additional refrigerator and freezer storage in Recommendation 3.~~

~~Mr. Alward said that in the e-mail survey sent out to the local fishermen, Mr. Brett Cunningham commented on the importance and value of freezer storage for many commercial fishermen due to the ability to store fish for the best market price; he said Santa Monica Seafood might be the right company to build the needed 1,000 sq ft freezer storage, as they currently have two freezer boxes on their fish dock and may be interested in upgrading.~~

~~Mr. Reisner offered the idea of creating a new Ad-Hoc Committee from the Board who would do a local poll asking fishermen the basic who, why, and what for questions. After further discussion by the Board, Chair Eckles said this project would mean capital outlay as well as probable City expenditure; so he recommended waiting to hear back from the MBCFO to see if there is a demand for cold storage prior to forming an Ad-Hoc Committee.~~