

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, APRIL 28, 2015
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 – Chamber of Commerce Quarterly Presentation
Morro Bay Police Department App Presentation
Presentation of Morro Bay in Bloom Proclamation
Presentation of Letter Carriers' Food Drive Day Proclamation

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.

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 APRIL 14, 2015; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON APRIL 14, 2015; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 ANNUAL REPORTING ON THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT AND SCHEDULING OF A PUBLIC HEARING; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Receive report and set the public hearing for May 12, 2015.

A-4 RESOLUTION NO. 19-15 APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) AND THE CITY OF MORRO BAY FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM AT THE INTERSECTION OF STATE ROUTE 1/ MAIN STREET AND STATE ROUTE 41; (PUBLIC WORKS)

RECOMMENDATION: Approve Resolution No. 19-15.

A-5 AGREE TO COUNCIL MEMBERS JOHNSON AND SMUKLER ACTING AS LIAISONS TO CITY STAFF REGARDING THE PLANNING PROCESS FOR THE 2015 4TH OF JULY EVENT; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

B. PUBLIC HEARINGS

B-1 COASTAL DEVELOPMENT AND CONDITIONAL USE PERMITS APPROVAL (CP0-442 & UP0-381) FOR A BMX BIKE PARK ON VACANT CITY-OWNED PROPERTY AT 301 LITTLE MORRO CREEK ROAD, APPROX. 400 FEET NORTH OF THE INTERSECTION OF LITTLE MORRO CREEK, RADCLIFF AND MAIN STREETS; (COMMUNITY DEVELOPMENT)

RECOMMENDATION: Adopt Resolution No. 20-15 making the necessary findings for approval of Coastal Development and Conditional Use Permits (CP0-442 & UP0-381).

C. UNFINISHED BUSINESS / SECOND READING AND ADOPTION OF ORDINANCES

- C-1 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 592 OF THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, AMENDING SUBSECTION 14.08.090 O. OF THE MORRO BAY MUNICIPAL CODE RELATING TO *SALE AND USE OF FIREWORKS*; (POLICE)

RECOMMENDATION: Move for introduction and first reading of the preferred version of Ordinance 592, by number and title only.

- C-2 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 593 OF THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, ADDING CHAPTER 9.34 TO THE MORRO BAY MUNICIPAL CODE (MBMC) BANNING THE POSSESSION OF CERTAIN INTOXICATING COMPOUNDS KNOWN AS SYNTHETIC DRUGS; (POLICE)

RECOMMENDATION: Move for introduction and first reading of Ordinance 593, by number and title only.

- C-3 DISCUSSION AND DIRECTION REGARDING AGENDA FOR APRIL 30, 2015 JOINT MEETING WITH CAYUCOS SANITARY DISTRICT; (ADMINISTRATION/PUBLIC WORKS)

Recommendation: Review report and provide direction to staff.

D. NEW BUSINESS

- D-1 DISCUSSION AND DIRECTION TO STAFF REGARDING LEASE SITE 69-70/69W-70W LOCATED AT 595 EMBARCADERO (MORRO BAY AQUARIUM); (ADMINISTRATION)

RECOMMENDATION: Direct staff to work with the Central Coast Aquarium to develop a proposal for the operation and future redevelopment of the Morro Bay Aquarium lease site.

- D-2 DISCUSSION AND DIRECTION ON PRIORITIZATION OF PLANNING DIVISION OBJECTIVES; (COMMUNITY DEVELOPMENT)

RECOMMENDATION: Review the report and provide direction to staff.

- D-3 REVIEW AND DISCUSSION OF STOP SIGN REQUEST FOR THE INTERSECTION OF MAIN AND PACIFIC STREETS); (PUBLIC WORKS)

RECOMMENDATION: Review the report and provide direction to staff.

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.

MINUTES – MORRO BAY CITY COUNCIL
SPECIAL CLOSED SESSION MEETING –
APRIL 14, 2015
CITY HALL CONFERENCE ROOM – 5:00 P.M.

AGENDA NO: A-1

MEETING DATE: April 28, 2015

PRESENT:	Jamie Irons	Mayor
	John Heading	Councilmember
	Christine Johnson	Councilmember
	Matt Makowetski	Councilmember
	Noah Smukler	Councilmember
STAFF:	David Buckingham	City Manager
	John Fox	Assistant City Attorney
	Eric Endersby	Harbor Director
	Rob Livick	Public Works Director
	Scot Graham	Community Development Manager

ESTABLISH QUORUM AND CALL TO ORDER

A quorum was established and the meeting was called to order at 5:00pm.

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 comment for items only on the agenda; seeing none, the public comment period was closed.

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

CS-1 GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR:

Property: Lease Site 65-66/65W-66W, Abba Imani, 571 Embarcadero

Agency Negotiators: John Fox, Assistant City Attorney and Eric Endersby, Harbor Director

Under Negotiation: Price and Terms of Payment

Property: Lease Site 37W, Ty Meyer, located adjacent to 261 Main Street

Agency Negotiators: John Fox, Assistant City Attorney and Eric Endersby, Harbor Director

Under Negotiation: Price and Terms of Payment

CS-2 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE 54956.9(d)(1)

Medina v. City of Morro Bay, San Luis Obispo Superior Court Case #14CV0214

The City Council reconvened to Open Session.

Mayor Irons 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 5:50pm.

Recorded by:

Dana Swanson, City Clerk

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – APRIL 14, 2015
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Noah Smukler	Councilmember
	John Headding	Councilmember
	Christine Johnson	Councilmember
	Matt Makowetski	Councilmember

STAFF:	David Buckingham	City Manager
	John Fox	Assistant City Attorney
	Dana Swanson	City Clerk
	Rob Livick	Public Works Director
	Scot Graham	Community Development Manager
	Joe Woods	Recreation Director
	Eric Endersby	Harbor Director
	Amy Christey	Police Chief
	Steve Knuckles	Fire Chief

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:06pm

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

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

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

City Manager Buckingham provided a public service announcement regarding the intended Water and Sewer Rate increase and Proposition 218 vote.

<https://youtu.be/1s-b5Im3a5g?t=6m10s>

PUBLIC PRESENTATIONS - NONE

PUBLIC COMMENT

<https://youtu.be/1s-b5Im3a5g?t=11m12s>

The business spot was provided by Betty Forsythe of Fabulous Finds. Fabulous Finds is a non-profit ministry of St. Timothy’s Church to help people find fabulous items for themselves and families and help our “super people”—seniors and students. All items are donated, workers are

volunteers, and all money earned goes to our “S-Group” -- seniors and students. Fabulous Finds is located at 480 Morro Bay Blvd. near the Bay Theater. A soft opening for their new store “Fabulous Finds Furniture” located at 739 Napa is planned on April 17-18. Store hours are Monday, Wednesday, Thursday, Friday and Saturday from 11am – 5pm. Volunteers are always needed; please call (805) 459-5704 for more information.

Father Ed, Morro Bay, supports Fabulous Finds and thanks those who attended the Blessing of the Fleet yesterday.

Ken Vesterfelt, Morro Bay, announced two upcoming events. The Emergency Vehicle Car Show will be held this weekend and is sponsored by Morro Bay Police, Fire and Harbor Departments. The Cruisin’ Morro Bay Car Show will be held April 30 – May 3. Both are family-friendly, alcohol-free events. He opposes the building moratorium as it will dramatically drive up the cost to live here.

Robert Davis, Morro Bay, shared the Morro Bay Citizens Bike Committee and San Luis Obispo Bicycle Club are teaming up Saturday from 9:00-3:00 at the Emergency Vehicle Show to promote bike safety. Bike maps, safety tips and bicycle confidence courses will be available and everyone who signs a bike safety pledge will receive a free water bottle.

Roger Ewing, Morro Bay, spoke regarding Item D-1, asking the Council to issue a building moratorium due to the severe drought and lack of a long term sustainable water source. He also supports to Alex Beattie in his attempt to end hunting in the back bay.

Ted De’Mont, Morro Bay, spoke in support of the Bayside Café asking the Council to do everything it can to keep the current owner.

Dawn Beattie, Morro Bay, attended the 10-year Forecast Budget Study Session and was saddened to hear the City’s fee revenue recovers only 30% of Public Services costs. She hates to see these fees go up in one chunk like the water fees, but 30% recovery is not acceptable.

The public comment period was closed.

A. CONSENT AGENDA

<https://youtu.be/1s-b5Im3a5g?t=26m16s>

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 JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING HELD ON MARCH 24, 2015; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON MARCH 24, 2015; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE SPECIAL CITY COUNCIL MEETING HELD ON MARCH 31, 2015; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 APPROVAL OF PROCLAMATION DECLARING APRIL 2015 AS “SEXUAL ASSAULT AWARENESS MONTH”; (ADMINISTRATION)

RECOMMENDATION: Approve and file.

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

RECOMMENDATION: Receive and file.

A-6 WATER RECLAMATION FACILITY (WRF) PROJECT UPDATE; (PUBLIC WORKS)

RECOMMENDATION: Receive and file.

A-7 APPROVAL OF RESOLUTION NO. 13-15 EXECUTING AMENDMENT #5 TO THE LEASE AGREEMENT FOR LEASE SITE 124-128/124W-128W & 113W LOCATED AT 1215 EMBARCADERO, TO RESTRUCTURE LEASE REDEVELOPMENT PROCESS AND REQUIREMENTS AS THEY RELATE TO LEASE TERMS AND CONDITIONS; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 13-15 executing Amendment #5 to the Lease Agreement.

A-8 AWARD OF CONTRACT TO ELLISON ENVIRONMENTAL, INCORPORATED DBA FLUID RESOURCE MANAGEMENT OF GROVER BEACH, CA FOR THE PROJECT NO. MB2015-WW05: DIGESTER #1 REPAIRS & COATING PROJECT; (PUBLIC WORKS)

RECOMMENDATION: Award the contract as recommended.

A-9 ESTABLISHMENT OF A TWELVE (12) MEMBER GENERAL PLAN/LOCAL COASTAL PROGRAM ADVISORY COMMITTEE (GPAC); (COMMUNITY DEVELOPMENT)

RECOMMENDATION: Adopt Resolution No. 16-15 establishing the General Plan/Local Coastal Program Advisory Committee (GPAC).

The public comment period for the Consent Calendar was opened.

Susan Stewart, Morro Bay, spoke regarding Item A-9. She is interested in committee make-up, is curious why TBID members were not included and would like to hear some discussion. She hopes to see members of the business community included, particularly small and longer established businesses. She also suggests including those who have lived here all their lives and bring that history to the process, possibly former elected officials.

The public comment period for the Consent Calendar was closed.

Mayor Irons pulled Items A-4 and A-9.

MOTION: Councilmember Johnson moved to approve Items A-1, A-2, A-3, A-5, A-6, A-7 and A-8. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

A-4 APPROVAL OF PROCLAMATION DECLARING APRIL 2015 AS “SEXUAL ASSAULT AWARENESS MONTH”; (ADMINISTRATION)
<https://youtu.be/1s-b5Im3a5g?t=29m44s>

Mayor Irons presented the proclamation to Donna Clipperton, RISE Board Member and Krista Stafford, Outreach Coordinator for RISE.

MOTION: Councilmember Makowetski moved the Council approve Item A-4. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

A-9 ESTABLISHMENT OF A TWELVE (12) MEMBER GENERAL PLAN/LOCAL COASTAL PROGRAM ADVISORY COMMITTEE (GPAC); (COMMUNITY DEVELOPMENT)
<https://youtu.be/1s-b5Im3a5g?t=36m23s>

City Manager Buckingham provided additional analysis and recommendation regarding the formation of the GPAC, in particular the number of members and also whether Council should participate in the committee.

The public comment period for Item A-9 was opened.

Susan Stewart, Morro Bay, noted having a student on the committee is an interesting idea; however, given there is a three year commitment you need to expect some changeover.

The public comment period for Item A-9 was closed.

Council discussed and agreed on the following: the committee should consist of an odd number of at-large positions, to ensure continuity it is important to clearly articulate the expectation of a 3-year commitment, there is a desire to have a youth liaison (high school or college student) who

lives in Morro Bay, and the final number of committee members will be determined after interviews are held.

MOTION: Mayor Irons moved the Council form a General Plan/Local Coastal Plan Citizens Advisory Committee, advertise to recruit members of that committee, and select and form that committee in May. The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

B. PUBLIC HEARINGS

B-1 RESOLUTION NO. 14-15 INITIATING PROCEEDINGS TO LEVY THE ANNUAL ASSESSMENT FOR THE CLOISTERS PARK AND OPEN SPACE LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS)
<https://youtu.be/1s-b5Im3a5g?t=1h7m>

Public Works Director Livick presented the staff report.

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

Dawn Beattie, Morro Bay, shared that she and her fellow Cloisters home owners are delighted to have Rob Livick join and lead the Cloisters maintenance team. The next quarterly meeting is currently being scheduled.

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

MOTION: Councilmember Headding moved to approve Resolution No. 14-15, as amended by staff. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

B-2 RESOLUTION NO. 15-15 INITIATING PROCEEDINGS TO LEVY THE ANNUAL ASSESSMENT FOR THE NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS)
<https://youtu.be/1s-b5Im3a5g?t=1h13m10s>

Public Works Director Livick presented the staff report.

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

MOTION: Councilmember Johnson moved the Council approve Resolution No. 15-15, as amended by staff. The motion was seconded by Councilmember Headding and carried unanimously, 5-0.

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

D. NEW BUSINESS

D-1 COUNCIL CONSIDERATION OF CITIZEN REQUEST FOR A 45 DAY BUILDING MORATORIUM AND COUNCIL CONSIDERATION OF OTHER ACTIONS RELATED TO NEIGHBORHOOD COMPATIBILITY; (CITY COUNCIL)
<https://youtu.be/1s-b5Im3a5g?t=1h17m>

Mayor Irons presented the report and responded to Council inquiries.

Community Development Manager Graham shared the Planning Commission has completed its review of the Neighborhood Compatibility Guidelines. Staff will merge those two documents and provide an opportunity for public review and input. Staff will bring that document and changes proposed by the community back to Planning Commission on May 5. It is currently anticipated the guidelines will be brought to Council at the June 9 meeting.

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

Kirk Najarian, Morro Bay, supports the denial of any moratorium. He agrees that updates to the General Plan and policies are needed, and that design guidelines and neighborhood compatibility are important. You must take into consideration we have different areas and neighborhoods and lot sizes, so each situation is unique. Private views seem to be the hot topic; that has never been a protected right.

Barbara Doerr, Morro Bay, supports a building moratorium, noting the Council needs to take every measure possible to protect Morro Bay's identity—the atmosphere of a fishing port and isolation from a faster pace of life. She also suggests a change to the City Council Policies and Procedures to allow any elected official to place an item on the agenda.

Nancy Bast, Morro Bay, understands the Council is dealing with many other very pressing issues; but, like water and sewer, neighborhood compatibility goes to the quality of life here. Quoting language from an Interim Urgency Ordinance passed on September 24, 2007, she notes we have been waiting seven years for new standards and a review process for single-family dwellings; three more years seems like pie in the sky.

Laurie Stamper, Morro Bay, respectfully opposes the Mayor's request to deny the moratorium. Morro Bay is one of the last quaint and funky beach towns. The Council should pass the moratorium and make neighborhood compatibility a primary concern.

Ted De'Mont, Morro Bay, presented Council with ordinance presented to City of Monrovia as a template for an interim urgency ordinance. A building permit for 845 Ridgeway is in front of the Planning Commission now—here's the tool and the reason.

Joe Anderton, Morro Bay, spoke in opposition to the moratorium. He purchased a small house in north Morro Bay and would like to build on that someday. A modest home with a good design should be allowed. He attended the NECCO meeting and some of the information being

provided is not accurate. He asked the Council to take into consideration the financial impact a building moratorium would have on those who make a living in construction.

Norm Williams, Morro Bay, shared that we are not talking about a building moratorium but a permit moratorium. The fees to file the appeal are costly and while Council and Planning Commission are deliberating and trying to come up with a solution, a moratorium will solve the problem.

A Morro Bay citizen spoke to support denial of a moratorium. Lots are small at the coast and if you want a house of any practicality you need a 2-story house, which is going to block someone's view. This moratorium is not about view, but about taking away property rights.

Marla Jo Bruton-Sadowski, Morro Bay, spoke regarding the legal requirement for conditions of a moratorium—public health, welfare and safety. She questions the availability of water to service residents and tourist industry. Good clean water is needed for public health and safety.

Kenny Blackwell, Morro Bay, supports a building moratorium. Without reliable safe water supply we cannot continue to build more and larger homes. Neighborhood compatibility guidelines are currently being updated and it makes no sense to continue to allow homes to be built under current guidelines.

Grant Kraut, Morro Bay, supports a building moratorium. He suggests larger signs on property noticing the development for 45 or 60 days, not just 10 days. Also, the applicant should have to handwrite 100 post cards explaining the project so they consider the impact. This is about view sharing, not view protection.

Greg Riley, Morro Bay, spoke in favor of a moratorium until neighborhood guidelines are complete. Homes permitted in 45 days last for 50 years.

Bob Keller, Morro Bay, supports the recommendation to deny moratorium and recommends adopting the resolution to work on the General Plan/Local Coastal Plan to move forward. Moratoriums should only be used as last resort and emergency and we're not there

Paul Nagy, Morro Bay, doesn't believe an emergency exists and there is no good reason for a moratorium. Existing documents have been created from years of political give and take and are similar to the county and neighboring cities. Changes made to requirements and ordinances must be carefully deliberated on and fair so we don't take away full use of property.

Betty Winholtz, Morro Bay, asks the Council take seriously the arguments from 2007 and address community welfare. Whether you do an emergency ordinance or some other ordinance, it's not something that can be put off for three years. She wants clean guidelines so people know what to expect when they walk up to the counter.

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

Mayor Irons stated that a lot of thought went into his report and he appreciates the input. He is concerned the staff time involved in implementing a 45 day moratorium that may delay neighborhood guidelines. He is committed to getting the GP/LCP done in three years and doesn't think moratorium will help get that done.

Councilmember Johnson is 100% committed to neighborhood guidelines/standards with input from the public, Planning Commission, Planning staff and members of the Council. Following the 1000 Ridgeway appeal, which the Council upheld and denied the project, Council asked staff to provide clean guidelines, and good progress is being made. She supports the Mayor's direction to put more time on neighborhood guidelines so people know what they can build and won't be surprised by a project that won't fit in their neighborhood. She also likes the idea of a larger sign for posting new construction projects.

Councilmember Makowetski doesn't think various sides are too far apart, and suggests a slow down until we get the rules in place benefits all and provides a level playing field for neighbors and builders. He supports a moratorium of sorts, or a "slow down", while neighborhood guidelines are being developed.

Councilmember Heading thanked the NECCO group; grass roots advocacy is one of the best ways to change things in the city. He is looking for common ground to bring us to a point where we can agree. Neighborhood compatibility is a primary goal with a timeline that may be before the Council on June 9. He does not support moratorium, does not believe it's the answer. Need accountability to move this forward extremely quickly and a comprehensive GP/LCP developed in three years.

Councilmember Smukler appreciates how much agreement there is on getting the neighborhood guidelines done. There is an appeals process in place and this Council has upheld those appeals-builders should take note of that and do their due diligence. He likes improved signage suggestion as a short-term solution and would also consider increasing noticing radius to 500'. He is not in support of a moratorium. In response to water concerns, remodels or new construction generally have much stronger storm water management techniques and water efficiencies in place.

Councilmember Makowetski stated the moratorium is connected to the General Plan update. He understands that may have design guidelines in place in 8 weeks but folks feel we've been down this road before. He is totally in support of the resolution completing the general plan update.

MOTION: Mayor Irons moved the Council deny the request for a moratorium and adopt Resolution No. 18-15 committing to completing the General Plan/Local Coastal Program Update in three years. The motion was seconded by Councilmember Smukler and carried 4-1 with Councilmember Makowetski voting no.

MOTION: Councilmember Smukler moved the Council affirm neighborhood guidelines be a priority for the Planning Commission. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

Council discussed the citizen request for improved signage and better noticing for building projects. Mayor Irons suggests the Planning Commission review this item and make recommendations as part of the Neighborhood Design Guideline discussion; Council concurred.

Councilmember Johnson requested the Council consider the vote on Resolution No. 18-15 as Councilmember Makowetski was clear in his support of the Resolution.

MOTION: Mayor Irons moved the Council reapprove and readopt Resolution No. 18-15. The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

D-2 DISCUSSION AND DIRECTION TO STAFF REGARDING FEE SUBSIDIES AND COST RECOVERY; (ADMINISTRATION)
<https://youtu.be/1s-b5Im3a5g?t=3h26m3s>

City Manager Buckingham presented the staff report and responded to Council inquiries.

The public comment period for Item D-2 was opened.

Betty Winholtz, Morro Bay, shared that she was on Council at the time of the previous consultant study which recommended 50% fee recovery and the Council, at that time, did not have the willpower to make those changes because of the political ramifications. She doesn't think you can be as systematic as you would like to be.

Jeremiah O'Brien, Morro Bay, representing the commercial fishing industry, recommends the Council support staff recommendation to bring this discussion to the Harbor Advisory Board, with Mr. Buckingham present. Commercial fishermen do not consider themselves to be subsidized, nor do they compare themselves to private yacht owners. The commercial fishing industry shouldn't be charged by what you can get out of it, but a reasonable fee.

Marla Jo Bruton-Sadowski, Morro Bay, watched the March 31 City Council meeting and encourages people to watch the video. The 10-year budget forecast was based on building continued in Morro Bay; she thought that our building department had been losing money for years.

The public comment period for Item D-2 was closed.

Council discussed the importance of fiscal responsibility and a fee subsidy policy, and request this item come back as a public hearing to allow for further input and discussion, in particular for subsidy of Recreation programs and other quality of life issues.

MOTION: Mayor Irons moved the Council approve staff recommendation and return to Council with a fee subsidy policy in June. The motion was seconded by councilmember Makowetski and carried unanimously, 5-0.

D-3 CONSIDERATION AND DIRECTION ON FUTURE OF LEASE SITE 102/102W, LOCATED AT 1001 FRONT STREET (CENTRAL COAST SEAFOOD/GIOVANNI'S FISH MARKET, MICHAEL AND ORIETTA DEGARIMORE, THE "LEASEHOLDER"); (HARBOR)
<https://youtu.be/1s-b5Im3a5g?t=4h36m24s>

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

MOTION: Mayor Irons moved the Council continue the meeting past 11:00pm. The motion was seconded by Councilmember Heading and carried unanimously 5-0.

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

Cathy Novak of Novak Consulting spoke on behalf of the DeGarimores, current leaseholders of Lease Site 102/102W. The DeGarimores have done significant improvements, provided many public benefits, as well as repair and maintenance work over the past several years to this lease site. They support the staff recommendation for Alternative A which is to begin lease negotiations with them.

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

MOTION: Councilmember Johnson moved the Council approve Alternative A as recommended by staff. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

D-4 CONSIDERATION OF ADOPTION OF RESOLUTION NO. 17-15 RESCINDING RESOLUTION NO. 31-08 RELATED TO INTERSECTION CONTROL AT SAN JACINTO & MAIN STREETS AND PROVIDE UPDATE OF CITY/CALTRANS ACTIVITY REGARDING THIS INTERSECTION; (PUBLIC WORKS)
<https://youtu.be/1s-b5Im3a5g?t=4h52m38s>

Public Works Director Livick presented the staff report and responded to Council inquiries.

The public comment period for Item D-4 was opened; seeing none, the public comment period was closed.

MOTION: Mayor Irons move the Council adopt Resolution No. 17-15 rescinding Resolution No. 31-08. The motion was seconded by Councilmember Smukler. Councilmember Smukler notes the City has other potential partners, including the school district, Morro Bay Bike Committee and SLOCOG, and encourages staff to also work with those organizations as well as PWAB to develop next steps, a budget and realistic solutions. The motion carried unanimously, 5-0.

D-5 DISCUSS ADVISORY BOARD JOINT MEETINGS AND RECOGNITION EVENT FOR ADVISORY BOARD MEMBERS; (CITY COUNCIL)
<https://youtu.be/1s-b5Im3a5g?t=4h57m43s>

MOTION: Mayor Irons moved the Council continue Item D-5 to a future meeting. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
<https://youtu.be/1s-b5Im3a5g?t=4h58m24s>

Mayor Irons requested the Public Works Advisory Board have a discussion regarding water conservation awareness measures and provide recommendations to the City Council; Council concurred.

Councilmember Johnson asked to discuss appointing two councilmembers to assist with planning the Morro Bay 4th of July event this year; Council concurred.

ADJOURNMENT

The meeting adjourned at 11:14p.m.

Recorded by:

Dana Swanson
City Clerk



AGENDA NO: A-3

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 22, 2015

FROM: Susan Slayton, Administrative Services Director

SUBJECT: Annual Reporting on the Morro Bay Tourism Business Improvement District and Scheduling of a Public Hearing

RECOMMENDATION

Staff recommends Council acknowledge receipt of the annual report, and set the public hearing date for May 12, 2015 in order to declare the intent to continue the MBTBID activities and assessments.

ALTERNATIVES

Staff feels there are no available alternatives to this request as this is the first of three required steps, authorizing the continuation of MBTBID activities and assessments.

FISCAL IMPACT

Preliminary revenue estimates from assessments for FY 2015/16 is \$861,375, and all is dedicated to the Morro Bay Tourism Bureau for tourism promotion of the City.

SUMMARY

This is the first step in the annual reaffirmation of the MBTBID and authorization of the 3% assessments, as required by State law. Staff requests that Council acknowledge receipt of the annual report, and set the date for the public hearing to be held on May 12, 2015, in order to declare the intent to continue the MBTBID activities and assessments.

DISCUSSION

State law requires the City Council to annually renew business improvement districts, and receive annual reports for each fiscal year. Those reports are attached for your review.

Prepared By: SS

Dept Review: _____

City Manager Review: _____

City Attorney Review: _____

Below are the MBTBID results for the 2013/14 fiscal year:

Revenues:	
Assessments	\$ 643,161
Investment earnings	453
Transfer in from the General Fund	<u>218,593</u>
Total revenues	<u>862,207</u>
Expenditures:	
Promotion/Visitors Center support	843,898
AGP Video	<u>2,000</u>
Total expenditures	<u>845,898</u>
Revenues over expenditures	16,309
Fund balance, July 1, 2013	<u>31,705</u>
Fund balance, June 30, 2014	\$ <u><u>48,014</u></u>

The adopted budget for 2014/15 is \$715,000 in revenues and expenditures, broken down as follows:

Revenues:	
Assessments	\$ 575,000
Transfers in:	
Visitors Center	100,000
Events	<u>40,000</u>
Total revenues	<u>715,000</u>
Expenditures:	
Promotion/Visitors Center	713,000
AGP Video	<u>2,000</u>
Total expenditures	<u>768,593</u>
Revenues over expenditures	\$ <u><u>--</u></u>

CONCLUSION

Staff requests that Council acknowledge receipt of the annual report, and set the date for a public hearing to be held on May 12, 2015, in order to declare the intention to continue MBTBID activities and assessments.

ATTACHMENTS

- A. 2013/14 Morro Bay Tourism Bureau "Year in Review"
- B. 2013/14 Tourism Bureau Improvement District Budget Performance Report
- C. 2014/15 Tourism Bureau Improvement District Year-to-Date Budget Performance Report



Annual Stakeholder Meeting “YEAR-IN-REVIEW” 2014-15 REPORT

MBTB Executive Director, Brent Haugen

YEAR-TO-DATE BUREAU STATS (as of January 31, 2015)

Morro Bay Tourism Leads	18
Advertising/Promotional Opportunities	18
Visitor Center Visitors	9,300
Listening Sessions Completed	32
Reservation Widgets on Partnering Sites	4

2014-15 SHORT TERM GOALS

INCREASE MIDWEEK BUSINESS & OVERALL OCCUPANCY

- Focus on low & shoulder seasons to benefit all properties.

RESULTS

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
REVENUE	17.7%	18.9%	6.5%	17.7%	8.6%	11.8%
OCCUPANCY	3%	6%	0%	4%	1%	4%
	JANUARY					
REVENUE	16.5%					
OCCUPANCY	3%					

BOARD RETREAT, TRAINING & STRATEGIC PLANNING SESSIONS

- Conducted Board Retreat in May 2014
- Board Training in February 2015
- Strategic Planning Session in February 2015

RESULTS

- Clearly defined roles of Board & Executive Director
- Better understanding of organizational structures, policies and liabilities
- Starting point for a 3-5 year strategic plan
- Identified big picture goals for the organization

ESTABLISH POLICIES & PROCEDURES

- Accounts Payable/Receivable
- Visitor Center Clearing House Policy – May 2014
- Media Policy – July 2014
- Financial Reserve Policy – November 2014

RESULTS

- Better & more efficient process for costs and overall time management
- Creation of consistency policy relating to information distribution and usage of Visitor Center staff
- Establishment of costs incurred with visiting media
- Consistent consensus on financial reserves

BETTER COMMUNICATIONS TO STAKEHOLDERS

- Ongoing Listening Sessions
- Monthly Email Marketing to Consumers
 - Increase subscriber list
- Weekly Vacancy Report
- Monthly Executive Directors Report

RESULTS:

- Relationship building & feedback amongst the lodging community
- Increased participation in events, specials, plus an increase in the overall traffic to the MorroBay.org website
- Better process in referring overnight business to Morro Bay lodging, plus statistical information
- Transparency and an ongoing reporting system to all stakeholders

CREATE A ROBUST MARKETING & COMMUNICATIONS PLAN

RESULTS:

- Establishment of goals & objectives
- Better plan, better results

EVALUATE VENDOR RELATIONSHIPS

- Mental Marketing – Public Relations
- Verdin Marketing – Marketing Firm

RESULTS:

- Better reporting, more of a team approach, transparency, consistent creative & messaging, plus increased results in both Marketing & Public Relations



ESTABLISHED SALES & PROMOTION PROCESS

- Began lead generation process in May 2014
- Established Pay-To-Play Programs in June 2014
 - San Francisco Chronicle (x 2)
 - iBrochure
- Hired Part-Time Sales & Promotions Coordinator in July 2014
- Hired Part-Time Hospitality Coordinator in July 2014
- Increased Participation of Local Businesses in Promotions
 - Holiday Happenings
 - Free Gift Fridays
 - Pirate’s Classic
 - Girlfriend Getaway Month
 - Bear Weekend
- Visitor Guide Sales in December 2014

RESULTS

- More group business for Morro Bay, creation of compression to other properties, establishment of a foundation for growth
- Engagement of lodging and business community in bureau marketing & outreach, more visibility and increased business
- Hiring of staff increased overall efficiencies internally as well as externally
- Promotions provided a platform for increased engagement of our targeted audiences, the business community as well as provided new and inexpensive opportunities to increase overall room nights
- Creating a self-sustaining collateral piece to market the destination, provide a resource for visitors and increase visibility of lodging and other businesses.

2014 – 15 BUDGET

MORRO BAY VISITOR CENTER & EVENT FUNDING

REVENUE	
Visitor Center Funding from City	100,000.00
Event Funding from City	40,000.00
Total Revenue	140,000.00
EXPENSES	
Visitor Center Administration	105,600.00
Event Funding	42,500.00
Total Expenses	148,100.00

Any budget shortfalls with the Visitor Center will be covered by MBTB



MORRO BAY TOURISM BUREAU

REVENUE		EXPENSES	
Tourism Bureau	704,915.00	Tourism Bureau Admin.	166,500.00
Cooperative Advertising	10,000.00	Tourism Bureau Mrkt.	225,715.00
Financial Reserves	35,245.00	Public Relations	50,000.00
		Marketing Firm	267,100.00
		Financial Reserves	35,245.00
		Visitor Center	5,600
Total Revenue	\$750,160.00	Total Expenses	\$750,160.00

Over \$540,000 Towards Marketing & Public Relations Activities!

MARKETING & COMMUNICATIONS

PRINT

- Access Publishing Visitor Guides
- Billboard (on Hwy 1)
- Good Housekeeping, Redbook & Women’s Day Magazines
- Morro Bay Visitor Guide
- San Francisco Chronicle special sections (x2)
- Visit California Profile Sheets
- Visit San Luis Obispo Visitor Guide
 - Partnership with Morro Bay Golf Course

DIRECT MAIL

- Holiday Happenings Direct Mail Program

BROADCAST

- Produced 30 second Morro Bay commercial

DIGITAL

- Travelinformation.com
- Fall iBrochure

TRADESHOWS & EXPOS

- Central Coast Women’s Conference – September 2014
- SAVOR the Central Coast – September 2014
- Modesto Women’s Expo – October 2014
- American Buses Association – January 2015
- International Pow Wow (IPW) – May 2015



PROMOTIONS

- iBrochure Promotion - launched in July
- California Government Travel Coordinators - launched in October
- Engage the Rock Promotion - launched in October & February
- Cruise Into Morro Bay - launched in November
- Cover Photo Contest - launched mid-December
- FREE Gift Fridays - launched in December
- Girlfriend Getaways - launched in January
- Restaurant Month - launched in January

ADVERTISING SPONSORSHIPS & PARTNERSHIPS

- Bay Area Travel Writers Conference – public relations
- Harbor & Oyster Tours – increase midweek business
- International Bear Convergence - outreach to LGBT market
- Morro Bay Business Map – partnership with business community
- Morro Bay Bike Map – partnership with biking community & city
- Morro Bay Trolley – partnership with city & Community Foundation
- Paso Robles Wine Country Alliance – increased lodging awareness
- SAVOR the Central Coast – media opportunity & Visit SLO partnership
- Surfboard Art Festival – SAVOR partnership & awareness

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 007 - MBT-BID										
REVENUE										
Department 1111 - Undistributed/Non-Dept.										
3710	Interest Income	.00	.00	.00	468.00	.00	468.00	(468.00)	+++	276.00
Department 1111 - Undistributed/Non-Dept. Totals		\$0.00	\$0.00	\$0.00	\$468.00	\$0.00	\$468.00	(\$468.00)	+++	\$276.00
Department 3170 - Promotion & Advertising										
3990	Other Misc. Revenues	218,593.00	.00	218,593.00	.00	.00	.00	218,593.00	0	.00
Department 3170 - Promotion & Advertising Totals		\$218,593.00	\$0.00	\$218,593.00	\$0.00	\$0.00	\$0.00	\$218,593.00	0%	\$0.00
Department 3510 - Accounting & Treasury										
3064	Transient Occupancy Tax	550,000.00	.00	550,000.00	127,067.96	.00	643,161.22	(93,161.22)	117	567,433.80
Department 3510 - Accounting & Treasury Totals		\$550,000.00	\$0.00	\$550,000.00	\$127,067.96	\$0.00	\$643,161.22	(\$93,161.22)	117%	\$567,433.80
Department 7710 - Interfund Transactions										
3801	Transfers In	.00	.00	.00	.00	.00	218,593.00	(218,593.00)	+++	126,925.00
Department 7710 - Interfund Transactions Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$218,593.00	(\$218,593.00)	+++	\$126,925.00
REVENUE TOTALS		\$768,593.00	\$0.00	\$768,593.00	\$127,535.96	\$0.00	\$862,222.22	(\$93,629.22)	112%	\$694,634.80
EXPENSE										
Department 1111 - Undistributed/Non-Dept.										
8710	Loss on Investment	.00	.00	.00	15.00	.00	15.00	(15.00)	+++	12.00
Department 1111 - Undistributed/Non-Dept. Totals		\$0.00	\$0.00	\$0.00	\$15.00	\$0.00	\$15.00	(\$15.00)	+++	\$12.00
Department 3170 - Promotion & Advertising										
5201	Other Expense	.00	.00	.00	.00	.00	.00	.00	+++	141,431.93
6106	Contractual Services	.00	.00	.00	.00	.00	.00	.00	+++	30,182.20
6107	Promotion & Advertising	769,593.00	.00	769,593.00	.00	.00	.00	769,593.00	0	.00
6116	Print Ads - Other Regions	.00	.00	.00	.00	.00	.00	.00	+++	62,877.56
6119	Promotion - Other	.00	.00	.00	108,288.07	.00	845,898.11	(845,898.11)	+++	372,286.57
6126	Advertising Prod/Design	.00	.00	.00	.00	.00	.00	.00	+++	46,417.64
6199	Other Professional Svc	.00	.00	.00	.00	.00	.00	.00	+++	9,080.50
Department 3170 - Promotion & Advertising Totals		\$769,593.00	\$0.00	\$769,593.00	\$108,288.07	\$0.00	\$845,898.11	(\$76,305.11)	110%	\$662,276.40
Department 7710 - Interfund Transactions										
8501	Transfers Out	.00	.00	.00	.00	.00	.00	.00	+++	31,000.00
Department 7710 - Interfund Transactions Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$31,000.00
EXPENSE TOTALS		\$769,593.00	\$0.00	\$769,593.00	\$108,303.07	\$0.00	\$845,913.11	(\$76,320.11)	110%	\$693,288.40
Fund 007 - MBT-BID Totals										
REVENUE TOTALS		768,593.00	.00	768,593.00	127,535.96	.00	862,222.22	(93,629.22)	112	694,634.80
EXPENSE TOTALS		769,593.00	.00	769,593.00	108,303.07	.00	845,913.11	(76,320.11)	110	693,288.40
Fund 007 - MBT-BID Totals		(\$1,000.00)	\$0.00	(\$1,000.00)	\$19,232.89	\$0.00	\$16,309.11	(\$17,309.11)		\$1,346.40
Grand Totals										
REVENUE TOTALS		768,593.00	.00	768,593.00	127,535.96	.00	862,222.22	(93,629.22)	112	694,634.80
EXPENSE TOTALS		769,593.00	.00	769,593.00	108,303.07	.00	845,913.11	(76,320.11)	110	693,288.40
Grand Totals		(\$1,000.00)	\$0.00	(\$1,000.00)	\$19,232.89	\$0.00	\$16,309.11	(\$17,309.11)		\$1,346.40

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 007 - MBT-BID										
REVENUE										
Department 1111 - Undistributed/Non-Dept.										
3710	Interest Income	.00	.00	.00	.00	.00	.00	.00	+++	468.00
Department 1111 - Undistributed/Non-Dept. Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$468.00
Department 3510 - Accounting & Treasury										
3064	Transient Occupancy Tax	575,000.00	.00	575,000.00	8,974.20	.00	497,368.71	77,631.29	86	643,161.22
Department 3510 - Accounting & Treasury Totals		\$575,000.00	\$0.00	\$575,000.00	\$8,974.20	\$0.00	\$497,368.71	\$77,631.29	86%	\$643,161.22
Department 7710 - Interfund Transactions										
3801	Transfers In	140,000.00	.00	140,000.00	.00	.00	114,997.00	25,003.00	82	218,593.00
Department 7710 - Interfund Transactions Totals		\$140,000.00	\$0.00	\$140,000.00	\$0.00	\$0.00	\$114,997.00	\$25,003.00	82%	\$218,593.00
REVENUE TOTALS		\$715,000.00	\$0.00	\$715,000.00	\$8,974.20	\$0.00	\$612,365.71	\$102,634.29	86%	\$862,222.22
EXPENSE										
Department 1111 - Undistributed/Non-Dept.										
8710	Loss on Investment	.00	.00	.00	.00	.00	.00	.00	+++	15.00
Department 1111 - Undistributed/Non-Dept. Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$15.00
Department 3170 - Promotion & Advertising										
6107	Promotion & Advertising	713,000.00	.00	713,000.00	.00	.00	.00	713,000.00	0	.00
6119	Promotion - Other	.00	.00	.00	.00	.00	636,598.05	(636,598.05)	+++	845,898.11
6199	Other Professional Svc	2,000.00	.00	2,000.00	.00	.00	.00	2,000.00	0	.00
Department 3170 - Promotion & Advertising Totals		\$715,000.00	\$0.00	\$715,000.00	\$0.00	\$0.00	\$636,598.05	\$78,401.95	89%	\$845,898.11
EXPENSE TOTALS		\$715,000.00	\$0.00	\$715,000.00	\$0.00	\$0.00	\$636,598.05	\$78,401.95	89%	\$845,913.11
Fund 007 - MBT-BID Totals										
REVENUE TOTALS		715,000.00	.00	715,000.00	8,974.20	.00	612,365.71	102,634.29	86	862,222.22
EXPENSE TOTALS		715,000.00	.00	715,000.00	.00	.00	636,598.05	78,401.95	89	845,913.11
Fund 007 - MBT-BID Totals		\$0.00	\$0.00	\$0.00	\$8,974.20	\$0.00	(\$24,232.34)	\$24,232.34		\$16,309.11
Grand Totals										
REVENUE TOTALS		715,000.00	.00	715,000.00	8,974.20	.00	612,365.71	102,634.29	86	862,222.22
EXPENSE TOTALS		715,000.00	.00	715,000.00	.00	.00	636,598.05	78,401.95	89	845,913.11
Grand Totals		\$0.00	\$0.00	\$0.00	\$8,974.20	\$0.00	(\$24,232.34)	\$24,232.34		\$16,309.11



AGENDA NO: A-4

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council **DATE:** April 22, 2015

FROM: Rick Sauerwein, Capital Projects Manager

SUBJECT: Resolution No. 19-15 Approving a Cooperative Agreement between the California Department of Transportation (Caltrans) and the City of Morro Bay for Improvements to the State Highway System at the Intersection of State Route 1/ Main Street and State Route 41

RECOMMENDATION

Staff recommends the Council review and approve Resolution No. 19-15.

ALTERNATIVES

The City Council may move to decline participation in this Cooperative Agreement, but that would result in delaying action to improve the intersection until Caltrans decides to prioritize and initiate a project funded solely by the State Highway Fund.

FISCAL IMPACT

Fiscal impact to the General Fund is anticipated to be negligible as project development costs are currently being funded with Development Impact Fees and grants from SLOCOG/Caltrans as noted in the attached Project Funding Summary.

BACKGROUND/DISCUSSION

The project was originally initiated in 2001 as mitigation for a Duke Energy project related to the Morro Bay power plant. When that energy project was abandoned, the funding for mitigating related traffic impacts went with it; and the intersection improvement project has remained dormant ever since. At that point, an Initial Study had been completed to address environmental impacts and a draft Project Report was prepared for the intersection improvement project (September 2002). The City's consultant, Omni-Means, has used those documents to resume project development. Caltrans has already approved the Intersection Control Evaluation (Step 1) and has authorized work to begin on Step 2. Step 1 provided preliminary analysis of both a roundabout and a coordinated signalization of the intersection. Step 2 is necessary to assess design exceptions, the life cycle, and environmental project costs to determine the recommended alternative. After completion of those documents and execution of the Cooperative Agreement, Caltrans is expected to authorize the expenditure of Federal Funds for the Project Approval

01181.0001/250

Prepared By: RS Dept Review: RL
City Manager Review: _____
City Attorney Review: JWP

and Environmental Document phase. Completion of that work and development of the Plans, Specifications and Estimate are essential predecessors to successfully competing for construction funding with other locally sponsored projects through SLOCOG Regional Transportation Improvement Program.

CONCLUSION

Staff has attached Resolution No. 19-15, which approves the Cooperative Agreement between Caltrans and the City of Morro Bay for participation. If the Resolution is adopted, then the Cooperative Agreement will be forwarded to California Department of Transportation District 5 for final signature.

ATTACHMENTS

1. Proposed Cooperative Agreement 05-0299
2. Project Funding Summary
3. Resolution 19-15

COOPERATIVE AGREEMENT COVER SHEET

Work Description

SR 1/SR 41 Intersection Improvements

Contact Information

CALTRANS

Steve DiGrazia, Project Manager
50 Higuera Street
San Luis Obispo, CA 93401
Office Phone: 805-549-3437

CITY OF MORRO BAY

Rob Livick, Director
955 Shasta Avenue
Morro Bay, CA 93442
Office Phone: (805) 772-6261
Email: rlivick@morro-bay.ca.us

Table of Contents

RECITALS 1

RESPONSIBILITIES 2

 Sponsorship 2

 Funding 2

 Implementing Agency 2

 Independent Quality Assurance 3

 Environmental Document Quality Control (EDQC) Program 3

 CEQA/NEPA Lead Agency 3

 Environmental Permits, Approvals and Agreements 3

 Project Approval and Environmental Document (PA&ED) 4

 California Environmental Quality Act (CEQA) 4

 National Environmental Policy Act (NEPA) 5

 Plans, Specifications, and Estimate (PS&E) 7

 Right of Way (R/W) 7

 Schedule 8

 Additional Provisions 8

GENERAL CONDITIONS 11

DEFINITIONS 15

SIGNATURES 19

FUNDING SUMMARY No. 01 1

 FUNDING TABLE 1

 Funding 2

 Invoicing and Payment 2

 Project Approval and Environmental Document (PA&ED) 2

 Plans, Specifications, and Estimate (PS&E) 2

 Right of Way Support (R/W SUPPORT) 2

 Right of Way Capital (R/W CAPITAL) 2

 Signatures 3

CLOSURE STATEMENT 2

Please note:

1. Caltrans administered funds must be expended proportionally with all other funds. All project funds must be shown in the Funding Summary. Local funds committed to the project cannot be omitted from the funding summary.

COOPERATIVE AGREEMENT

State Independent Quality Assurance

This AGREEMENT, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Morro Bay, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

RECITALS

1. PARTNERS are authorized to enter into a cooperative agreement for improvements to the state highway system (SHS) per the California Streets and Highways Code sections 114 and 130.
2. For the purpose of this AGREEMENT, *SR 1/SR 41 Intersection Improvements* will be referred to hereinafter as PROJECT. The project scope of work is defined in the PROJECT initiation and approval documents (e.g. Project Study Report, Permit Engineering Evaluation Report, or Project Report).
3. All responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENTS will be referred to hereinafter as OBLIGATIONS:
 - Project Approval and Environmental Document (PA&ED)
 - Plans, Specifications, and Estimate (PS&E)
 - Right of Way Support (R/W SUPPORT)
 - Right of Way Capital (R/W CAPITAL)
4. This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between PARTNERS regarding the PROJECT.
5. The following work associated with this PROJECT has been completed or is in progress:
 - CITY completed the Project Initiation Document on June 26, 2001.
6. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.
7. PARTNERS hereby set forth the terms, covenants, and conditions of this AGREEMENT, under which they will accomplish OBLIGATIONS.

RESPONSIBILITIES

Sponsorship

8. CITY is the SPONSOR for the PROJECT COMPONENTS in this AGREEMENT.

Funding

9. Funding sources, funding amounts, and invoicing/payment details are documented in the FUNDING SUMMARY. The FUNDING SUMMARY is incorporated and made an express part of this AGREEMENT.

PARTNERS will execute a new FUNDING SUMMARY each time the funding details change. The FUNDING SUMMARY will be executed by a legally authorized representative of the respective PARTNERS. The most current fully executed FUNDING SUMMARY supersedes any previous FUNDING SUMMARY created for this AGREEMENT.

Replacement of the FUNDING SUMMARY will not require an amendment to the body of this AGREEMENT unless the funding changes require it.

10. Each PARTNER is responsible for the costs they incur in performing the OBLIGATIONS of this AGREEMENT unless otherwise stated in this AGREEMENT.

Implementing Agency

11. CITY is the IMPLEMENTING AGENCY for PA&ED.
12. CITY is the IMPLEMENTING AGENCY for PS&E.
13. CITY is the IMPLEMENTING AGENCY for RIGHT OF WAY.
14. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will provide a Quality Management Plan (QMP) for that component as part of the PROJECT MANAGEMENT PLAN. The Quality Management Plan describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The Quality Management Plan is subject to CALTRANS review and approval.
15. Any PARTNER responsible for completing WORK shall make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT COMPONENT work that may occur under separate agreements.

Independent Quality Assurance

16. CALTRANS will provide Independent Quality Assurance for the portions of WORK within the existing and proposed SHS right-of-way.

CALTRANS' Independent Quality Assurance efforts are to ensure that CITY'S quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan. Independent Quality Assurance does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking work performed by another party.

When CALTRANS performs Independent Quality Assurance it does so for its own benefit. No one can assign liability to CALTRANS due to its Independent Quality Assurance.

Environmental Document Quality Control (EDQC) Program

17. Per NEPA assignment and CEQA statutes, CALTRANS will perform Environmental Document Quality Control and NEPA Assignment Review Procedures for environmental documentation. CALTRANS quality control and quality assurance procedures for all environmental documents are described in the Jay Norvell Memos dated October 1, 2012 (available at http://www.dot.ca.gov/ser/memos.htm#LinkTarget_705). This also includes the independent judgment analysis and determination under CEQA that the environmental documentation meets CEQA requirements.

CEQA/NEPA Lead Agency

18. CALTRANS is the CEQA Lead Agency for the PROJECT.
19. CALTRANS is the NEPA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

20. PARTNERS will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTNER's responsibilities in this AGREEMENT.
21. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.

22. The PROJECT requires the following environmental requirements/approvals:

ENVIRONMENTAL PERMITS/REQUIREMENTS
Coastal Development Permit, California Coastal Commission

Project Approval and Environmental Document (PA&ED)

23. As IMPLEMENTING AGENCY for PA&ED, CITY is responsible for all PA&ED WORK except those PA&ED activities and responsibilities that are assigned to another PARTNER in this AGREEMENT and those activities that may be specifically excluded.
24. CALTRANS will be responsible for completing the following PA&ED activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
165.15.15.xx Section 7 Consultation
165.25.25 Approval to Circulate Resolution
175.20 Project Preferred Alternative
180.10.05 Approved Final Environmental Document
180.15.05 Record of Decision (NEPA)
180.15.10 Notice of Determination (CEQA)

25. Any PARTNER preparing environmental documentation, including studies and reports, will ensure that qualified personnel remain available to help resolve environmental issues and perform any necessary work to ensure that the PROJECT remains in environmental compliance.

California Environmental Quality Act (CEQA)

26. CALTRANS will determine the type of CEQA documentation and will cause that documentation to be prepared in accordance with CEQA requirements.
27. Any PARTNER involved in the preparation of CEQA environmental documentation will prepare the documentation to meet CEQA requirements and follow CALTRANS' standards that apply to the CEQA process.

28. Any PARTNER preparing any portion of the CEQA environmental documentation, including any studies and reports, will submit that portion of the documentation to the CEQA Lead Agency for review, comment, and approval at appropriate stages of development prior to public availability.
29. CITY will submit CEQA-related public notices to CALTRANS for review, comment, and approval prior to publication and circulation.
30. CITY will submit all CEQA-related public meeting materials to CALTRANS for review, comment, and approval at least ten (10) working days prior to the public meeting date. If CALTRANS makes any changes to the materials, then CALTRANS will allow CITY to review, comment, and concur on those changes at least three (3) working days prior to the public meeting date.
31. CALTRANS will attend all CEQA-related public meetings.
32. If a PARTNER who is not the CEQA lead agency holds a public meeting about the PROJECT, that PARTNER must clearly state its role in the PROJECT and the identity of the CEQA lead agency on all meeting publications. All meeting publications must also inform the attendees that public comments collected at the meetings are not part of the CEQA public review process.

That PARTNER will submit all meeting advertisements, agendas, exhibits, handouts, and materials to the CEQA lead agency for review, comment, and approval at least ten (10) working days prior to publication or use. If that PARTNER makes any changes to the materials, it will allow the CEQA lead agency to review, comment on, and approve those changes at least three (3) working days prior to the public meeting date.

The CEQA lead agency maintains final editorial control with respect to text or graphics that could lead to public confusion over CEQA-related roles and responsibilities.

National Environmental Policy Act (NEPA)

33. Pursuant to Chapter 3 of Title 23, United States Code (23 U.S.C. 326) and 23 U.S.C. 327, CALTRANS is the NEPA lead agency for the PROJECT. CALTRANS is responsible for NEPA compliance, will determine the type of NEPA documentation, and will cause that documentation to be prepared in accordance with NEPA requirements.

CALTRANS, as the NEPA lead agency for PROJECT, will review, comment, and approve all environmental documentation (including, but not limited to, studies, reports, public notices, and public meeting materials, determinations, administrative drafts, and final environmental documents) at appropriate stages of development prior to approval and public availability.

When required as NEPA lead agency, CALTRANS will conduct consultation and coordination and obtain, renew, or amend approvals pursuant to the Federal Endangered Species Act, and Essential Fish Habitat.

When required as NEPA lead agency, CALTRANS will conduct consultation and coordination approvals pursuant to Section 106 of the National Historic Preservation Act.

34. Any PARTNER involved in the preparation of NEPA environmental documentation will follow FHWA and CALTRANS STANDARDS that apply to the NEPA process including, but not limited to, the guidance provided in the FHWA Environmental Guidebook (available at www.fhwa.dot.gov/hep/index.htm) and the CALTRANS Standard Environmental Reference.
35. Any PARTNER preparing any portion of the NEPA environmental documentation (including, but not limited to, studies, reports, public notices, and public meeting materials, determinations, administrative drafts, and final environmental documents) will submit that portion of the documentation to CALTRANS for CALTRANS' review, comment, and approval prior to public availability.
36. CITY will prepare, publicize, and circulate all NEPA-related public notices, except Federal Register notices. CITY will submit all notices to CALTRANS for CALTRANS' review, comment, and approval prior to publication and circulation.

CALTRANS will work with the appropriate federal agency to publish notices in the Federal Register.

37. CALTRANS will attend all NEPA-related public meetings.
38. CITY will submit all NEPA-related public meeting materials to CALTRANS for CALTRANS' review, comment, and approval at least ten (10) working days prior to the public meeting date.
39. If a PARTNER who is not the NEPA lead agency holds a public meeting about the PROJECT, that PARTNER must clearly state its role in the PROJECT and the identity of the NEPA lead agency on all meeting publications. All meeting publications must also inform the attendees that public comments collected at the meetings are not part of the NEPA public review process.

That PARTNER will submit all meeting advertisements, agendas, exhibits, handouts, and materials to the NEPA lead agency for review, comment, and approval at least ten (10) working days prior to publication or use. If that PARTNER makes any changes to the materials, it will allow the NEPA lead agency to review, comment on, and approve those changes at least three (3) working days prior to the public meeting date.

The NEPA lead agency has final approval authority with respect to text or graphics that could lead to public confusion over NEPA-related roles and responsibilities.

Plans, Specifications, and Estimate (PS&E)

40. As IMPLEMENTING AGENCY for PS&E, CITY is responsible for all PS&E WORK except those PS&E activities and responsibilities that are assigned to another PARTNER in this AGREEMENT and those activities that may be specifically excluded.
41. CITY will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.

CITY will provide CALTRANS a copy of Utility Conflict Maps for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the Utility Agreement. All utility conflicts will be addressed in the PROJECT plans, specifications, and estimate.

Right of Way (R/W)

42. As IMPLEMENTING AGENCY for R/W, CITY is responsible for all R/W SUPPORT WORK except those R/W SUPPORT activities and responsibilities that are assigned to another PARTNER in this AGREEMENT and those activities that may be specifically excluded.
43. The selection of R/W personnel and WORK within the completed PROJECT's SHS right-of-way will be performed in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements.
44. CITY will make all necessary arrangements with utility owners for the timely accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.
45. CITY will provide CALTRANS a copy of conflict maps, Relocation Plans, proposed Notices to Owner, Reports of Investigation, and Utility Agreements (if applicable) for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the Utility Agreement. All utility conflicts will be fully addressed prior to Right of Way Certification and all arrangements for the protection, relocation, or removal of all conflicting facilities will be completed prior to construction contract award and included in the PROJECT plans, specifications, and estimate.
46. CITY will determine the cost to positively identify and locate, protect, relocate, or remove any utility facilities whether inside or outside SHS right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.

47. CITY will provide a land surveyor licensed in the State of California to be responsible for surveying and right-of-way engineering. All survey and right-of-way engineering documents will bear the professional seal, certificate number, registration classification, expiration date of certificate, and signature of the responsible surveyor.
48. CITY will utilize a public agency currently qualified by CALTRANS or a properly licensed consultant for all right-of-way activities. A qualified right-of-way agent will administer all right-of-way consultant contracts.

CITY will submit a draft Right of Way Certification document to CALTRANS six (6) weeks prior to the scheduled Right of Way Certification milestone date for review.

CITY will submit a final Right of Way certification document to CALTRANS for approval prior to the PROJECT advertisement.

49. Physical and legal possession of right-of-way must be completed prior to construction advertisement, unless PARTNERS mutually agree to other arrangements in writing. Right of way conveyances must be completed prior to OBLIGATION COMPLETION, unless PARTNERS mutually agree to other arrangements in writing.
50. CALTRANS' acceptance of right-of-way title is subject to review of an Updated Preliminary Title Report provided by CITY verifying that the title is free of all encumbrances and liens. Upon acceptance, CITY will provide CALTRANS with a Policy of Title Insurance in CALTRANS' name.
51. The California Transportation Commission is responsible for hearing and adopting Resolutions of Necessity.

Schedule

52. PARTNERS will manage the schedule for OBLIGATIONS through the work plan included in the PROJECT MANAGEMENT PLAN.

Additional Provisions

53. PARTNERS will perform all OBLIGATIONS in accordance with federal and California laws, regulations, and standards; FHWA STANDARDS; and CALTRANS STANDARDS.
54. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.
55. Each PARTNER will ensure that personnel participating in OBLIGATIONS are appropriately qualified or licensed to perform the tasks assigned to them.

56. PARTNERS will invite each other to participate in the selection of any consultants who participate in OBLIGATIONS.
57. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within SHS right-of-way. Contractors and/or agents, and utility owners will not work within the SHS right-of-way without an encroachment permit issued in their name. CALTRANS will provide encroachment permits to PARTNERS, their contractors, consultants and agents, at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT shall prevail.
58. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the PROJECT COMPONENT WORK.
59. If any PARTNER discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTNER will notify all PARTNERS within twenty-four (24) hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and a plan is approved for its removal or protection.
60. PARTNERS will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the PROJECT in confidence to the extent permitted by law and where applicable, the provisions of California Government Code section 6254.5(e) shall protect the confidentiality of such documents in the event that said documents are shared between PARTNERS.

PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the PROJECT without the written consent of the PARTNER authorized to release them, unless required or authorized to do so by law.

61. If a PARTNER receives a public records request pertaining to OBLIGATIONS, that PARTNER will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any disclosed public documents. PARTNERS will consult with each other prior to the release of any public documents related to the PROJECT.
62. If HM-1 or HM-2 is found during a PROJECT COMPONENT, the IMPLEMENTING AGENCY for that PROJECT COMPONENT will immediately notify PARTNERS.
63. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing SHS right-of-way. CALTRANS will undertake, or cause to be undertaken, HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to the PROJECT schedule.

CALTRANS, independent of the PROJECT will pay, or cause to be paid, the cost of HM MANAGEMENT ACTIVITIES related to HM-1 found within the existing SHS right-of-way.

64. CITY, independent of the PROJECT, is responsible for any HM-1 found within the PROJECT limits and outside the existing SHS right-of-way. CITY will undertake, or cause to be undertaken, HM MANAGEMENT ACTIVITIES related to HM-1 with minimum impact to the PROJECT schedule.

CITY, independent of the PROJECT, will pay, or cause to be paid, the cost of HM MANAGEMENT ACTIVITIES related to HM-1 found within the PROJECT limits and outside of the existing SHS right-of-way.

65. If HM-2 is found within the PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM MANAGEMENT ACTIVITIES related to HM-2.
66. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.
67. CITY will accept, reject, compromise, settle, or litigate claims of any non-AGREEMENT parties hired to complete OBLIGATIONS.
68. PARTNERS will confer on any claim that may affect OBLIGATIONS or PARTNERS' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTNER will prejudice the rights of another PARTNER until after PARTNERS confer on the claim.
69. If the PROJECT expends state or federal funds, each PARTNER will comply with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTNERS will ensure that any for-profit party hired to participate in the OBLIGATIONS will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the PROJECT these principles and requirements apply to all funding types included in this AGREEMENT.
70. If the PROJECT expends state or federal funds, each PARTNER will undergo an annual audit in accordance with the Single Audit Act and the federal Office of Management and Budget (OMB) Circular A-133.
71. If the PROJECT expends federal funds, any PARTNER that hires an A&E consultant to perform WORK on any part of the PROJECT will ensure that the procurement of the consultant and the consultant overhead costs are in accordance with Chapter 10 of the *Local Assistance Procedures Manual*.

72. If WORK stops for any reason, IMPLEMENTING AGENCY will place the PROJECT right-of-way in a safe and operable condition acceptable to CALTRANS.
73. If WORK stops for any reason, each PARTNER will continue to implement all of its applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each PARTNER's responsibilities in this AGREEMENT, in order to keep the PROJECT in environmental compliance until WORK resumes.
74. Fines, interest, or penalties levied against a PARTNER will be paid by the PARTNER whose action or lack of action caused the levy.
75. If there are insufficient funds available in this AGREEMENT to place PROJECT right-of-way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY will fund these activities until such time as PARTNERS amend this AGREEMENT.

That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

76. CITY will furnish CALTRANS with the Project History Files related to the PROJECT facilities on SHS within sixty (60) days following the completion of each PROJECT COMPONENT. CITY will prepare the Project History File in accordance with the Project Development Procedures Manual, Chapter 7. All material will be submitted neatly in a three-ring binder and on a CD ROM in PDF format.

GENERAL CONDITIONS

77. PARTNERS understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTNER initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.
78. All CALTRANS' OBLIGATIONS under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

79. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
80. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this AGREEMENT. It is understood and agreed that CITY, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
81. PARTNERS do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this AGREEMENT. PARTNERS do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling OBLIGATIONS different from the standards imposed by law.
82. PARTNERS will not assign or attempt to assign OBLIGATIONS to parties not signatory to this AGREEMENT without an amendment to this AGREEMENT.
83. CITY will not interpret any ambiguity contained in this AGREEMENT against CALTRANS. CITY waives the provisions of California Civil Code section 1654.
- A waiver of a PARTNER's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.
84. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.
85. If any PARTNER defaults in its OBLIGATIONS, a non-defaulting PARTNER will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTNER fails to do so, the non-defaulting PARTNER may initiate dispute resolution.

86. PARTNERS will first attempt to resolve AGREEMENT disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the executive officer of CITY will attempt to negotiate a resolution. If PARTNERS do not reach a resolution, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of OBLIGATIONS in accordance with the terms of this AGREEMENT. However, if any PARTNER stops fulfilling OBLIGATIONS, any other PARTNER may seek equitable relief to ensure that OBLIGATIONS continue.

Except for equitable relief, no PARTNER may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTNERS will file any civil complaints in the Superior Court of the county in which the CALTRANS district office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located. The prevailing PARTNER will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this AGREEMENT or to enforce the provisions of this article including equitable relief.

87. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.
88. If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.
89. If during performance of WORK additional activities or environmental documentation is necessary to keep the PROJECT in environmental compliance, PARTNERS will amend this AGREEMENT to include completion of those additional tasks.
90. Except as otherwise provided in the AGREEMENT, PARTNERS will execute a formal written amendment if there are any changes to OBLIGATIONS.

91. When WORK performed on the PROJECT is done under contract and falls within the Labor Code section 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code section 1771, PARTNERS shall conform to the provisions of Labor Code sections 1720 through 1815, and all applicable provisions of California Code of Regulations found in Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTNERS shall include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts. Work performed by a PARTNER's own employees is exempt from the Labor Code's Prevailing Wage requirements.
92. If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTNERS shall conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. § 276(a).

When applicable, PARTNERS shall include federal prevailing wage requirements in contracts for public work. WORK performed by a PARTNER's employees is exempt from federal prevailing wage requirements.

93. PARTNERS agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.
94. PARTNERS intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the OBLIGATIONS. The requirements of this agreement shall preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

DEFINITIONS

AGREEMENT – This agreement including any attachments, exhibits, and amendments.

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the Project Development Procedures Manual (PDPM) and the CALTRANS Workplan Standards Guide for the Delivery of Capital Projects (WSG) [which contains the CALTRANS Work Breakdown Structure (WBS) and was previously known as the WBS Guide] and is available at <http://www.dot.ca.gov/hq/projmgmt/guidance.htm>.

CEQA (California Environmental Quality Act) – The act (California Public Resources Code, sections 21000 et seq.) that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

CFR (Code of Federal Regulations) – The general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

CLOSURE STATEMENT – A document signed by PARTNERS that verifies the completion of all **OBLIGATIONS** included in this **AGREEMENT** and in all amendments to this **AGREEMENT**.

EDQC (Environmental Document Quality Control) - CALTRANS quality control and quality assurance procedures for all environmental documents as described in the Jay Norvell Memos dated October 1, 2012 (available at http://www.dot.ca.gov/ser/memos.htm#LinkTarget_705). This also includes the independent judgment analysis and determination under CEQA that the environmental documentation meets CEQA requirements.

FHWA – Federal Highway Administration.

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at www.fhwa.dot.gov/topics.htm.

FUNDING PARTNER – A **PARTNER** that commits funds in this **AGREEMENT** to fulfill **OBLIGATIONS**. A **FUNDING PARTNER** accepts the responsibility to provide the funds it commits in this Agreement.

FUNDING SUMMARY – An executed document that includes a **FUNDING TABLE** and invoicing and payment methods.

FUNDING TABLE – The table that designates funding sources, types of funds, and the **PROJECT COMPONENT** in which the funds are to be spent. Funds listed on the **FUNDING TABLE** are “not-to-exceed” amounts for each **FUNDING PARTNER**.

GAAP (Generally Accepted Accounting Principles) – Uniform minimum standards and guidelines for financial accounting and reporting issued by the Federal Accounting Standards Advisory Board that serve to achieve some level of standardization. See <http://www.fasab.gov/accepted.html>.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by the PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The PARTNER responsible for managing the scope, cost, and schedule of a PROJECT COMPONENT to ensure the completion of that component.

IQA (Independent Quality Assurance) – CALTRANS' efforts to ensure that another PARTNER's quality assurance activities are in accordance with the applicable standards and the PROJECT's Quality Management Plan (QMP). When CALTRANS performs Independent Quality Assurance it does not develop, produce, validate, verify, re-check, or quality control another PARTNER's work products.

NEPA (National Environmental Policy Act of 1969) – This federal act establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

OBLIGATIONS – All WORK responsibilities and their associated costs.

OBLIGATION COMPLETION – PARTNERS have fulfilled all OBLIGATIONS included in this AGREEMENT and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

PA&ED (Project Approval and Environmental Document) – See PROJECT COMPONENT

PARTNER – Any individual signatory party to this AGREEMENT.

PARTNERS – The term that collectively references all of the signatory agencies to this AGREEMENT. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one PARTNER's individual actions legally bind the other PARTNER.

PROJECT COMPONENT – A distinct portion of the planning and project development process of a capital project as outlined in California Government Code, section 14529(b).

- **PID (Project Initiation Document)** – The work required to deliver the project initiation document for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
- **PA&ED (Project Approval and Environmental Document)** – The work required to deliver the project approval and environmental documentation for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
- **PS&E (Plans, Specifications, and Estimate)** – The work required to deliver the plans, specifications, and estimate for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
- **R/W (Right of Way)** – The project components for the purpose of acquiring real property interests for the **PROJECT** in accordance with **CALTRANS STANDARDS**.
 - **R/W (Right of Way) SUPPORT** – The work required to obtain all property interests for the **PROJECT**.
 - **R/W (Right of Way) CAPITAL** – The funds for acquisition of property rights for the **PROJECT**.
- **CONSTRUCTION** – The project components for the purpose of completing the construction of the **PROJECT** in accordance with **CALTRANS STANDARDS**.
 - **CONSTRUCTION SUPPORT** – The work required for the administration, acceptance, and final documentation of the construction contract for the **PROJECT**.
 - **CONSTRUCTION CAPITAL** – The funds for the construction contract.

PROJECT MANAGEMENT PLAN – A group of documents used to guide the **PROJECT**'s execution and control throughout that project's lifecycle.

PS&E (Plans, Specifications, and Estimate) – See **PROJECT COMPONENT**.

QMP (Quality Management Plan) – An integral part of the **PROJECT MANAGEMENT PLAN** that describes **IMPLEMENTING AGENCY**'s quality policy and how it will be used.

R/W (Right of Way) CAPITAL – See **PROJECT COMPONENT**.

R/W (Right of Way) SUPPORT – See **PROJECT COMPONENT**.

SHS (State Highway System) – All highways, right-of-way, and related facilities acquired, laid out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization.

SPONSOR – Any **PARTNER** that accepts the responsibility to establish scope of the **PROJECT** and the obligation to secure financial resources to fund the **PROJECT COMPONENTS** in this **AGREEMENT**. A **SPONSOR** is responsible for adjusting the **PROJECT** scope to match committed funds or securing additional funds to fully fund the **PROJECT COMPONENTS** in this **AGREEMENT**. If this **AGREEMENT** has more than one **SPONSOR**, funding adjustments will be made by percentage (as outlined in Responsibilities). Scope adjustments must be developed through the project development process and must be approved by **CALTRANS** as the owner/operator of the **SHS**.

WORK – All efforts to complete the **OBLIGATIONS** included in this **AGREEMENT** as described by the activities in the **CALTRANS** Workplan Standards Guide for the Delivery of Capital Projects (**WSG**).

SIGNATURES

PARTNERS are empowered by California Streets and Highways Code section 114 and 130 to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT.

Signatories may execute this AGREEMENT through individual signature pages provided that each signature is an original. This AGREEMENT is not fully executed until all original signatures are attached.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

Timothy M. Gubbins
District Director

Certified as to funds:

Julia Bolger
Resource Manager

CITY OF MORRO BAY

David W. Buckingham
City Manager

Attest:

Dana Swanson
City Clerk

Approved as to form and procedure:

Joseph W. Pannone
City Attorney

FUNDING SUMMARY NO. 01

v. 112							
<u>FUNDING TABLE</u>							
Source	FUNDING PARTNER	IMPLEMENTING AGENCY →	CITY	CITY	CITY		Totals
		Fund Type	PA&ED	PS&E	R/W SUPPORT	R/W CAPITAL	
Federal	CITY	CMAQ *	120,570	179,430	0	0	300,000
Federal	CITY	RSTP *	0	113,000	0	0	113,000
Federal	CITY	CMAQ *	0	41,285	37,500	62,500	141,285
Local	CITY	Local	104,430	0	0	0	104,430
Local	CITY	Local	0	41,285	37,500	62,500	141,285
Totals			225,000	375,000	75,000	125,000	800,000

* This fund type includes federal funds

Funding

Invoicing and Payment

Project Approval and Environmental Document (PA&ED)

1. No invoicing or reimbursement will occur for the PA&ED PROJECT COMPONENT.

Plans, Specifications, and Estimate (PS&E)

2. No invoicing or reimbursement will occur for the PS&E PROJECT COMPONENT.

Right of Way Support (R/W SUPPORT)

3. No invoicing or reimbursement will occur for the R/W SUPPORT PROJECT COMPONENT.

Right of Way Capital (R/W CAPITAL)

4. No invoicing or reimbursement will occur for the R/W CAPITAL PROJECT COMPONENT.

Signatures

PARTNERS are empowered by California Streets and Highways Code sections 114 and 130 to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this FUNDING SUMMARY on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this FUNDING SUMMARY.

Signatories may execute this FUNDING SUMMARY through individual signature pages provided that each signature is an original. This FUNDING SUMMARY is not fully executed until all original signatures are attached.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

CITY OF MORRO BAY

Steve DiGrazia
Project Manager

David W. Buckingham
City Manager

Date _____

Date _____

District Budget Manager

HQ Accounting

CLOSURE STATEMENT INSTRUCTIONS

1. Did PARTNERS complete all scope, cost and schedule commitments included in this AGREEMENT and any amendments to this AGREEMENT?

YES / NO

2. Did CALTRANS accept and approve all final deliverables submitted by CITY?

YES / NO

3. Did the CALTRANS HQ Office of Accounting verify that all final accounting for this AGREEMENT and any amendments to this AGREEMENT were completed?

YES / NO

4. If construction is involved, did the CALTRANS District Project Manager verify that all claims and third party billings (utilities, etc.) have been settled before termination of the AGREEMENT?

YES / NO

5. Did PARTNERS complete and transmit the As-Built Plans, Project History File, and all other required contract documents?

YES / NO

If ALL answers are “YES”, this form may be used to TERMINATE this AGREEMENT.

CLOSURE STATEMENT

PARTNERS agree that they have completed all scope, cost, and schedule commitments included in Agreement 05-0299 and any amendments to the agreement.

The final signature date on this document terminates Agreement 05-0299 except survival articles.

All survival articles in Agreement 05-0299 will remain in effect until expired by law, terminated or modified in writing by PARTNER's mutual agreement, whichever occurs earlier.

The people signing this Agreement have the authority to do so on behalf of their public agencies.

CALTRANS

Name:
District Director

Date: _____

CERTIFIED AS TO ALL FINANCIAL
OBLIGATIONS/TERMS AND POLICIES

Name:
Resource Manager

CITY OF MORRO BAY

Name:
City Manager

Date: _____

RESOLUTION NO. 19-15

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
APPROVING A COOPERATIVE AGREEMENT BETWEEN THE
CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CITY
FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM AT THE INTERSECTION
OF STATE ROUTE 1/ MAIN STREET AND STATE ROUTE 41**

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

WHEREAS, the California Department of Transportation, a governmental agency of the State of California (“Caltrans”), and the City of Morro Bay, a municipal corporation (“City”), desire to participate in the subject Cooperative Agreement; and

WHEREAS, the project the proposed Cooperative Agreement will promote the public health, safety and welfare by providing intersection improvements to the State Highway System at State Route 1/ Main Street and State Route 41; and

WHEREAS, the City desires to participate as the project Sponsor; and

WHEREAS, California Streets and Highway Code Sections 114 and 130 requires the City and Caltrans to enter into the proposed Cooperative Agreement to define their rights and obligations as a prerequisite of participation in projects to improve the State Highway System; and

WHEREAS, the proposed Cooperative Agreement is consistent with the General Plan and with City and State policies encouraging cooperation between agencies on issues of regional significance such as improved safety, air quality and transportation circulation; and

WHEREAS, the proposed Cooperative Agreement will guide the development of essential project documents, Plans, Specifications and cost estimates that will enable City to seek funds to improve the aforementioned intersection; and

WHEREAS, the proposed Cooperative Agreement is not a “project” for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and City’s CEQA Guidelines.

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

1. The proposed Cooperative Agreement is approved.
2. The City Manager or his/her designee is hereby authorized to act on behalf of City in connection with the implementation of the agreement, project development, program

management, and other activities necessary to carry out the intent of the Cooperative Agreement.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 28th day of April, 2015 on the following vote:

AYES:
NOES:
ABSENT:

JAMIE IRONS, Mayor

ATTEST:

DANA SWANSON, City Clerk



AGENDA NO: A-5

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 23, 2015

FROM: David Buckingham, City Manager

SUBJECT: Agree to Council Members Johnson and Smukler Acting as Liaisons to City Staff Regarding the Planning Process for the 2015 4th of July Event

RECOMMENDATION

Staff recommends the Council agree with Council Members Johnson and Smukler acting as liaisons to City staff regarding the planning process for the celebration of the 4th of July, 2015.

ALTERNATIVES

1. Council may request other Council Members to act as liaisons to City staff for this one-time event
2. Council may choose not agree to have any Council Members act as liaisons to City staff for this one-time event

FISCAL IMPACT

There is no fiscal impact associated with this action.

BACKGROUND/DISCUSSION

At the February 24, 2015, City Council Meeting, the Council directed staff to partner with other persons and organizations for the purpose of conducting a 4th of July community celebration with the City acting as lead partner for the event. The celebration will be day-time only event, focused on Morro Bay residents and families.

On April 14, 2015, during Declaration of Future Agenda Items, Council Member Johnson requested and the Council unanimously supported having staff bring back a report relating to two Council Members to act as liaisons for this year's event.

If the Council were to appoint any Council Members to serve as members of a formal or informal subcommittee whose purpose would be to provide input and direction on the subject event and that subcommittee included other members, then that subcommittee would be subject to the Brown Act.

CONCLUSION

The Council consider this matter and decide as it deems appropriate.

01181.0001/250686.1

Prepared By: DWB Dept Review: _____

City Manager Review: _____

City Attorney Review: JWP



AGENDA NO: B-1

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 20, 2015

FROM: Cindy Jacinth, Associate Planner

SUBJECT: Coastal Development and Conditional Use Permits approval (CP0-442 & UP0-381) for a BMX Bike Park on vacant City-owned property at 301 Little Morro Creek Road, approx. 400 feet north of the intersection of Little Morro Creek, Radcliff and Main Streets

RECOMMENDATION

Adopt City Council Resolution No. 20-15, making the necessary findings for approval of Coastal Development Permit #CP0-442 and Conditional Use Permit (#UP0-381) for both Concept and Precise Plans for a new BMX Bike Park on vacant City-owned property at 301 Little Morro Creek Road (APN#068-183-021) with parking to be provided on adjacent PG&E-owned property (APN #068-183-022).

ALTERNATIVES

Alternative 1. The City Council may move not to adopt the resolution for approval and instead add additional conditions to the project and direct staff to return to the next Council meeting with a revised Resolution for approval.

Alternative 2. The City Council may move not to accept the Planning Commission's favorable recommendation and therefore deny the requested permits.

FISCAL IMPACT

Pursuant to the Memorandum of Understanding between the City Council and the Central Coast Concerned Mountain Bikers, Inc. (CCMKB), liability for volunteers working on the project would be covered under the City's CJPIA. The best practices under which the Bike Park will be operated will conform with California Government Code §831.7 and California Civil Code §846, as well as guidelines set forth by the organizations and agencies such as the: American Bicycle Association (ABA), International Mountain Bicycling Association (IMBA), US Forest Service and California State Parks. The Resolution of approval includes a condition set forth that operational requirement.

01181.0001/250438.1

Prepared By: CJ Dept Review: SG

City Manager Review:

City Attorney Review: JWP

BACKGROUND

Background / Discussion:

A bike park was formerly operated by the City Recreation Department from 2000-2005 at 220 Atascadero Road next to a former roller skating rink. When the property was sold in 2005, the bike park closed. Without an alternate location, the bike park ceased operations. The current proposal is a request by the applicant to permit a BMX bike park pursuant to the interim use regulations allowed within the Zoning Ordinance.

At the August 13, 2013, City Council meeting, the City Council authorized a Memorandum of Understanding (MOU) (see Link 2) to memorialize the City and the Morro Bay Bike Park Group's (MBBPG) mutual commitment to proceed in good faith with design and permit processing of a fenced-in Bike Park at the Little Morro Creek Road location. Council supported the idea by approving Resolution 20-13, and directed staff to work with the local bike park interest group to support the establishment, development, and operation of a public bike park on City of Morro Bay property. MBBPG has collaborated with the Central Coast Concerned Mountain Bikers, Inc. (CCCMB) to facilitate this goal. Lila Keiser Park was initially pursued as a possible location, with ultimate consensus on the Little Morro Creek Road location.

In addition, at the January 13, 2015, City Council meeting, the City Council authorized a second MOU between the City and CCCMB for the construction, repair and maintenance of the Bike Park (see Link 3). The City Public Works Department's responsibilities as outlined in the MOU, include establishing and publishing the rules of conduct to be posted in two conspicuous locations. Maintenance and repair of the park would be the responsibility of CCCMB. The Public Works Director also retains the right to close the Bike Park temporarily to perform repair or maintenance work necessary to protect the health and safety of the public.

Because the City-owned lot is roughly flag-shaped in appearance, the front portion of the project will encroach onto PG&E property. That is the area where the applicant has proposed parking; the Applicant is continuing to work to obtain from PG&E Land Management Division. The plans depict 5 parking spaces on gravel surface plus one paved van-accessible ADA parking space with the required ADA path of travel to the bike park.

Project Location:

The project is located at 301 Little Morro Creek Road, on a flag-lot shaped City-owned property fronting on Little Morro Creek and a portion of PG&E property where designated parking spaces will be located. The vacant lot is surrounded by adjoining PG&E-owned vacant lots. The specific location is approximately 400 feet north of the intersection of Little Morro Creek Road and Radcliffe.

Project Description:

The Applicant is requesting coastal development and conditional use permit (special use/interim use) approval for a BMX bike skills progression park on vacant City-owned property at 301 Little Morro Creek Road, near the intersection of Little Morro Creek, Radcliff and Main Streets. That site is approximately 400 feet north of the intersection of Radcliffe and Little Morro Creek Road. The BMX Park would include installation of multiple bike trails, approximately 600-750 lineal feet, and earthen and wooden skills features for riders of varying abilities. Plans show a series of three trails for beginner,

intermediate, and advanced riders. Site amenities, such as park benches, signage detailing rules of conduct for the Bike Park as well as park hours are denoted also. Plans further detail five proposed standard parking stalls and 1 van accessible stall to be constructed on a portion of the neighboring PG&E owned parcel (APN 068-183-022). Four-foot tall snow fencing is proposed to be installed around the perimeter of the park. Landscaping is proposed to be native grasses due to the interim use. No permanent structures are included as a part of this project.

DISCUSSION

Section 17.40.030 (Planned Development overlay) of the Morro Bay Municipal Code (MBMC) requires both a Concept and Precise plan for projects on publicly owned land. Because the project is proposed as an interim use under the guidelines of the Interim Use overlay standards found at MBMC section 17.40.080, staff is processing this application as a combined concept/precise plan approval. The Planned Development (PD) overlay zone provides standards for detailed and substantial analysis of development on parcels which, because of location, size or public ownership, warrant special review. The overlay zone is also intended to allow for the modification of or exemption from the development standards of the primary zone which would otherwise apply if such action would result in better design or other public benefit.

Pursuant to the PD overlay requirements, at its meeting of April 7, 2015, the Planning Commission reviewed and adopted PC Resolution 9-15 which forwards a favorable recommendation to the City Council for approval of the project. (See Exhibit B.)

Six areas of concern with the project were identified by the Planning Commission with the recommendation those concerns be forwarded to City Council to include with its deliberation. These concerns include:

1. Lack of bathroom facilities and potential screening of porta potties;
2. Improving safety for bicyclists travelling by bike to the Park, specifically south-bound Main Street bicyclists;
3. Dust control on the parking lot during operation of the park if it is not paved;
4. Shade structure to provide sun protection to kids;
5. After-dark lighting; and
6. Whether it is possible to install a safety crosswalk for south-bound Main Street cyclists travelling to the Bike Park or other ways to address and provide for greater bicyclist safety.

In discussing the project with the Applicant after the Planning Commission meeting, the Applicant has provided a response to each of those concerns. The Applicant has indicated a willingness to work with the City to provide for a better project, but is limited in capacity to meet all of these concerns due to the nature of the interim use and due to limited financial means. (See Exhibit C.)

Bathroom Facilities (Item 1): The Applicant's response is the design of the park is such that the average user would not stay long enough to warrant need of such facilities and the nuisance factor and maintenance cost would outweigh the convenience of available porta potties, especially as an interim use recreation area.

Bicyclist Safety/ Mid-Block Crosswalk (Item 2 & 6):

After the Planning Commission meeting, Community Development staff consulted with Public Works staff regarding Items 2 and 6: improving bicyclist safety and feasibility of a safety crosswalk, either mid-block in the vicinity of Main Street near the proposed Bike Park or an alternate crosswalk location farther north for bicyclists. The City's Circulation Element discourages mid-block crosswalks and after multiple conversations with Public Works staff no other alternate crossing locations were identified for south-bound Main Street bicyclists riding to the park. The recommendation of staff is south-bound bicyclists use the existing bike lane when riding to the park and make a left turn at the intersection of Radcliff and Main subject to the same rules and regulations as motorists consistent with California Vehicle Code, which likewise apply to bicyclists.

Dust Control (Item 3): Planning Commission expressed concern regarding deterioration of the parking lot area in the form of dust if it is not paved. Because the parking lot area is owned by PG&E, the Applicant's agreement with PG&E does not allow for paving. The Applicant is willing to use recycled asphalt on the parking lot for dust control as a way to address the Commission's concern.

Shade Structure (Item 4): Planning Commission expressed concern regarding hydration and heat effects of bicycling in an open area with no shade area for rest in between course runs. The Applicant's fundraising efforts and prior conversations with the City did not account or anticipate the additional expense associated with construction of a shade structure. In addition, the temperate and sometimes foggy climate of Morro Bay also factored into the lack of shade structures proposed.

After-dark lighting (Item 5): After-dark lighting was suggested by the Planning Commission as a security or safety feature. The Applicant will be posting park rules on site stating the park is only open during day-light hours. The lack of after-dark lighting is meant to discourage evening attendance.

For a park of this size, which is considered small by Bike Park standards, the Applicant has indicated the average daily attendance for the park is not expected to be high. In reviewing the project, staff has recommended a condition of approval be added to the project that requires an evaluation of the project with a report back to Planning Commission within 6 months after permit approval. As discussed in the Planning Commission staff report, the conditional use permit process does allow staff to revisit any aspect of the Bike Park approval, including both parking and traffic, on an ongoing as-needed basis to ensure it is functioning and/or being utilized in a manner consistent with the approval. In other words, if issues are found early on in the Bike Park operation, then staff can step in and work with the applicant to resolve the issues.

CONCLUSION

The proposed BMX Bike Park at 301 Little Morro Creek Road on vacant City-owned property would provide additional recreational activities for the community consistent with the General Plan and Local Coastal Plan as well as consistent with City Council adopted Goal #3 which is Enhance Quality of Life.

Although the City has provided for an increase in Class 1 bike lanes, the project would fulfill an unmet need to provide additional off-road bicycle facilities consistent with policies contained within the Access & Recreation Element and the LCP Coastal Access & Recreation Policies, as well as meet the goals of the Recreation Department's Facilities Plan. As an interim use, the project would be considered as a temporary public recreational facility and consistent with Coastal Access & Recreation Policies in the LCP (Policy 1.18) and General Plan (Policy AR-19). Within the Safety Element & Hazard Policies of the LCP (Chapter X), the project, located within the 100-year flood plain has been conditioned to obtain a Floodplain Development Permit prior to issuance of a grading permit by the Building Division. The project has also been conditioned to properly drain, to resist erosion and to provide sediment control. The only structural component of the project would be the four foot fence.

Staff has reviewed the project for consistency with City requirements considering use impacts such as traffic, parking, drainage and erosion. Under the Planned Development overlay, modification of standards is permitted upon finding greater than normal public benefit may result such as improved or innovative site design. The project parking design allows for greater flexibility in bike course layout which serves to better meet the needs of riders of all abilities, whether beginner, intermediate or advanced.

Based on the above analysis, staff recommends the City Council approve the requested Coastal Development Permit and Conditional Use Permit for the BMX Bike Park with the incorporation of the conditions of approval attached hereto.

ATTACHMENTS

- A. City Council Resolution 20-15
- B. Planning Commission Resolution 09-15
- C. Visual Simulations
- D. Response from Applicant
- E. Correspondence Received
- F. Plans/ Plan Reductions

LINK DOCUMENTS:

1. Link to April 7, 2015 Planning Commission meeting packet, Agenda Item #B-2:
<http://www.morro-bay.ca.us/ArchiveCenter/ViewFile/Item/2382>
2. Link to August 13, 2013, City Council packet, Agenda Item D-2
<http://ca-morrobay.civicplus.com/ArchiveCenter/ViewFile/Item/1878>
3. Link to January 13, 2015 City Council packet, Agenda Item D-1
<http://ca-morrobay.civicplus.com/ArchiveCenter/ViewFile/Item/2301>

RESOLUTION NO. 20-15

**RESOLUTION OF THE MORRO BAY CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
TO APPROVE COASTAL DEVELOPMENT PERMIT (CP0-442) AND
CONDITIONAL USE PERMIT (UP0-381) TO ALLOW A BMX BIKE PARK ON
VACANT CITY-OWNED PROPERTY NEAR THE INTERSECTION OF LITTLE
MORRO CREEK, RADCLIFFE AND MAIN STREETS. BMX PARK TO
INCLUDE INSTALLATION OF THREE BIKE TRAILS, APPROXIMATELY
600-750 LINEAL FEET, AND WOODEN SKILLS FEATURES FOR RIDERS OF
VARYING ABILITIES**

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

WHEREAS the City Council of the City of Morro Bay (the “City”) adopted Resolution No. 20-13 supporting the development of a public bike park within the City limits on March 12, 2013; and

WHEREAS the City Council entered into a Memorandum of Understanding with the Morro Bay Bike Park, a duly organized community volunteer organization on August 28, 2013, for facilitating Bike Park Design and Permit Processing; and

WHEREAS the City Council entered into a second Memorandum of Understanding with Central Coast Concerned Mountain Bikers, Inc. a California non-profit corporation on January 13, 2015, for the construction, repair and maintenance of the Little Morro Creek Road Bike Park in the City of Morro Bay; and

WHEREAS, the Planning Commission of the City of Morro Bay conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on April 7, 2015, for the purpose of considering Coastal Development Permit CP0-442 & Conditional Use Permit # UP0-381 for a BMX Bike Park on vacant City-owned property at 301 Little Morro Creek Road with a portion of the adjacent PG&E owned property fronting on Little Morro Creek Road to be used for six parking spaces (APN Number 068-183-021 & 068-183-022) in an area outside of the Coastal Commission Appeals Jurisdiction; and

WHEREAS, on April 7, 2015 the Planning Commission adopted PC Resolution 09-15 which forwarded a favorable recommendation to the City Council for approval; and

WHEREAS, the City Council conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on April 28, 2015, pursuant to the Planned Development regulations found at Title 17.40.030 of the City’s Zoning Ordinance for the purpose of considering Coastal Development Permit CP0-442 & Conditional Use Permit # UP0-381 for a BMX Bike Park on vacant City-owned property

at 301 Little Morro Creek Road with a portion of the adjacent PG&E owned property fronting on Little Morro Creek Road to be used for six parking spaces (APN Number 068-183-021 & 068-183-022) in an area outside of the Coastal Commission Appeals Jurisdiction; and

WHEREAS, notice of the public hearing was provided at the time and in the manner required by law; and

WHEREAS, the City Council has duly considered all evidence, including the recommendations made by the Planning Commission, the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing; and

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

Section 1: Findings. Based upon all the written and oral testimony and evidence presented to the Council at and for the above public hearing, the City Council makes the following findings:

California Environmental Quality Act (CEQA) Finding

1. Pursuant to CEQA, the project is categorically exempt under Section 15304 of the State CEQA Guidelines (the "Guidelines"), Class 4: Minor public or private alterations in the condition of land, water and/or vegetation which does not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes and includes on grading on land with slopes less than ten percent. This exemption is appropriate for this project, because the site is composed of imported fill, due to prior use by the City as property for dirt stockpiling and the proposed grading activities necessary to construct the Bike Park will be performed on land with a slope of less than ten percent. Additionally, none of the Categorical Exemption exceptions, noted under Guidelines section 15300.2, apply to the project as further analyzed in the staff report.

Coastal Development Permit Findings

1. The project is an allowable use in its zoning district and is also in accordance with the certified Local Coastal Program and the General Plan for the City of Morro Bay and is also in conformance with the coastal access policies of Chapter 3 of the California Coastal Act.

Conditional Use Permit Findings

1. The project will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood because recreational facilities are permitted uses within the zoning district applicable to the project site and are encouraged by the Local Coastal Plan and will be in accordance with all applicable project conditions and City regulations.

2. The project will not be injurious or detrimental to property and improvements in the neighborhood because as conditioned the BMX bike track is consistent with all City regulations applicable to this project.
3. The project will not be injurious or detrimental to the general welfare of the City because the BMX bike track is a permitted use within the zoning district and the project is conditioned to be consistent with all City regulations.

Planned Development Overlay Findings

1. The project as conditioned with the provision of six parking spaces for the Bike Park provides greater than normal public benefits because it provides recreational opportunities for the whole community in that it accommodates riders of varying abilities. Designing the course to allow for beginner, intermediate and advance bike trails along with public benches for spectators results in improved site design.

North Main Specific Plan Findings

1. The development standards of the North Main Street specific plan have been met for this project in that the proposed project of a Bike Park on vacant lot does not have existing trees on site and no permanent structures are proposed to be built.

Section 2: Action. The City Council does hereby approve Coastal Development Permit CP0-449 and Conditional Use Permit #UP0-385 for property known as 301 Little Morro Creek Road (APN number 068-401-014) subject to the following conditions:

STANDARD CONDITIONS

1. Permits: This Conditional Use Permit and Coastal Development Permit are granted for the uses described in the April 2, 2015 Planning Commission staff report and the April 16, 2015 City Council staff report and all attachments thereto, and as shown on the plans received by the Community Development Department on March 30, 2015. In addition to satisfying all of the foregoing Conditions of Approval for the proposed use, the applicant shall obtain and maintain compliance with all other required permits and approvals.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced within two (2) years of the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Community Development Manager, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code (MBMC), General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.

3. Changes: Any minor change may be approved by the Community Development Manager. Any substantial change, as so deemed by the Community Development Manager, will require the filing of an application for an amendment to be reviewed by the Planning Commission.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. Compliance with Conditions: Prior to issuance of a grading permit for the proposed use or development, the owner or designee accepts and agrees to comply with all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Community Development Manager and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
6. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the Zoning Ordinance, certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
7. Hold Harmless: The applicant and CCCMB, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
8. Construction Hours: Pursuant to MBMC subsection 9.28.030 (I), noise-generating construction related activities and routine maintenance activities shall be limited to the hours of 7:00 AM to 7:00 PM Monday through Friday, and 8:00 A.M. to 7:00 P.M. on Saturday and Sunday, unless an exception is granted by the Community Development Manager pursuant to the terms of this regulation.
9. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. Expiration of Conditional Use Permit: This permit shall expire on May 9, 2020, in which at that time the project will be brought back to Planning Commission for review to determine if an extension will be granted and if any additional conditions are necessary.
2. Landscape Plan: Site plan notes on the plans dated January 14, 2015 specify native vegetation will be planted via City pre-approved seed mix design, or other mix as recommended by a City approved Biologist. A Landscape Plan shall be submitted for review and approval by the Community Development Department within 90 days following the approval of this permit that denotes landscaping details such as location and type of seed mix design as well as bark usage or other landscaping amenities. The landscape plan shall include native and drought tolerant species, and shall be consistent with the City Master tree list and City landscape policies.
3. Refuse collection stations shall be provided on-site. A minimum of two trash receptacles and two recycling receptacles with a minimum 50 gallon capacity shall be placed on-site with plans revised to show location of refuse collection stations. Responsibility for emptying of trash and recyclables shall be the responsibility of CCCMB or designated representative consistent with the Memorandum of Understanding between the City and CCCMB dated January 13, 2015. Final design and appearance of refuse containers shall be subject to the approval of the Community Development Manager.
4. Fencing: Fencing shall be limited to 4-foot green or earth toned transparent nylon “snow” fencing surrounding the bike track. Plans shall be revised to change color from proposed orange to green or earth toned in order to blend in with surrounding aesthetics. Said fence shall be designed in a manner that discourages riders from directly entering the park from adjacent private properties and shall be designed to provide flexibility should a rider run into the fence.
5. Parking: The project as proposed provides for 5 regular parking spaces and 1 van-accessible ADA parking space. The alternative parking arrangement is allowable under the Planned Development Overlay requirements. The City Community Development Department shall re-evaluate parking needs based on the census of actual parking demand and present an evaluation report to the Planning Commission no later than six months after permit approval. Applicant shall be subject to additional conditions relative to parking based on Planning Commission review of the project.
6. Bike Parking: Bike parking shall be provided onsite. Plans shall be revised to denote location of bike rack parking with a minimum capacity to park at least 8 bicycles.

7. Signs: Signage shall be limited to an informational sign, which includes the rules and regulations of the park, hours of operation, phone number for emergency or further information etc. and as further described in the MOU dated January 13, 2015. The signage shall also include language notifying the park users their use of the park is at each of their own risks.
8. Applicant shall provide to the City Community Development Department a copy of consent of landowner letter or other agreement from PG&E that provides for consent of use of that lot.
9. Hours of Operation: All activities shall be limited to daytime hours beginning with sunrise and closing at sunset. No lighting shall be allowed without the approval of the Community Development Manager.
10. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist, knowledgeable in Chumash Culture, or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.
11. Operation Plan: The park operator shall provide a written plan for the volunteers' operation of the park and the best practices in that Plan shall conform with California Government Code §831.7 and California Civil Code §846, as well as guidelines set forth by organizations and agencies such as: American Bicycle Association (ABA), International Mountain Bicycling Association (IMBA), US Forest Service and California State Parks.

BUILDING CONDITION

1. Building Permit: Prior to construction, the applicant shall submit a complete Building Permit Application and obtain the required Grading Permit.

PUBLIC WORKS CONDITIONS

1. Provide a standard erosion and sediment control plan: The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. Use the City of Morro Bay's Erosion and Sediment control handout as a guide.
2. Pave a two-foot wide shoulder along frontage on Little Morro Creek Road.
3. The bike park is in an area inundated by the 100-year flood as shown on the

current FEMA Flood Insurance Rate Map. A Floodplain Development Permit must be obtained prior to issuance of a Building Permit. Show on the plans:

- a. The mapped limits of the floodplain.
 - b. The actual limits of flooding for existing conditions.
 - c. The future limits of flooding based on proposed conditions.
4. Show cut and fill quantities on the plans.
 5. Show direction of drainage flows and all proposed drainage facilities on the plans.

Add the following Notes to the Plans:

1. No work within nor any use of any public right-of-way shall occur without an encroachment permit. Encroachment permits are available at the City's Public Works Department located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
2. Any damage to any of the City's facilities (such as curb/berm, street, sewer line, water line, or any public improvements) resulting, directly or indirectly from construction operations related to this project shall be repaired at no cost to the City.

PASSED AND ADOPTED by the City Council of the City of Morro Bay, at a regular meeting thereof held on this 28th day of April, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JAMIE L. IRONS, Mayor

ATTEST

DANA SWANSON, City Clerk

EXHIBIT B

RESOLUTION NO. PC 09-15

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL RECOMMENDING APPROVAL OF THE COASTAL DEVELOPMENT AND CONDITIONAL USE PERMITS TO ALLOW A BMX BIKE PARK ON VACANT CITY-OWNED PROPERTY NEAR THE INTERSECTION OF LITTLE MORRO CREEK, RADCLIFFE AND MAIN STREETS. BMX PARK TO INCLUDE INSTALLATION OF THREE BIKE TRAILS, APPROXIMATELY 600-750 LINEAL FEET, AND WOODEN SKILLS FEATURES FOR RIDERS OF VARYING ABILITIES.

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing at the Morro Bay Veteran’s Hall, 209 Surf Street, Morro Bay, California, on April 7, 2015, for the purpose of considering Coastal Development Permit CP0-442 & Conditional Use Permit # UP0-381 for a BMX Bike Park on vacant City-owned property at 301 Little Morro Creek Road with a portion of the adjacent PG&E owned property fronting on Little Morro Creek Road to be used for six parking spaces (APN Number 068-183-021 & 068-183-022) in an area outside of the Coastal Commission Appeals Jurisdiction; and

WHEREAS the City Council of the City of Morro Bay adopted Resolution No. 20-13 supporting the development of a public bike park within the City limits on March 12, 2013; and

WHEREAS the City Council entered into a Memorandum of Understanding with the Morro Bay Bike Park, a duly organized community volunteer organization on August 28, 2013 for facilitating Bike Park Design and Permit Processing; and

WHEREAS the City Council entered into a second Memorandum of Understanding with Central Coast Concerned Mountain Bikers, Inc. a California non-profit corporation on January 13, 2015 for the construction, repair and maintenance of the Little Morro Creek Road Bike Park in the City of Morro Bay; and

WHEREAS, notice of the public hearing was provided at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay as follows:

EXHIBIT B

Section 1: Findings. Based upon all the evidence, the Planning Commission makes the following findings:

California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15304, Class 4: Minor public or private alterations in the condition of land, water and/or vegetation which does not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes and includes on grading on land with slopes less than ten percent. This exemption is appropriate for this project, because the site is composed of imported fill, due to prior use by the City as property for dirt stockpiling and the proposed grading activities necessary to construct the Bike Park will be performed on land with a slope of less than ten percent.

Coastal Development Permit Findings

1. That the project is an allowable use in its zoning district and is also in accordance with the certified Local Coastal Program and the General Plan for the City of Morro Bay and is also in conformance with the coastal access policies of Chapter 3 of the California Coastal Act.

Conditional Use Permit Findings

1. The project will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood because recreational facilities are permitted uses within the zoning district applicable to the project site and are encouraged by the Local Coastal Plan and will be in accordance with all applicable project conditions and City regulations.
2. The project will not be injurious or detrimental to property and improvements in the neighborhood because as conditioned the BMX bike track is consistent with all City regulations applicable to this project.
3. The project will not be injurious or detrimental to the general welfare of the City because the BMX bike track is a permitted use within the zoning district and the project is conditioned to be consistent with all City regulations.

Planned Development Overlay Findings

1. The project as conditioned with the provision of six parking spaces for the Bike Park provides greater than normal public benefits because it provides recreational opportunities for the whole community in that it accommodates riders of varying abilities. Designing the course to allow for beginner, intermediate and advance bike trails along with public benches for spectators results in improved site design.

EXHIBIT B

North Main Specific Plan Findings

1. The development standards of the North Main Street specific plan have been met for this project in that the proposed project of a Bike Park on vacant lot does not have existing trees on site and no permanent structures are proposed to be built.

Section 2: Action. The Planning Commission does hereby approve Coastal Development Permit CP0-449 and Conditional Use Permit #UP0-385 for property known as 301 Little Morro Creek Road (APN number 068-401-014) subject to the following conditions:

STANDARD CONDITIONS

1. Permits: This Conditional Use Permit and Coastal Development Permit are granted for the uses described in the April 2, 2015 staff report and all attachments thereto, and as shown on the plans received by the Community Development Department on March 30, 2015. In addition to satisfying all of the foregoing Conditions of Approval for the proposed use, the applicant shall obtain and maintain compliance with all other required permits and approvals.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced within two (2) years of the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Community Development Manager, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Any minor change may be approved by the Community Development Manager. Any substantial change, as so deemed by the Community Development Manager, will require the filing of an application for an amendment to be reviewed by the Planning Commission.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. Compliance with Conditions: Prior to issuance of a grading permit for the proposed use or development, the owner or designee accepts and agrees to comply with all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building

EXHIBIT B

inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Community Development Manager and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.

6. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the Zoning Ordinance, certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
7. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
8. Construction Hours: Pursuant to MBMC Section 9.28.030 (I), noise-generating construction related activities and routine maintenance activities shall be limited to the hours of 7:00 AM to 7:00 PM Monday through Friday, and 8:00 A.M. to 7:00 P.M. on Saturday and Sunday, unless an exception is granted by the Community Development Manager pursuant to the terms of this regulation.
9. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

PLANNING CONDITIONS

1. Expiration of Conditional Use Permit: This permit shall expire on May 9, 2020, in which at that time the project will be brought back to Planning Commission for review to determine if an extension will be granted and if any additional conditions are necessary.
2. Landscape Plan: Site plan notes on the plans dated January 14, 2015 specify native vegetation will be planted via City pre-approved seed mix design, or other mix as recommended by a City approved Biologist. A Landscape Plan shall be submitted for review and approval by the Community Development Department within 90 days following the approval of this permit that denotes landscaping details such as location and type of seed mix design as well as bark usage or other landscaping amenities. The landscape plan shall include

EXHIBIT B

native and drought tolerant species, and shall be consistent with the City Master tree list and City landscape policies.

3. Refuse collection stations shall be provided on-site. A minimum of two trash receptacles and two recycling receptacles with a minimum 50 gallon capacity shall be placed on-site with plans revised to show location of refuse collection stations. Responsibility for emptying of trash and recyclables shall be the responsibility of CCCMB or designated representative consistent with the Memorandum of Understanding between the City and CCCMB dated January 13, 2015. Final design and appearance of refuse containers shall be subject to the approval of the Community Development Manager.
4. Fencing: Fencing shall be limited to 4-foot green or earth toned transparent nylon "snow" fencing surrounding the bike track. Plans shall be revised to change color from proposed orange to green or earth toned in order to blend in with surrounding aesthetics. Said fence shall be designed in a manner that discourages riders from directly entering the park from adjacent private properties and shall be designed to provide flexibility should a rider run into the fence.
5. Parking: The project as proposed provides for 5 regular parking spaces and 1 van-accessible ADA parking space. The alternative parking arrangement is allowable under the Planned Development Overlay requirements. The City Community Development Department shall re-evaluate parking needs based on the census of actual parking demand and present an evaluation report to the Planning Commission no later than six months after permit approval. Applicant shall be subject to additional conditions relative to parking based on Planning Commission review of the project.
6. Bike Parking: Bike parking shall be provided onsite. Plans shall be revised to denote location of bike rack parking with a minimum capacity to park at least 8 bicycles.
7. Signs: Signage shall be limited to an informational sign, which includes the rules and regulations of the park, hours of operation, phone number for emergency or further information etc. and as further described in the MOU dated January 13, 2015.
8. Applicant shall provide to the City Community Development Department a copy of consent of landowner letter or other agreement from PG&E that provides for consent of use of that lot.

EXHIBIT B

9. Hours of Operation: All activities shall be limited to daytime hours beginning with sunrise and closing at sunset. No lighting shall be allowed without the approval of the Community Development Manager.
10. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist, knowledgeable in Chumash Culture, or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.

BUILDING CONDITION

1. Building Permit: Prior to construction, the applicant shall submit a complete Building Permit Application and obtain the required Grading Permit.

PUBLIC WORKS CONDITIONS

1. Provide a standard erosion and sediment control plan: The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. Use the City of Morro Bay's Erosion and Sediment control handout as a guide.
2. Pave two feet wide shoulder along frontage on Little Morro Creek Road.
3. The proposed bike park is in an area inundated by the 100-year flood as shown on the current FEMA Flood Insurance Rate Map. A Floodplain Development Permit must be obtained prior to issuance of a Building Permit. Show on the plans:
 - a. The mapped limits of the floodplain.
 - b. The actual limits of flooding for existing conditions.
 - c. The future limits of flooding based on proposed conditions.
4. Show cut and fill quantities on the plans.
5. Show direction of drainage flows and all proposed drainage facilities on the plans.

Add the following Notes to the Plans:

1. No work within nor any use of any public rights of way shall occur without an encroachment permit. Encroachment permits are available at the City's Public Works Department located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
2. Any damage to any of the City's facilities (such as curb/berm, street, sewer line,

EXHIBIT B

water line, or any public improvements) resulting, directly or indirectly from construction operations related to this project shall be repaired at no cost to the City.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 7th day of April, 2015 upon motion of Commissioner Tefft and seconded by Commissioner Luhr on the following vote:

AYES: 5

NOES: 0

ABSENT: -

ABSTAIN: -



Chairperson Robert Tefft

ATTEST



Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 7th day of April, 2015.

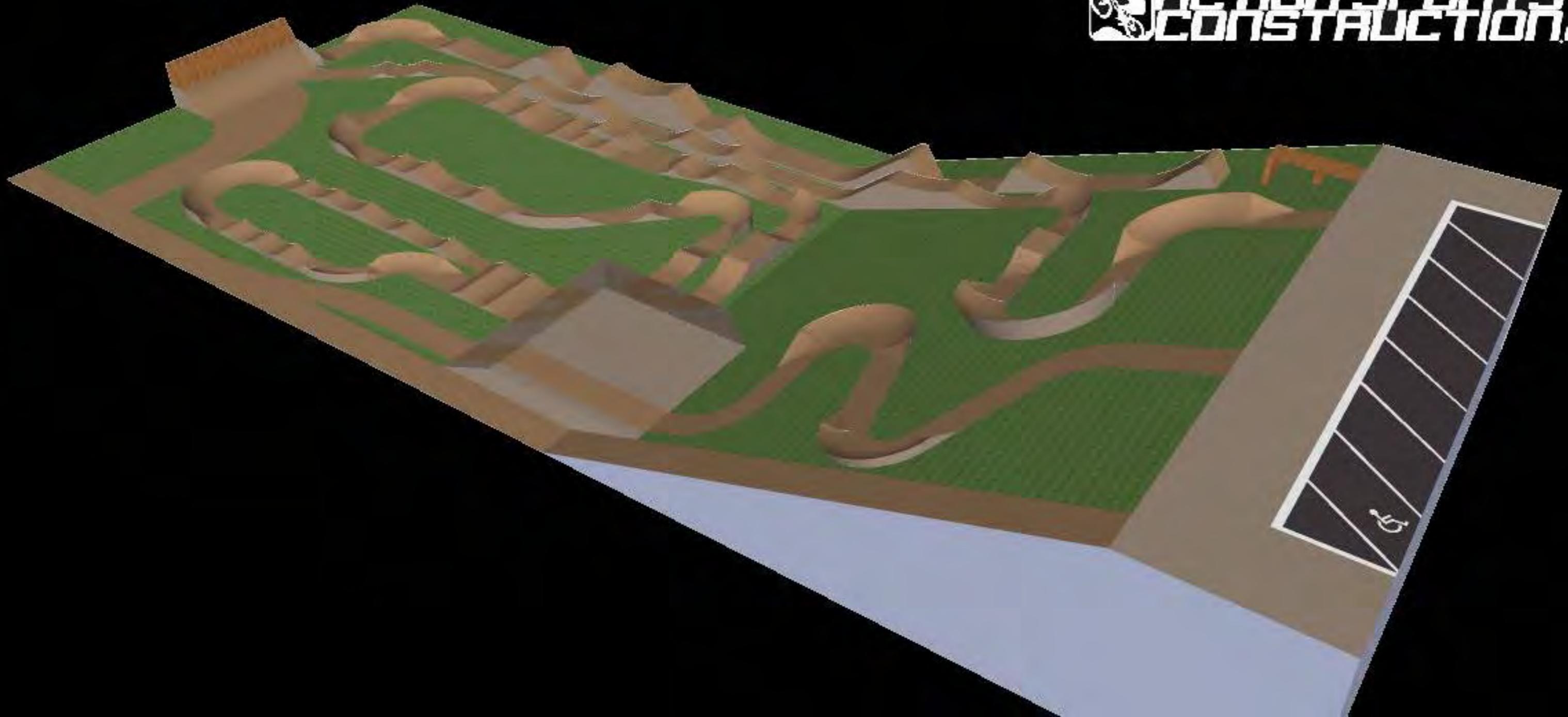


EXHIBIT C

Proposed Bike Park Course Layout

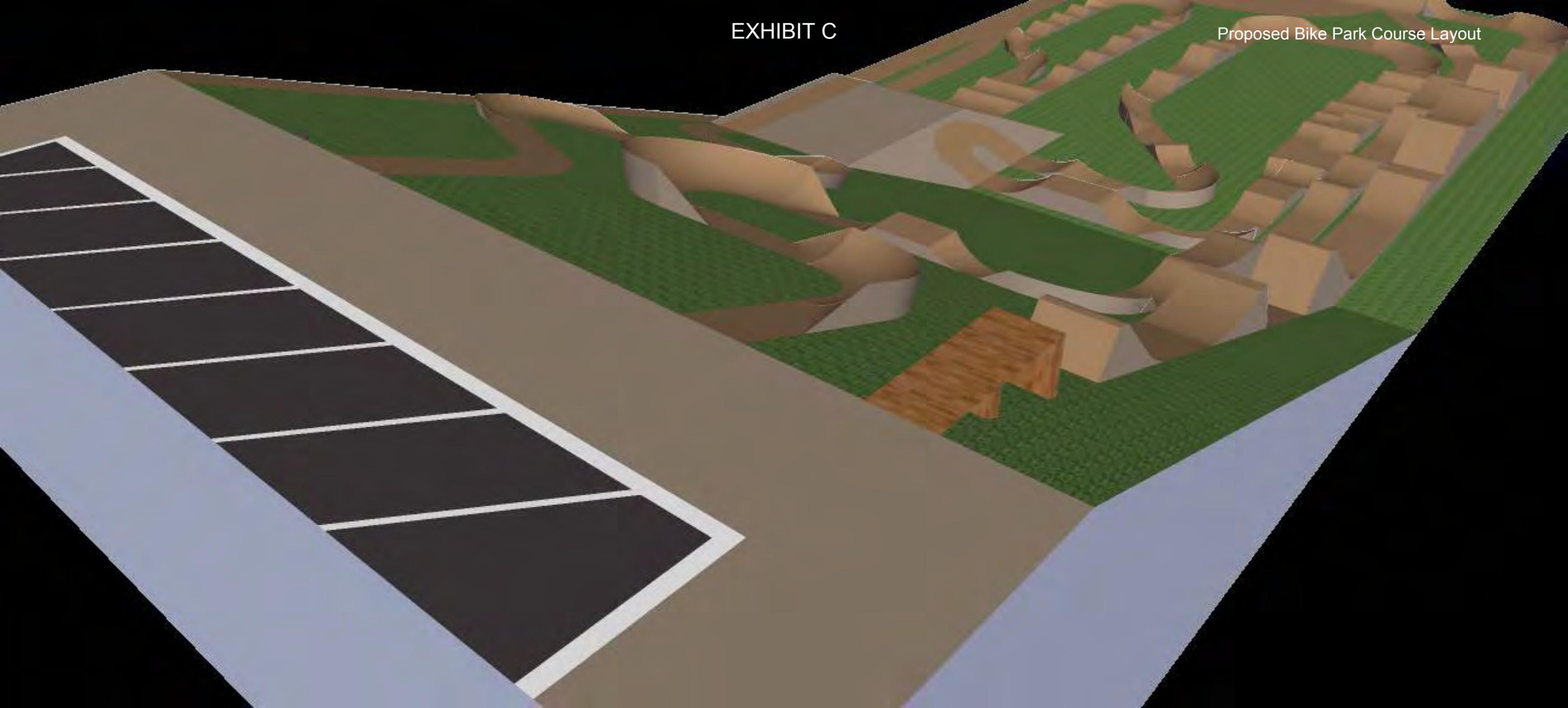


EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT C

Proposed Bike Park Course Layout

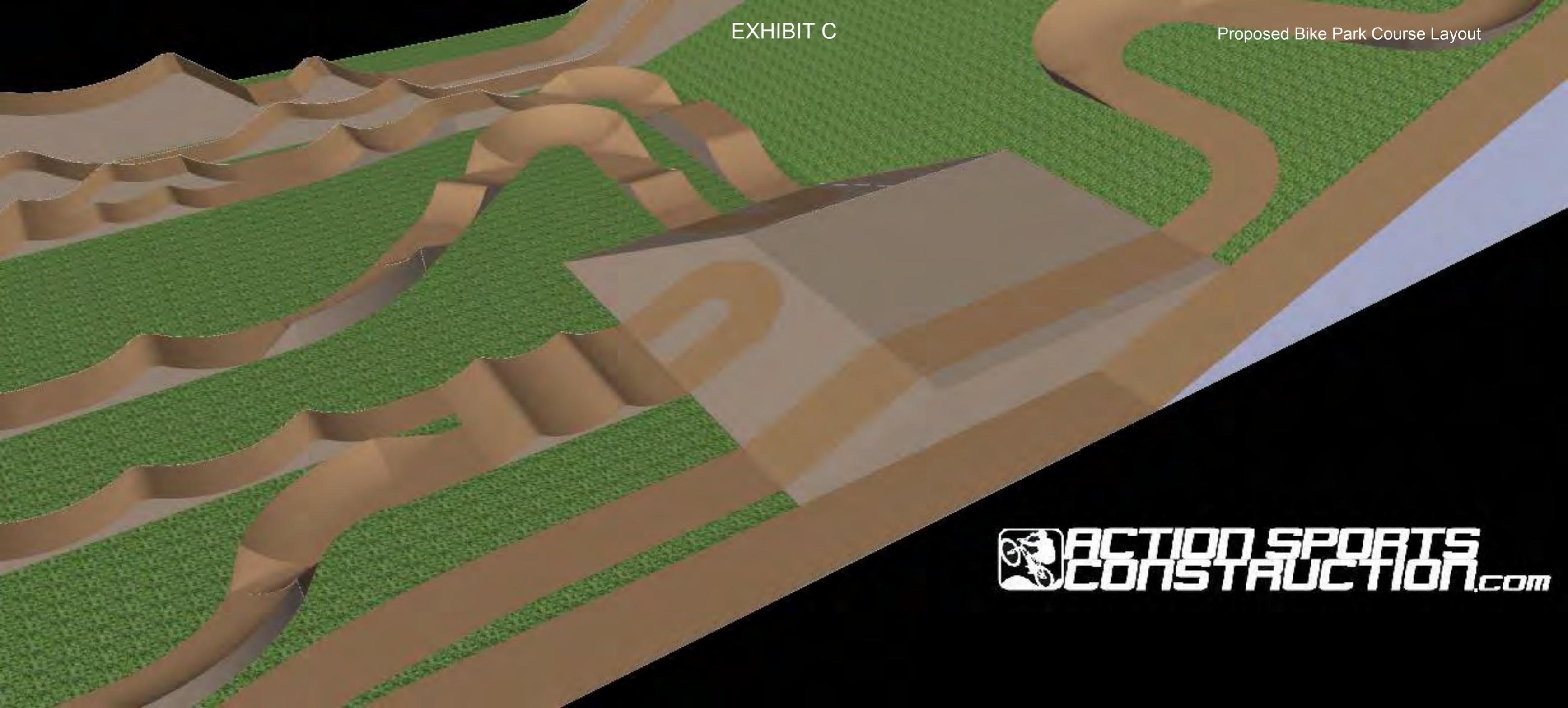


EXHIBIT C

Proposed Bike Park Course Layout

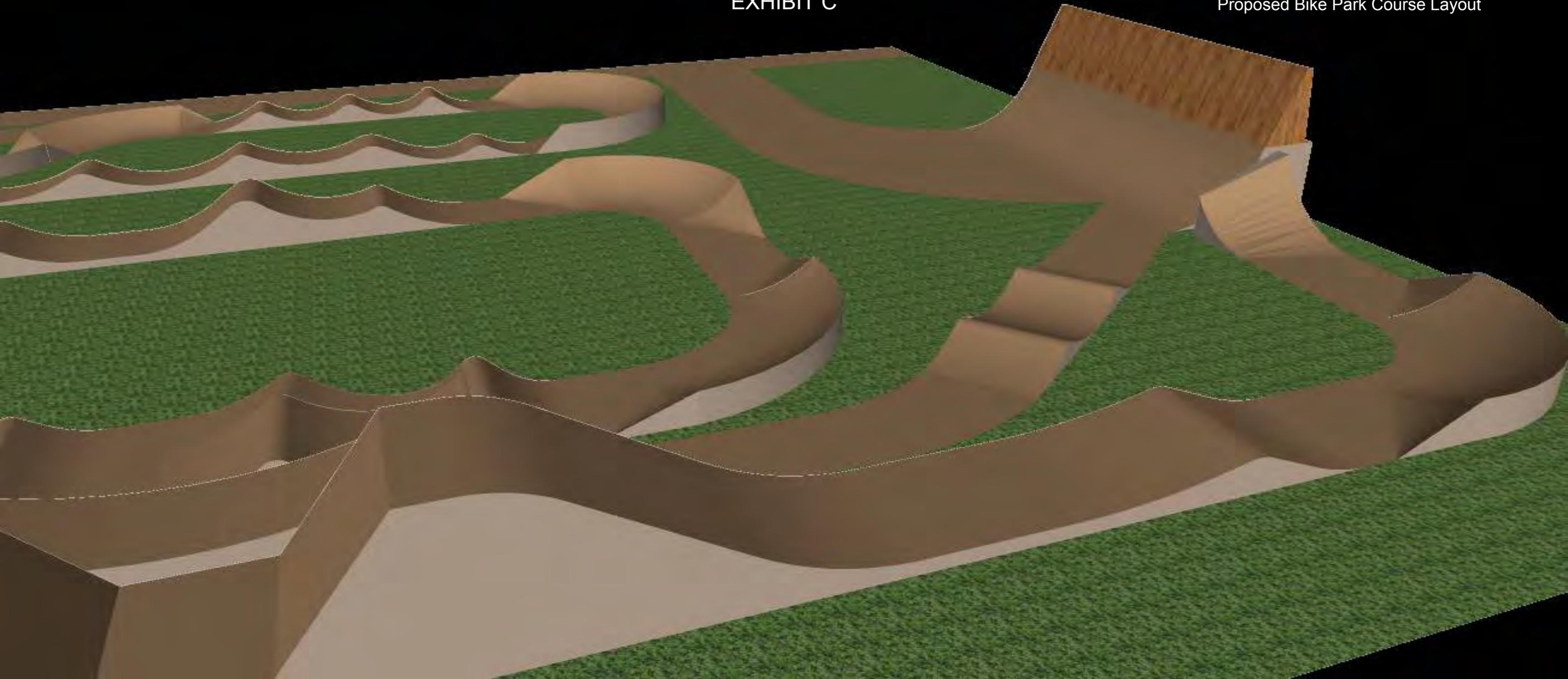


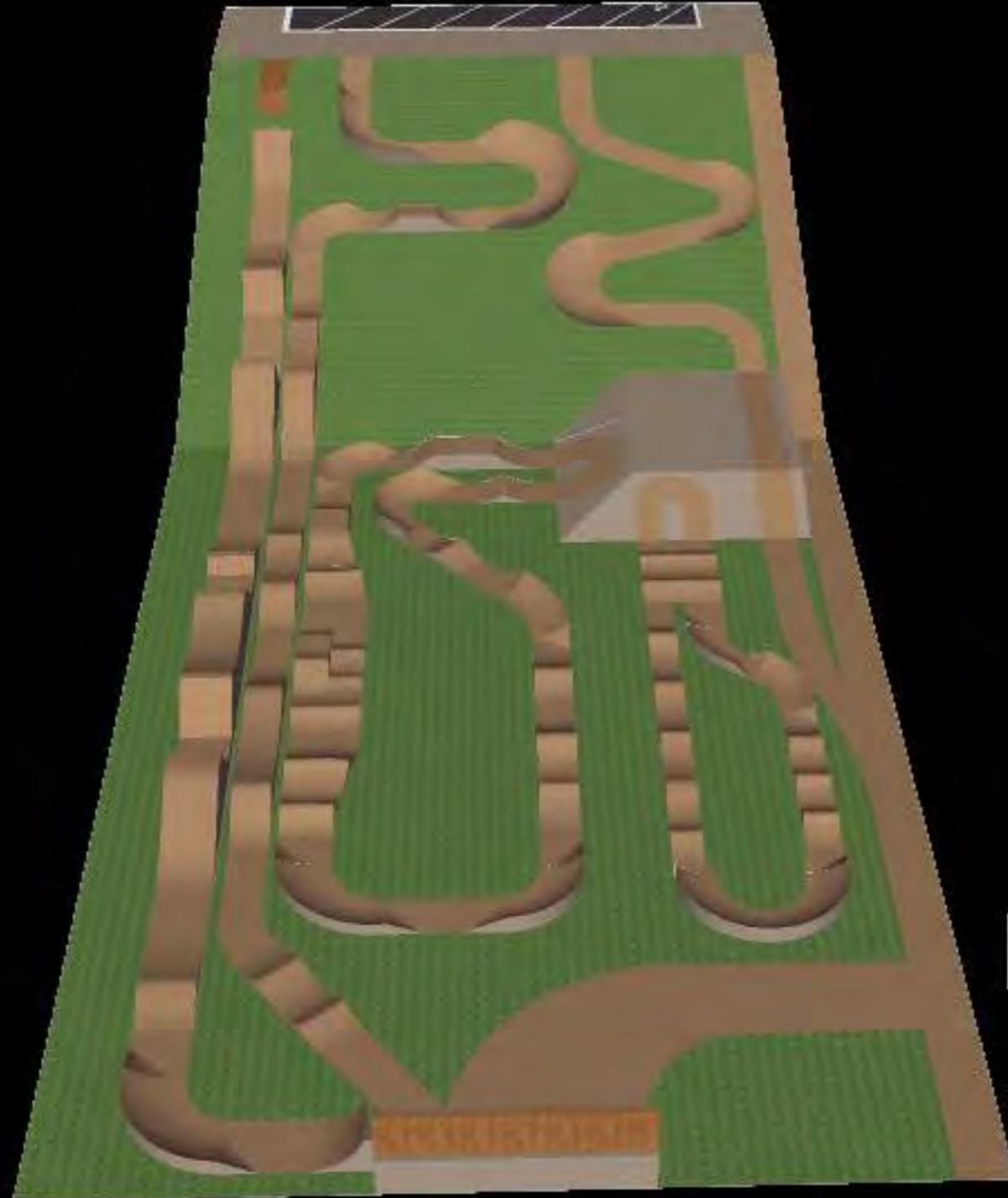
EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT C

Proposed Bike Park Course Layout



 **ACTION SPORTS**
CONSTRUCTION.com

EXHIBIT C

Proposed Bike Park Course Layout

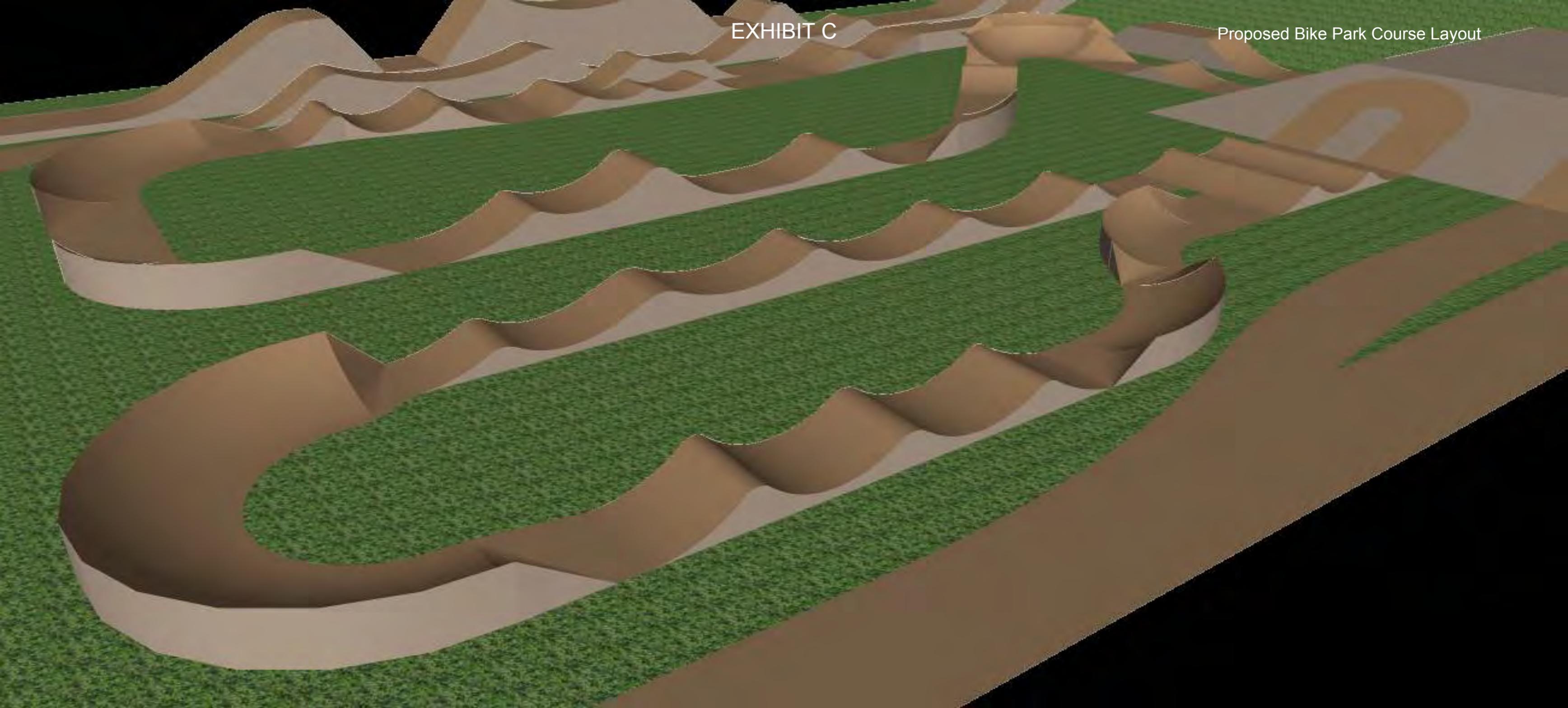


EXHIBIT C

Proposed Bike Park Course Layout





EXHIBIT C

Proposed Bike Park Course Layout

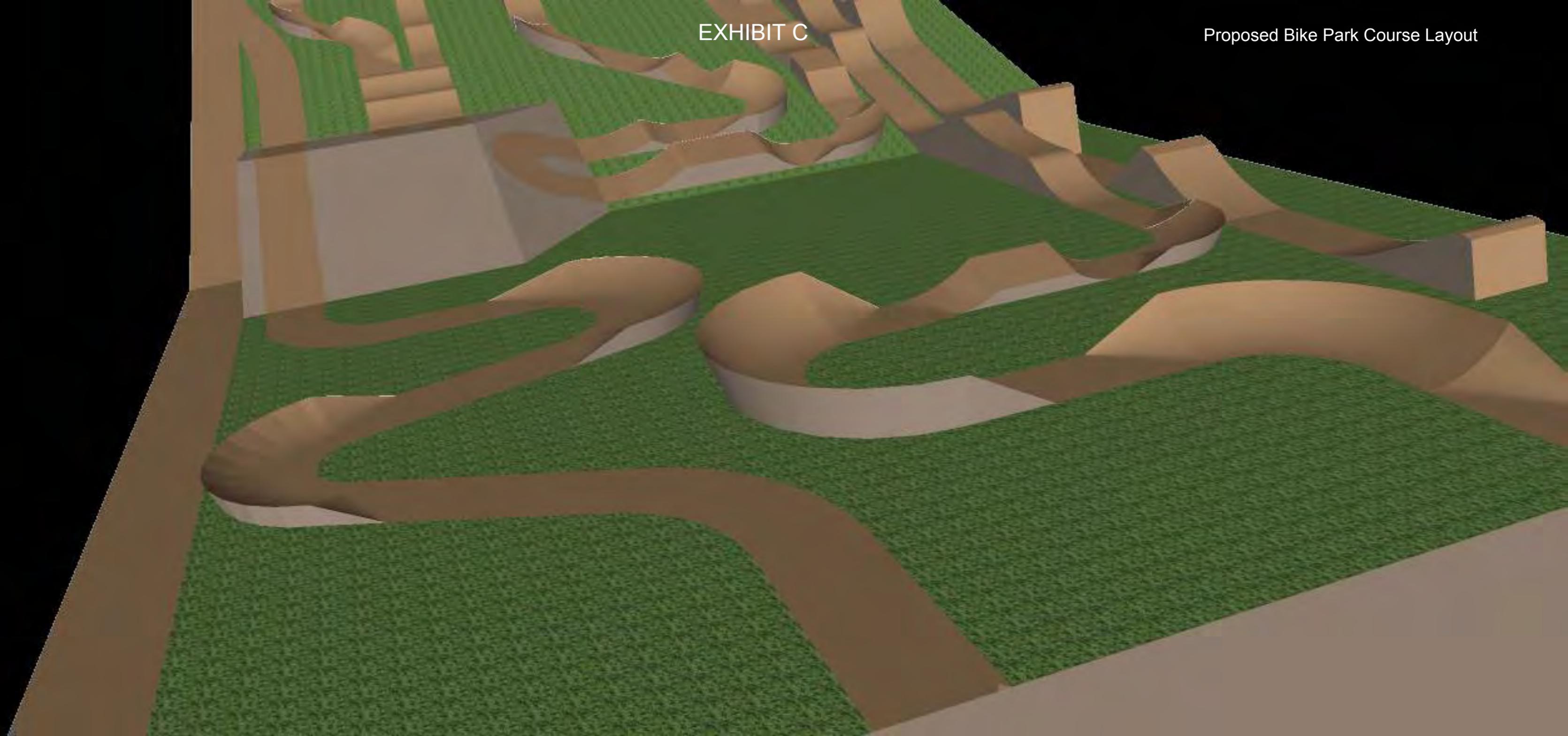


EXHIBIT C

Proposed Bike Park Course Layout

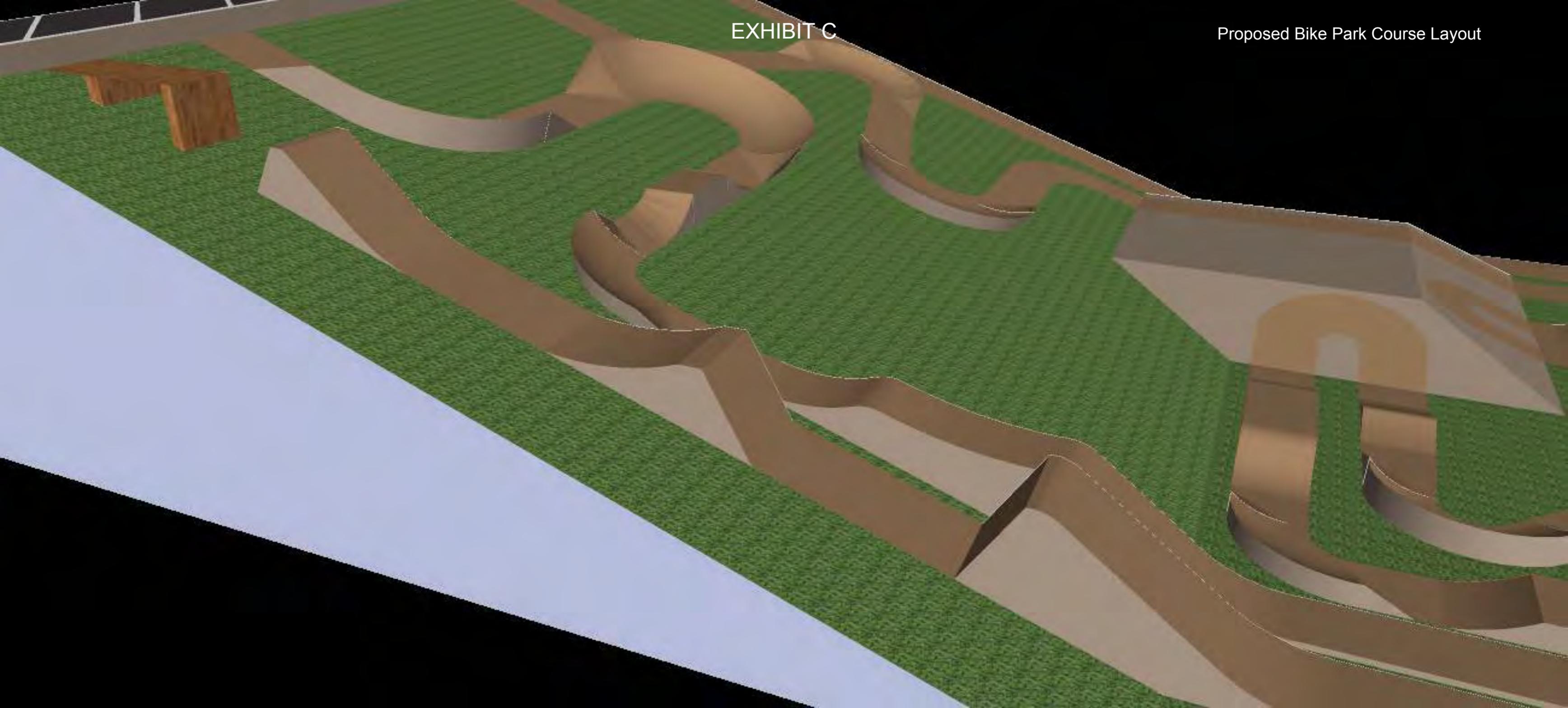


EXHIBIT C

Proposed Bike Park Course Layout



EXHIBIT C

Proposed Bike Park Course Layout





April 13, 2015

Dear Council Members and Planning Staff,

We are very pleased with the Planning Commission's April 7, 2015 unanimous decision to adopt resolution 09-15 to recommend approval of our project. We appreciate all of their questions, concerns and feedback and would like address those issues for your review at the April 28th City Council meeting prior to your final approval of our project.

While we appreciate and support the Planning Commission's recommendations and input, it is important to note that a lot of the suggested improvements, such as bathroom, shade, and lighting are quite simply added expenses to the project that were never envisioned from a budget perspective to both construct and then the long-term repair and maintenance costs. During the whole process of our group speaking with the City, these issues were neither identified nor planned as a budgeted item. As a grass roots-type organization, our goal is simply that of recreation for the community.

1. I do understand the desire for bathrooms but also feel they would cause a whole other source of problems. I feel that, that type of facility would be unattractive, a nuisance to the neighbors, a facility for unwanted behaviors to happen, and an expense that a non-profit can not incur. On average, a rider will be using the park for no more than 2 hours so the need can be met before and after the use of the park. Other City recreational areas, such as the beach, the average user stays far longer than a couple of hours, and yet there are no bathroom facilities within immediate use of a person sitting on the beach.
2. Improving safety for bicyclists traveling by bike to the park could be met by signage at and near the park. We could revise our current signage agreement to add a reminder to bicyclists to obey the rules of the road when riding in the street, etc. I do not anticipate more than a couple of riders at any one time using the bike lane to get to the park.
3. We plan on using recycled asphalt on the parking lot for dust control.
4. Improvements such as shade structures, and the costs to purchase, install, and maintain were never envisioned nor budgeted for in the development of the project. Nor were they mentioned previously by the City because it was intended that the bike park be a temporary, "interim" use. The anticipated census counts also do not envision the Bike Park to be that heavily used, especially when compared to average attendance at other regional Bike Parks. Generally Morro Bay's weather is cool and participants won't be at the park for long periods of time. So I am not sure this is an immediate need but we are willing to assess it in the future.
5. In addition to lack of budget provisions for after-dark lighting, the park has clear rules that will be posted on-site stating it is only open during day-light hours. By providing lighting, even low-wattage solar lights, the Bike Park wants to avoid the impression of encouraging riders to use the park during after-dark hours for safety reasons.
6. From our understanding, Planning staff has met with Public Works staff regarding a potential mid-block crosswalk at that location. Again, we support bicyclist safety through signage that reminds all bicyclists to obey the rules of the road when riding in the street, etc.

Please let me know if I need to clarify or address any other issues. We look forward to meeting a long held goal of providing additional fun, healthy and recreational opportunities to the youth of our community.

Thank you,

Bonnie Johnson
Morro Bay Bike Park
[805-550-4672](tel:805-550-4672)
morrobaybikepark@gmail.com

**SLO COUNTY BICYCLE COALITION | slobikelane.org**

April 7, 2015

Morro Bay Planning Commission
City Hall
595 Harbor St.,
Morro Bay, CA 93442

Dear Chairman Tefft and Commissioners,

The San Luis Obispo County Bicycle Coalition strongly supports the approval of the BMX Bike Skills Park on Little Morro Creek Road. The BMX Bike Skills Park is an incredible example of the type of project community members want to see most, one that provides a safe space to help kids and parents play together while learning valuable skills that make it easier to ride for everyday transportation and recreation. In other words, your approval of this recreational facility will help create lasting change by showing the next generation how a healthy active lifestyle can be fun, easy, and second nature. Much like the Morro Bay 4th of July Bike Parade, this Skills Park will quickly become a part of the community's character, demonstrating that Morro Bay is a great family friendly place for visitors and residents alike.

Our mission is to improve quality of life throughout the Central Coast through bicycle advocacy, education and inspiration. With thousands of supporters countywide, our efforts are motivated directly by the wants and needs of residents who believe active transportation, recreation and safe streets are essential to local well-being. We look forward to being an ally to the City moving forward on all efforts to make the community safe for every mode of transportation. We look forward to seeing the completion of this project and are more than willing to help the City with future safety education, grant applications, encouragement activities and more.

Once again, please approve the BMX Skills Park on Little Morro Creek Road. Thank you for your time and consideration.

Sincerely,

Dan Rivoire, Executive Director
San Luis Obispo County Bicycle Coalition

EXHIBIT E

Cindy Jacinth - Morro Bay Bike Park

From: Robert Fuller Davis <slobike@me.com>
To: "cjacinth@morro-bay.ca.us" <cjacinth@morro-bay.ca.us>
Date: 4/13/2015 6:40 AM
Subject: Morro Bay Bike Park
CC: Scot Graham <SGraham@morro-bay.ca.us>, Bonnie Johnson <ipolani75@yahoo.com>

Also, Coast Union High School in Cambria has an American Marborg porta-pottie set up between the parking lot and their tennis courts. I have always found it to be clean and well attended. Their experience is probably similar to what we might expect at the Bike Park.

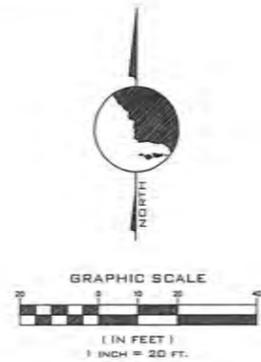
Hi Cindy. Regarding the recommendation for a porta-pottie for the Bike Park, I don't know what is the right answer and I am not going to advocate either way, but I know that State Parks has some experience with this question. I remember that the Hwy 1 Bypass Study several years ago recommended placement of porta-potties at the elephant seal viewing area near the Piedras Blancas Light Station but Parks eventually elected to not do it. I think there were concerns that, with a large group of people using them, porta-potties quickly become trashed and unsanitary and require a great deal of maintenance. We do not expect that level of use at the Bike Park so the situation is not quite the same. Brooke Gutierrez at State Parks might be able to tell you their thinking and their subsequent experience, bgutierrez@hearstcastle.com, or Nick Franco at County Parks. I hope this is helpful input and not a nuisance suggestion. Red

Robert Fuller Davis
Morro Bay California

Be kind. Everyone you meet is fighting a hard battle.
— Pogo

MORRO BAY BIKE PARK

301 LITTLE MORRO CREEK RD, MORRO BAY



PREPARED BY:
CIVIL DESIGN STUDIO
CIVIL ENGINEERING PLANNING ARCHITECTURE
1000 S. GARDNER ST. SUITE 100
MORRO BAY, CA 94052
805-801-2132



LEGEND

INDEX CONTOUR (EXISTING)	---	(100)
INTERMEDIATE CONTOUR (EXISTING)	---	---
CENTERLINE	---	---
EDGE OF PAVEMENT	---	---
UNDERGROUND NATURAL GAS	---	---
OVERHEAD UTILITY	---	---
UNDERGROUND WATER	---	---
ELECTRIC METER	---	---
POWER POLE	---	---
FINISHED GRADE (DIRT)	---	---
FINISHED SURFACE (HARDSCAPE)	---	---
PROPOSED "SNOW" FENCING (4FT HIGH)	---	---
PER DETAIL SHEET C-3.	---	---

37.7
FG INDICATES FINISHED SURFACE ELEVATION

4.5% INDICATES FINISH SURFACE GRADE

2:1 INDICATES FINISH SURFACE SLOPE (HORIZONTAL)

INDICATES AC PAVEMENT

INDICATES GRAVEL SURFACING

INDICATES ACCESSIBLE PATH SURFACE

PROJECT DATA:

ADDRESS:	301 LITTLE MORRO CREEK RD, MORRO BAY
ZONING:	M-1 / PD / I / SP
APN:	068-183-021, 022
LEGAL DESC.:	PTN LOT 8, RANCHO SAN BERNANDO
LOT AREA:	0.58 ACRES
SETBACKS:	N/A
CURRENT USE:	VACANT
PROPOSED USE:	BIKE PARK
PROPERTY OWNER(S):	CITY OF MORRO BAY (APN 068-183-021) PG&E (APN 068-183-022)
APPLICANT:	BONNIE JOHNSON MORRO BAY BIKE PARK 2089 BAYVIEW AVE MORRO BAY, CA 93422 805-550-4672
ENGINEER OF RECORD:	ROBERT D. WINSLOW, PE 70825 CIVIL DESIGN STUDIO 8700 EL CAMINO REAL, SUITE 300 ATASCADERO, CA 93422
PROJECT DESCRIPTION:	PROPOSED CONSTRUCTION OF A BIKE SKILLS PROGRESSION PARK ON A CITY OWNED PARCEL (APN 068-183-021) CONSISTING OF MULTIPLE TRAILS AND EARTHEN AND WOODEN SKILLS FEATURES FOR RIDERS OF VARYING ABILITIES. 5 STANDARD PARKING STALLS AND 1 VAN ACCESSIBLE STALL TO BE CONSTRUCTED ON A PORTION OF THE NEIGHBORING PG&E OWNED PARCEL (APN 068-183-022). "SNOW" FENCING TO BE INSTALLED AROUND THE PERIMETER OF THE PARK PER DETAIL SHEET C-3.

CONSTRUCTION NOTES

1. APPLICABLE CODES: 2013 CALIFORNIA BUILDING CODE INCLUDING APPENDIX I; APPENDIX 33 OF THE 1997 UNIFORM BUILDING CODE, AS AMENDED AND ADOPTED BY THE CITY OF MORRO BAY (CITY OF MORRO BAY GRADING ORDINANCE)
2. NO WORK WITHIN NOR ANY USE OF ANY PUBLIC RIGHTS OF WAY SHALL OCCUR WITHOUT AN ENCROACHMENT PERMIT. ENCROACHMENT PERMITS ARE AVAILABLE AT THE CITY'S PUBLIC SERVICES OFFICE LOCATED AT 555 SHASTA AVE. THE ENCROACHMENT PERMIT SHALL BE ISSUED CONCURRENTLY WITH THE BUILDING PERMIT.
3. ANY DAMAGE TO ANY OF THE CITY'S FACILITIES (SUCH AS CURB, BERM, STREET, SEWER LINE, WATER LINE, OR ANY PUBLIC IMPROVEMENTS) RESULTING, DIRECTLY OR INDIRECTLY FROM CONSTRUCTION OPERATIONS RELATED TO THIS PROJECT SHALL BE REPAIRED AT NO COST TO THE CITY.
4. EARTHWORK QUANTITIES:
CUT: 2,350 CY
FILL: 2,470 CY
IMPORT: 320 CY
- *THE EARTHWORK QUANTITIES SHOWN HEREON DO NOT ACCOUNT FOR OVEREXCAVATION, CONSOLIDATION, SCARIFICATION, OR IMPORT OF ENGINEERED FILL AS MAY BE REQUIRED.
5. PLACEMENT OF FILL:
5.1. NO FILL SHALL BE PLACED ON THE EXISTING GROUND SURFACE UNTIL THE GROUND HAS BEEN CLEARED OF WEEDS, DEBRIS, TOPSOIL, DELETERIOUS MATERIAL AND SCARIFIED, MOISTURE CONDITIONED, AND COMPACTED.
5.2. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN THREE FEET HORIZONTAL TO ONE FOOT VERTICAL.
5.3. FILL SHALL BE COMPACTED TO 85% RELATIVE COMPACTION.
5.4. FILL MATERIAL SHALL BE PLACED IN 12" MAXIMUM LIFTS, MOISTURE CONDITIONED, AND COMPACTED TO 85% RELATIVE COMPACTION.
5.5. ALL EXPOSED SLOPES SHALL BE PLANTED PER THE EROSION CONTROL PLANS AND IRRIGATED UNTIL GROUND COVER IS ESTABLISHED.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CLEARING AND DISPOSAL OF THE PROPOSED WORK AREA. THE CONTRACTOR SHALL DISPOSE OF ALL MATERIAL LEGALLY AND IS RESPONSIBLE FOR COMPLYING WITH LOCAL RECYCLING ORDINANCES.
7. THE STOCKPIPING OF EXCESS MATERIAL IS SUBJECT TO THE APPROVAL OF THE CITY.

8. SANITARY FACILITIES SHALL BE MAINTAINED ON SITE THROUGHOUT THE DURATION OF CONSTRUCTION.
9. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF AND PROTECT ALL EXISTING UTILITIES AND TO ENSURE THAT SERVICE IS NOT DISRUPTED TO EXISTING FACILITIES.
10. ALL EXISTING DRAINAGE COURSES ON THE PROJECT SITE MUST CONTINUE TO FUNCTION, ESPECIALLY DURING STORM CONDITIONS AND APPROVED PROTECTIVE MEASURES AND TEMPORARY DRAINAGE PROVISIONS MUST BE USED TO PROTECT EXISTING STRUCTURES AND ADJACENT PROPERTIES DURING THE CONSTRUCTION PROJECT. IN ALL CASES, THE CONTRACTOR AND/OR OWNER SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING EXISTING DRAINAGE PATTERNS.
11. EXPORTED MATERIAL SHALL BE TAKEN TO A LEGAL DUMP SITE OR PERMITTED RECEIVING SITE APPROVED BY THE LOCAL AGENCY HAVING JURISDICTION.
12. PERMISSION IS REQUIRED FROM THE ADJACENT PROPERTY OWNER WHENEVER WORK IS PROPOSED OR NECESSARY ACROSS THE PROJECT'S PROPERTY LINES.
13. ANY DIRT, ROCK, DEBRIS OR CONSTRUCTION MATERIAL THAT IS TRACKED OR DROPPED WITHIN THE PUBLIC RIGHT OF WAY DURING THE TRANSPORTATION OF THAT MATERIAL OR EQUIPMENT ASSOCIATED WITH THE PROJECT SHALL BE CLEANED OR REMOVED DAILY.
14. THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND OBTAINING REQUIRED PERMITS FROM THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (OSHA).
15. RULE 403. AIR QUALITY CONTROL MUST BE IMPLEMENTED DURING CONSTRUCTION:
15.1. A PERSON SHALL NOT CAUSE OR ALLOW THE EMISSIONS OF FUGITIVE DUST FROM ANY TRANSPORT, HANDLING, CONSTRUCTION OR STORAGE ACTIVITY SO THAT THE PRESENCE OF SUCH DUST REMAINS VISIBLE IN THE ATMOSPHERE BEYOND THE PROPERTY LINE OF THE EMISSION SOURCE. (DOES NOT APPLY TO EMISSIONS EMANATING FROM UNPAVED ROADSWAYS OPEN TO PUBLIC TRAVEL OR FARM ROADS. THIS EXCLUSION SHALL NOT APPLY TO INDUSTRIAL OR COMMERCIAL FACILITIES).
15.2. A PERSON SHALL TAKE EVERY REASONABLE PRECAUTION TO MINIMIZE FUGITIVE DUST EMISSIONS FROM WRECKING, EXCAVATION, GRADING, CLEARING OF LAND AND SOLID WASTE DISPOSAL OPERATIONS.
15.3. A PERSON SHALL NOT CAUSE OR ALLOW PARTICULATE MATTER TO EXCEED 100 MICROGRAMS PER CUBIC METER WHEN DETERMINED AS THE DIFFERENCE BETWEEN UPWIND AND DOWNWIND SAMPLES COLLECTED ON HIGH VOLUME SAMPLERS AT THE PROPERTY LINE FOR A MINIMUM OF FIVE HOURS.
15.4. A PERSON SHALL TAKE EVERY REASONABLE PRECAUTION TO PREVENT VISIBLE PARTICULATE MATTER FROM BEING DEPOSITED UPON PUBLIC ROADSWAYS. PRECAUTIONS SHALL INCLUDE, BUT ARE NOT LIMITED TO, THE REMOVAL OF PARTICULATE MATTER FROM EQUIPMENT PRIOR TO THE MOVEMENT ON

- PAVED STREETS ONTO WHICH SUCH MATERIAL HAS BEEN DEPOSITED.
- 15.5. SUBSECTIONS (22.1) AND (22.2) SHALL NOT BE APPLICABLE WHEN THE WIND SPEED INSTANTANEOUSLY EXCEEDS 40 KILOMETERS (25 MILES) PER HOUR, OR WHEN THE AVERAGE WIND SPEED IS GREATER THAN 25 KILOMETERS (15 MILES) PER HOUR. THE AVERAGE WIND SPEED DETERMINATIONS SHALL BE ON A 15 MINUTE AVERAGE AT THE NEAREST OFFICIAL AIR MONITORING STATION OR BY A WIND INSTRUMENT LOCATED AND MONITORED ON SITE.
16. CONSTRUCTION ACTIVITIES SHALL OCCUR ONLY BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM, MONDAY THROUGH FRIDAY AND BETWEEN THE HOURS OF 9:00 AM AND 6:00 PM SATURDAYS, UNLESS OTHERWISE AUTHORIZED BY THE OWNER AND CITY.
17. CONTRACTOR SHALL USE LOW EMISSION MOBILE CONSTRUCTION EQUIPMENT DURING ALL SITE PREPARATION, GRADING AND CONSTRUCTION ACTIVITIES, WHERE FEASIBLE.
18. CONTRACTOR SHALL MAINTAIN ALL CONSTRUCTION EMERGENCIES TRAINED CONSISTENT WITH MANUFACTURER'S SPECIFICATIONS DURING ALL SITE PREPARATION, GRADING AND CONSTRUCTION ACTIVITIES.
19. CONTRACTOR SHALL USE LOW SULFUR FUEL FOR STATIONARY CONSTRUCTION EQUIPMENT AS REQUIRED BY AQMD RULE 431.1 AND 431.2 AND SHALL USE EXISTING POWER SOURCES AND CLEAN FUEL GENERATORS WHEN POSSIBLE AS FEASIBLE DURING ALL SITE PREPARATION, GRADING AND CONSTRUCTION ACTIVITIES.
20. CONSTRUCTION PARKING SHALL BE ON-SITE. TRAFFIC CONTROL AND ACCESS SHALL BE IN ACCORDANCE WITH THE AGENCY HAVING JURISDICTION OVER THE PROJECT.
21. THE SPEED OF CONSTRUCTION VEHICLES ON-SITE SHALL BE LIMITED TO 15 MILES PER HOUR.
22. TRUCKS AND LARGE CONSTRUCTION VEHICLES SHALL OBTAIN APPROVED ROUTES FROM THE AGENCY'S PUBLIC WORKS DEPARTMENT.
23. THE CONTRACTOR SHALL CONTROL DUST IN AREAS USED FOR OFF-PAVEMENT PARKING, MATERIAL LAYDOWN AREAS OR THOSE AREAS AWAITING FUTURE CONSTRUCTION. FREQUENTLY ACCESSED AREAS SHALL BE PAVED OR BASED AS EARLY AS POSSIBLE TO MINIMIZE DIRT TRACKOUT TO THE PUBLIC RIGHT OF WAY.
24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FOLLOWING MEASURE:
24.1. CESSATION OF ACTIVITIES DURING A STAGED SMOG EPISODE. CALL 800-342-4022 FOR THE DAILY SMOG FORECAST.
24.2. TRUCK ROUTES AND SCHEDULES FOR THE RECEIPT OF MATERIALS SHALL BE COORDINATED WITH THE APPROPRIATE AGENCIES.

- 24.3. WHERE FEASIBLE, ON-ROAD AND OFF-ROAD VEHICLES AND EQUIPMENT SHALL BE TURNED OFF AND SUBSEQUENTLY RESTARTED IF THE ANTICIPATED DURATION OF IDLING IS EXPECTED TO EXCEED FIVE MINUTES.
25. THE CONTRACTOR SHALL IMPLEMENT THE FOLLOWING HIGH WIND DUST CONTROL MEASURE WHEN INSTANTANEOUS WIND SPEEDS EXCEED 25 MILES PER HOUR:
25.1. TERMINATION / MODIFICATION OF SCRAPERS, GRADERS OR DOZERS ON UNPAVED SURFACES UNTIL WINDS SUBSIDE.
25.2. APPLICATION OF WATER AS NEEDED TO ANY UNPAVED SURFACE WITH VEHICLE OR EQUIPMENT OPERATIONS.
25.3. APPLICATION OF WATER OR OTHER DUST CONTROL MATERIAL TO ANY PREVIOUSLY GRADED SURFACE IF DUST EMANATION IS VISIBLE FROM SUCH A SURFACE.
26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING EQUIPMENT TO PREVENT VISIBLE SOOT FROM REDUCING LIGHT TRANSMISSION THROUGH THE EXHAUST STACK BY MORE THAN 25 PERCENT FOR MORE THAN THREE MINUTES PER HOUR AND USE LOW SULFUR FUEL AS REQUIRED BY THE APPROPRIATE AGENCY.
27. TRUCKS USED IN HAULING DIRT TO OR FROM THE SITE ON PUBLIC ROADS WILL BE COVERED OR WILL MAINTAIN A SIX INCH DIFFERENTIAL BETWEEN THE MAXIMUM HEIGHT OF ANY MATERIAL HAULED AND THE TOP OF THE TRAILER. HAUL TRUCK DRIVERS WILL LOAD PRIOR TO LEAVING THE SITE TO PREVENT SOIL LOSS DURING TRANSPORTATION.
28. PURSUANT TO SECTION 8773 OF THE BUSINESS AND PROFESSIONS CODE, EXISTING SURVEY MONUMENTS SHALL BE NOTICED AND DOCUMENTED BEFORE CONSTRUCTION. IF ANY MONUMENTS ARE DISTURBED DURING CONSTRUCTION THE CONTRACTOR SHALL PAY A LICENSED LAND SURVEYOR OR REGISTERED ENGINEER TO RESET SUCH MONUMENTS.
29. PERMANENT EROSION CONTROL MEASURES:
- ALL NON-TRAIL AND NON-PARKING AREAS SHALL BE REVEGETATED, AND THE VEGETATION ESTABLISHED, AS SOON AS PRACTICABLE, BUT NO LATER THAN OCTOBER 15TH.
- SEEDING SHALL COMPLY WITH CITY PRE-APPROVED SEED MIX (OCTOBER OR OTHER MIX AS RECOMMENDED BY A CITY APPROVED BIOLOGIST).
- PERMANENT SOIL BINDER SHALL BE USED ON EARTHEN TRAIL PATHS AND WITHIN THE PARKING AREA TO MINIMIZE SOIL EROSION.

SITE PLAN

RECEIVED
JAN 30 2015
City of Morro Bay
Public Services Department

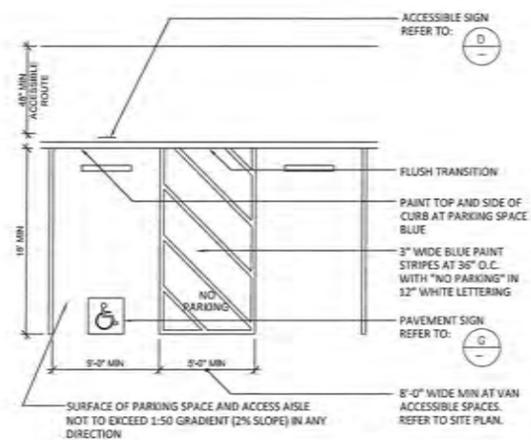
REV.	DATE	DESCRIPTION

MORRO BAY BIKE PARK
301 LITTLE MORRO CREEK RD
MORRO BAY, CALIFORNIA

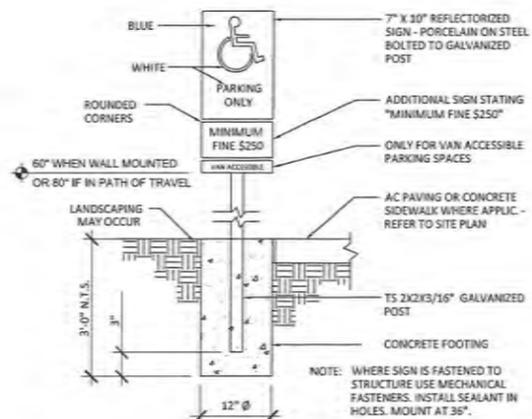
SITE PLAN

SHEET TITLE: _____
PROJECT NO.: _____
ORIGINAL DATE: 01/14/2015
REVISIONS:

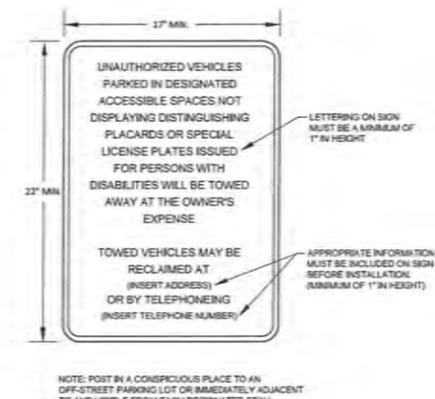
SHEET SIZE: 24" X 36"
HORIZ. SCALE: _____
VERT. SCALE: _____
C-1



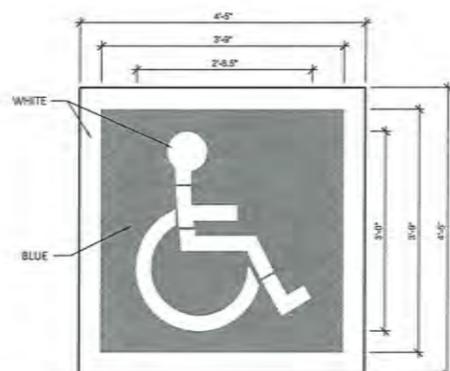
ACCESSIBLE PARKING SPACE NTS (A)



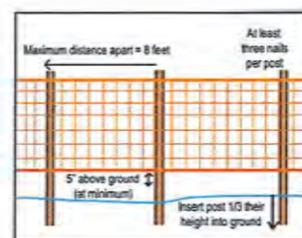
PARKING SPACE SIGNAGE NTS (D)



ENTRANCE PARKING SIGN NTS (K)



ACCESSIBLE SYMBOL NTS (G)



- INSERT 2" X 2" WOODEN POST 1/3 THEIR HEIGHT INTO THE GROUND. PLACE THE POSTS NO MORE THAN 8' APART.
- ATTACH FENCING TO POST USING PLASTIC CABLE. LACE THE CABLE THROUGH THE APERTURES IN THE TOP AND BOTTOM EDGES OF THE FENCE.
- TO CONNECT FENCE SECTIONS, OVERLAP THE TWO ADJOINING ENDS BY AT LEAST 6" AND WEAVE THROUGH THE OVERLAPPING ENDS. SECURE TIES.

"SNOW" FENCING INSTALLATION NTS (L)

AND
 CIVIL DESIGN STUDIO
 FRIEDRICH AND SUSTAINABLE TRAIL ASSOCIATION (FASTA)
 DEVIN NEWTON, BOARD MEMBER
 805-801-2132

PROJECT NAME
 MORRO BAY BIKE PARK
 301 LITTLE MORRO CREEK RD
 MORRO BAY, CALIFORNIA

DETAILS

RECEIVED

JAN 30 2015

City of Morro Bay Public Services Department			
REV.	DATE	BY	DESCRIPTION OF REVISIONS

SHEET TITLE
 PROJECT NO.
 ORIGINAL DATE: 01/14/2015
 REVISIONS:
 SHEET SIZE: 24" X 36"
 HORIZ. SCALE
 VERT. SCALE



CITY REQUIRED GENERAL EROSION AND SEDIMENTATION CONTROL NOTES:

CONTRACTOR/OWNER:

Name _____
 Address 1 _____
 Address 2 _____
 Phone _____

PLANS PREPARED BY:

CIVIL DESIGN STUDIO
 9700 EL CAMINO REAL, SUITE 300
 ATASCADERO, CA 93422
 505-706-0401 EXT 101

1. THIS PLAN IS INTENDED TO BE USED FOR INTERIM EROSION AND SEDIMENT CONTROL ONLY AND IS NOT TO BE USED FOR FINAL ELEVATIONS OR PERMANENT IMPROVEMENTS.
2. OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING EROSION AND SEDIMENTATION CONTROL MEASURES PRIOR, DURING, AND AFTER STORM EVENTS. MONITORING INCLUDES MAINTAINING A FILE DOCUMENTING ON-SITE INSPECTIONS, PROBLEMS ENCOUNTERED, CORRECTIVE ACTIONS, AND NOTES AND A MAP OF REMEDIAL IMPLEMENTATION MEASURES.
3. REASONABLE CARE SHALL BE TAKEN WHEN HAULING ANY EARTH, SAND, GRAVEL, STONE, DEBRIS OR ANY HAZARDOUS SUBSTANCE OVER ANY PUBLIC STREET, ALLEY OR OTHER PUBLIC PLACE. SHOULD ANY BLOW, SPILL, OR TRACK OVER AND UPON SAID PUBLIC OR ADJACENT PRIVATE PROPERTY, IMMEDIATE CLEAN-UP SHALL OCCUR.
4. CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF GRADING. ALL CONSTRUCTION TRAFFIC ENTERING ONTO THE PAVED ROADS MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCEWAY.
5. SANITARY FACILITIES SHALL BE MAINTAINED ON-SITE AS APPROPRIATE AND AWAY FROM THE STREET IN CASE OF A SPILL.
6. DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. ALL EARTH STOCKPILES OVER 2.0 CY SHALL BE COVERED BY A TARP AND RINGED WITH STRAW BALES OR SILT FENCING. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT-LADEN RUNOFF TO ANY STORM DRAINAGE SYSTEM INCLUDING EXISTING DRAINAGE SWALES AND WATERCOURSES.
7. CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION WATER POLLUTION WILL BE MINIMIZED. STATE AND LOCAL LAWS CONCERNING POLLUTION ABATEMENT SHALL BE COMPLIED WITH.
8. THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAINY SEASON, OCTOBER 15TH TO APRIL 30TH. FACILITIES ARE TO BE OPERABLE PRIOR TO OCTOBER 15TH OF ANY YEAR. GRADING OPERATIONS DURING THE RAINY SEASON WHICH LEAVE DENUDED SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES IMMEDIATELY FOLLOWING GRADING ON THE SLOPES.

BMP SELECTION & LEGEND:

BMP'S SPECIFIED ON THIS PLAN REFERENCE THE 2003 EDITION OF THE CASQA "CALIFORNIA STORMWATER HANDBOOK". IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN BMP DETAILS AVAILABLE AT WWW.CASQA.ORG.

THE FOLLOWING BMP'S ARE NOT SHOWN IN SPECIFIC LOCATIONS ON THIS PLAN AND ARE APPLICABLE TO THE PROJECT. THE CONTRACTOR SHALL INCORPORATE THESE BMP'S INTO THE PROJECT SCOPE:

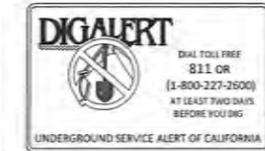
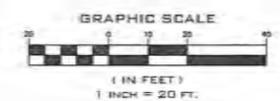
- EC-1 PROJECT SCHEDULING
- EC-2 PRESERVATION OF EXISTING VEGETATION
- NS-1 WATER CONSERVATION
- NS-3 PAVING AND GRINDING
- NS-6 DISCHARGE REPORTING
- WE-1 WIND EROSION CONTROL
- SE-10 STORM DRAIN INLET PROTECTION

THE FOLLOWING BMP'S ARE SPECIFIED ON THIS PLAN:

- SE-5 FIBER ROLLS
- TC-1 STABILIZED CONSTRUCTION ENTRANCE/EXIT

THE FOLLOWING BMP'S SHALL BE USED IN THE CONTRACTOR STAGING AREA:

- WM-1 MATERIAL STORAGE
- WM-2 MATERIAL USAGE
- WM-3 STOCKPILE MANAGEMENT
- WM-4 SPILL PREVENTION KIT
- WM-5 SOLID WASTE (TRASH)
- WM-6 SEPTIC / SANITARY FACILITIES



RECEIVED
JAN 30 2015

REV.	DATE	BY	DESCRIPTION OF REVISIONS

AND
 FREERIDE AND SUSTAINABLE TRAIL ASSOCIATION (FASTA)
 DEVIN NEWTON, BOARD MEMBER
 805-801-2132

PLAN PREPARED BY:
 CIVIL DESIGN STUDIO
 CIVIL ENGINEERING ARCHITECTURE INTERIORS
 9700 EL CAMINO REAL, SUITE 300
 ATASCADERO, CA 93422
 505-706-0401 EXT 101

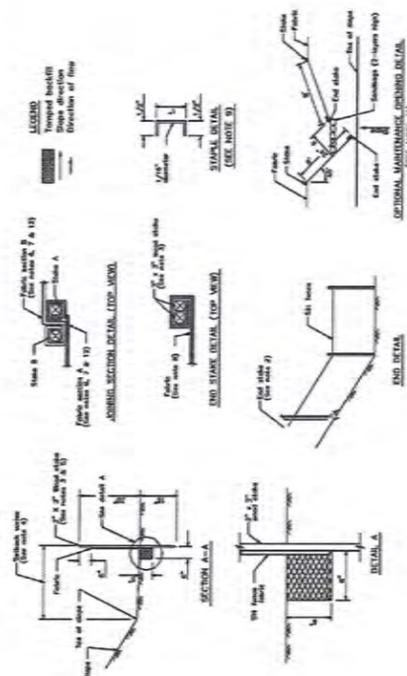
MORRO BAY BIKE PARK
 301 LITTLE MORRO CREEK RD
 MORRO BAY, CALIFORNIA

EROSION & SEDIMENTATION CONTROL PLAN

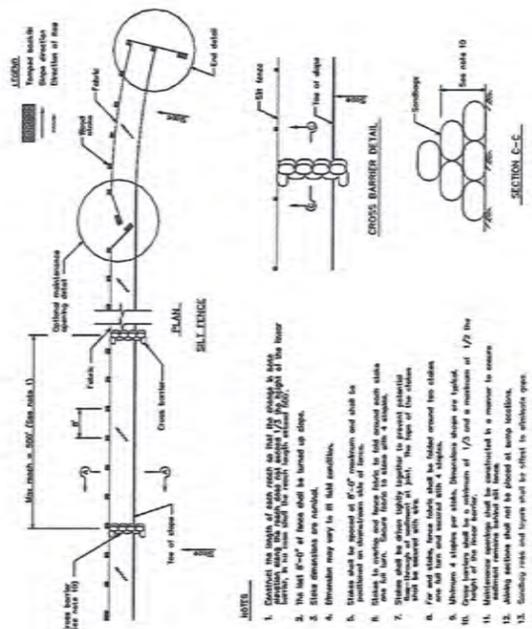
SHEET FILE:
 PROJECT NO:
 ORIGINAL DATE: 01/14/15
 REVISIONS:
 SHEET SIZE: 24" X 36"

ORIG. SCALE:
 VERT. SCALE:
C-4

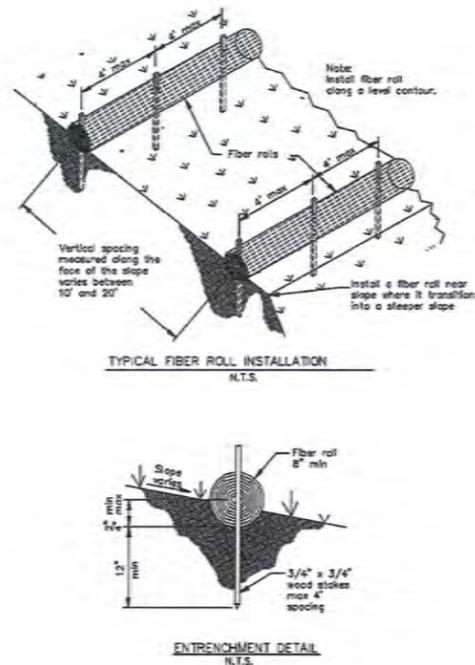
SE-1 Silt Fence



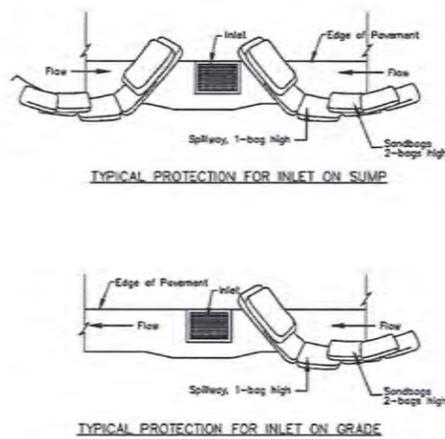
Silt Fence SE-1



SE-5 Fiber Rolls



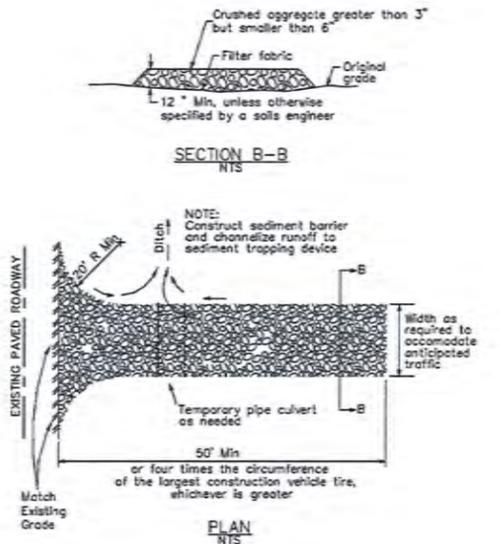
SE-10 Storm Drain Inlet Protection



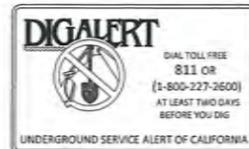
NOTES:
 1. Intended for short-term use.
 2. Use to inhibit non-storm water flow.
 3. Allow for proper maintenance and cleanup.
 4. Bags must be removed after adjacent operation is completed.
 5. Not applicable in areas with high silts and clays without filter fabric.

D1 PROTECTION TYPE 3
 NOT TO SCALE

Stabilized Construction Entrance/Exit TC-1



RECEIVED
 JAN 30 2015



City of Morro Bay			
Public Services Department			
REV.	DATE	BY	DESCRIPTION OF REVISIONS

PREPARED BY: CIVIL DESIGN STUDIO
 FREERIDE AND SUSTAINABLE TRAIL ASSOCIATION (FASTA)
 DEVIN NEWTON, BOARD MEMBER
 805-801-2132

MORRO BAY BIKE PARK
 301 LITTLE MORRO CREEK RD
 MORRO BAY, CALIFORNIA

EROSION & SEDIMENTATION CONTROL DETAILS

SHEET SIZE: 24" X 36"
 C-5



AGENDA NO: C-1

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 13, 2015

FROM: Amy Christey, Police Chief

SUBJECT: Introduction and First Reading of Ordinance No. 592 of the City Council of the City of Morro Bay, California, amending Subsection 14.08.090 O. of the Morro Bay Municipal Code Relating to *Sale and Use of Fireworks*

RECOMMENDATION

Staff recommends the City Council review two versions of Ordinance 592, accept public comment, determine which version the Council prefers, then move for the introduction and first reading of Ordinance 592, by number and title only, amending the Morro Bay Municipal Code (MBMC) Title 14, amending Subsection Section 14.08.090 O. entitled *Sale and Use of Fireworks*.

ALTERNATIVES

There are two versions of Ordinance 592. Both versions amend MBMC subsection 14.08.090 O. to increase the fine structure for the unlawful use of fireworks, and include a provision wherein police officers have the authority to issue an administrative citation for the first offense. However, Version "B" also designates a specified time wherein the lawful sale and use of fireworks is permitted within City limits.

FISCAL IMPACT

There is a slight fiscal impact due to increased staffing during the 4th of July holiday to ensure public safety and compliance with ordinance.

BACKGROUND

On March 10, 2015, the issue of amending the MBMC related to fireworks was brought to Council. The Council directed staff to bring back two versions of an ordinance to amend the current MBMC subsection 14.08.090 O. One version would increase the fine structure, provide a provision for police officers to issue an administrative citation for a first offense. A second version does the same, but also includes a restriction for specific dates the use of "safe and sane" fireworks would be allowed on private property within City limits.

01181.0001/250486.1

Prepared By: AAC

Dept Review: _____

City Manager Review: _____

City Attorney Review: JWP

DISCUSSION

MBMC subsection 14.08.090 O. governs the sale and use of fireworks. Due to increasing public safety concerns, staff recommends increasing the fine structure for the unlawful use of fireworks, and including a provision wherein police officers have the authority to issue an administrative citation for the first offense. Moreover, staff recommends Council designate a specified period of each year, June 30th through July 5th, during which the sale and use of fireworks would be permitted. Staff believes amending MBMC subsection 14.08.090 O. will enhance public safety employees' ability to suppress and/or discourage the unlawful use of fireworks and promote a safe environment for those living in Morro Bay and our visitors. As such, it is recommended the City Council amend subsection 14.08.090 O. to increase the fine structure, include a provision wherein police officers have the authority to issue an administrative citation for the first offense, and limit the days wherein the sale and use of fireworks is lawful within City limits.

CONCLUSION

Staff recommends the City Council introduce Ordinance No. 592 for first reading, by number and title only and waive further reading.

ATTACHMENTS

Ordinance 592 - Version A

Ordinance 592 - Version B

ORDINANCE NO. 592 – VERSION “A”

**AN ORDINANCE OF THE COUNCIL OF THE
CITY OF MORRO BAY, CALIFORNIA
AMENDING SUBSECTION 14.08.090 O.
OF THE MORRO BAY MUNICIPAL CODE
REGARDING THE SALE AND USE OF FIREWORKS**

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

WHEREAS, the City Council is committed to protecting the public health, safety and welfare of the community, and to meet these goals it is necessary for the City Council to adopt measures, from time to time, to meet threats to the public health, safety, and welfare; and

WHEREAS, the unlawful use of Safe and Sane Fireworks on public property, and illegal and dangerous fireworks create a condition that are hazardous to public safety; and

WHEREAS, the Police Department receives numerous public safety calls for service related to the unlawful use of fireworks; and

WHEREAS, increasing the fine structure for the unlawful use of fireworks to reflect \$1,000 for each offense; and

WHEREAS, Police Officers have the authority to issue administrative citations for the first offense without providing an initial warning; and

WHEREAS, other jurisdictions that have enacted similar ordinances increasing the fine structure for such offenses have proven to be successful in discouraging the unlawful use of fireworks; and

WHEREAS, the Police Department believes with the assistance of the media, and social media, adequate signage, increased fine structure, we can promote a safe environment for those living in Morro Bay and our visitors; and

WHEREAS, the City Council, upon determining there is a need to take action to protect public health, safety and welfare, desires to increase the fine structure and provide a provision wherein Police Officers can issue an administrative citation for the first offense.

NOW, THEREFORE, the City Council of the City Of Morro Bay does ordain as follows:

SECTION 1: Subsection 14.08.090 O. of the Morro Bay Municipal Code is hereby amended to read as follows:

O. Section 5609 is added to read as follows:

**SECTION 5609
SALE AND USE OF FIREWORKS**

5609. Sale and Use of Fireworks Unlawful. The sale or use of fireworks, pyrotechnics, and other explosives shall be unlawful, except as expressly provided herein and subject to all the following:

1. The sale of fireworks, approved by the State Fire Marshal as “safe and sane,” shall be permitted, subject to the approval of a permit by the Fire Chief.
2. The use of fireworks, approved by the State Fire Marshal as “safe and sane,” shall be permitted on private property only.
3. Public fireworks displays may be allowed, subject to the approval of a permit by the Fire Chief.
4. Pyrotechnics for use in movie industry operations may be allowed, subject to the approval of a permit by the Fire Chief.
5. This section shall not apply to the sale and use of State Fire Marshall approved and listed party poppers and snap caps.
6. Any person violating this provision will be guilty of a misdemeanor and subject to a \$1,000 fine for each offense.
7. Notwithstanding any other provision of this code, any Morro Bay Police Officer may issue an administrative citation for a first offense without first issuing a warning; and the administrative fine shall be \$1,000 for each offense.

SECTION 2: This Ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be published and posted in the manner required by law.

INTRODUCED at a regular meeting of the City Council of the City of Morro Bay, held on the 28th day of April, 2015 by motion of Councilmember _____, seconded by Councilmember_____.

PASSED AND ADOPTED on the __th day of ___ 2015.

JAMIE L. IRONS, Mayor

ATTEST:

DANA SWANSON, City Clerk

APPROVED AS TO FORM:

JOSEPH W. PANNONE, City Attorney

I, Dana Swanson, City Clerk for the City of Morro Bay, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the _____ day of _____, 2015, and that hereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the _____ day of _____, 2015, by the following vote, to wit:

Ayes:

Noes:

Abstain:

Absent:

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Morro Bay, California, this _____ day of _____, 2015.

City Clerk of the City of Morro Bay

ORDINANCE NO. 592 – VERSION “B”

**AN ORDINANCE OF THE COUNCIL OF THE
CITY OF MORRO BAY, CALIFORNIA
AMENDING SUBSECTION 14.08.090 O.
OF THE MORRO BAY MUNICIPAL CODE
REGARDING THE UNLAWFUL SALE AND USE OF FIREWORKS, AND DEFINING
DATE-SPECIFIC USE PERIOD**

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

WHEREAS, the City Council is committed to protecting the public health, safety and welfare of the community, and to meet these goals it is necessary for the City Council to adopt measures, from time to time, to meet threats to the public health, safety, and welfare; and

WHEREAS, the unlawful use of Safe and Sane Fireworks on public property, and illegal and dangerous fireworks create a condition that are hazardous to public safety; and

WHEREAS, the Police Department receives numerous public safety calls for service related to the unlawful use of fireworks; and

WHEREAS, increasing the fine structure for the unlawful use of fireworks to reflect \$1,000 for each offense; and

WHEREAS, Police Officers have the authority to issue administrative citations for the first offense without providing an initial warning; and

WHEREAS, the lawful sale, and use of “safe and sane” fireworks on private property, may only be used or sold from June 30 through and July 5th; and

WHEREAS, other jurisdictions have enacted similar ordinances increasing the fine structure for such offenses have proven to be successful in discouraging the unlawful use of fireworks; and

WHEREAS, the Police Department believes with the assistance of the media, and social media, adequate signage, increased fine structure, and limiting the days wherein the use of “safe and sane” fireworks can be used, we can promote a safe environment for those living in Morro Bay and our visitors; and

WHEREAS, the City Council upon determining there is a need to take action to protect public health, safety and welfare, desires to increase the fine structure and provide a provision wherein Police Officers can issue an administrative citation for the first offense, and designate a specific period during which “safe and sane” fireworks may be used on private property.

NOW, THEREFORE, the City Council of the City of Morro Bay does ordain as follows:

SECTION 1: Subsection 14.08.090 O. of the Morro Bay Municipal Code is hereby amended to read as follows:

O. Section 5609 is added to read as follows:

**SECTION 5609
SALE AND USE OF FIREWORKS**

5609. Sale and Use of Fireworks Unlawful. The sale or use of fireworks, pyrotechnics, and other explosives shall be unlawful, except as expressly provided herein and subject to all the following:.

Exceptions:

1. The sale of fireworks, approved by the State Fire Marshal as “safe and sane,” shall be permitted, subject to the approval of a permit by the Fire Chief.
2. The use of fireworks, approved by the State Fire Marshal as “safe and sane,” shall be permitted only (i) for the period from June 30 through July 5th of each year and (ii) on private property only.
3. Public fireworks displays may be allowed, subject to the approval of a permit by the Fire Chief.
4. Pyrotechnics for use in movie industry operations may be allowed, subject to the approval of a permit by the Fire Chief.
5. This section shall not apply to the sale and use of State Fire Marshall approved and listed party poppers and snap caps.
6. Any person violating this provision will be guilty of a misdemeanor and subject to a \$1,000 fine for each offense.
7. Notwithstanding any other provision of this code, any Morro Bay Police Officer may issue an administrative citation for a first offense without first issuing a warning and the administrative fine shall be \$1,000 for each offense.

SECTION 2: This Ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be published and posted in the manner required by law.

INTRODUCED at a regular meeting of the City Council of the City of Morro Bay, held on the 28th day of April, 2015 by motion of Councilmember _____, seconded by Councilmember_____.

PASSED AND ADOPTED on the __th day of ___ 2015.

JAMIE L. IRONS, Mayor

ATTEST:

DANA SWANSON, City Clerk

APPROVED AS TO FORM:

JOSEPH W. PANNONE, City Attorney

I, Dana Swanson, City Clerk for the City of Morro Bay, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the _____day of _____, 2015, and that hereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the _____day of _____, 2015, by the following vote, to wit:

Ayes:
Noes:
Abstain:
Absent:

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Morro Bay, California, this _____day of _____, 2015.

City Clerk of the City of Morro Bay



AGENDA NO: C-2

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 22, 2015

FROM: Amy Christey, Police Chief

SUBJECT: Introduction and First Reading of Ordinance No. 593 of the City Council of the City of Morro Bay, California, adding Chapter 9.34 to the Morro Bay Municipal Code (MBMC) Banning the Possession of Certain Intoxicating Compounds Known as Synthetic Drugs

RECOMMENDATION

Staff recommends the City Council take public testimony, move to waive reading of Ordinance 593 in its entirety and introduce for first reading by number and title only, Ordinance No. 593.

ALTERNATIVES

There are provisions for the sale and possession of certain illegal drugs contained in the California Health and Safety Code. However, due to manufacturers of bath salts and spice altering chemical properties so as not to include the prohibited chemicals that California State Law prohibits, staff is not recommending any alternatives.

FISCAL IMPACT

The fiscal impact relates to the time and resources dedicated to investigations of cases and addressing possession of these illegal drugs. Existing resources of the Police Department will be used to investigate these cases.

BACKGROUND

On March 10, 2015, the City Council directed staff to prepare an ordinance banning the possession and sale of synthetic spices and/or bath salts.

DISCUSSION

As proposed, MBMC Chapter 9.34 would prohibit certain intoxicating compounds known as synthetic drugs, also known as Spice and bath salts. Due to increasing public safety concerns, staff recommends banning the possession and sale of those synthetic drugs. The proposed Ordinance supports Council's commitment to protecting the public health, safety and welfare of our community.

01181.0001/250428.1

Prepared By: AAC

Dept Review: _____

City Manager Review: _____

City Attorney Review: JWP

CONCLUSION

Staff recommends the City Council introduce Ordinance No. 593 for first reading, by number and title only and waive further reading.

ATTACHMENTS

Ordinance 593

ORDINANCE NO. 593

**AN ORDINANCE OF THE COUNCIL OF THE
CITY OF MORRO BAY, CALIFORNIA,
ADDING CHAPTER 9.34 TO THE MORRO BAY MUNICIPAL CODE
RELATING TO PROHIBITION OF THE POSSESSION OF CERTAIN
INTOXICATING CHEMICAL COMPOUNDS
KNOWN AS SYNTHETIC DRUGS**

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

WHEREAS, the City Council is committed to protecting the public health, safety and welfare of the community, and to meet these goals it is necessary for the City Council to adopt measures, from time to time, to meet threats to the public health, safety, and welfare; and

WHEREAS, recreational use of Psychoactive Bath Salts, Psychoactive Herbal Incense, and similar products commonly known as “Synthetic Drugs” has been documented to cause hallucinations, agitation, psychosis, aggression, suicidal and homicidal ideations, cannibalism, and death; and

WHEREAS, Synthetic Drugs are extremely dangerous and are gaining popularity at an alarming rate among high school and college-aged individuals, as well as among parolees and probationers; and

WHEREAS, those drugs are widely available in stores throughout the City, despite the State of California’s and the federal government’s attempt to ban such drugs; and

WHEREAS, California State Law, under Health & Safety Code sections 11375.5 (banning synthetic stimulant compounds and derivatives) and 11401 (banning “analogs” of controlled substances) (collectively “State Synthetic Drug Laws”), and Federal law, under the Controlled Substances Act (the “CSA”) (21 U.S.C. § 801, *et seq.*), prohibit Synthetic Drugs; and

WHEREAS, although the State Synthetic Drug Laws and the CSA prohibit certain compounds that are used to create synthetic drugs, they are not comprehensive enough to eliminate the possession of all Synthetic Drugs in the City; and

WHEREAS, the makers of Synthetic Drugs continually alter the composition of the compounds in their products so as to not come under the prohibition of the State Synthetic Drugs Laws, the CSA, and other laws and regulations that attempt to prohibit the sale of Synthetic Drugs; and

WHEREAS, to avoid the continuing threat to public health, safety and welfare that would occur if Synthetic Drugs were permitted in the City, the City finds it necessary to declare

an individual or business possessing Synthetic Drugs as defined herein is a threat to public health, safety and welfare and is, therefore, subject to the City's administrative, criminal and civil enforcement procedures (set forth in the Morro Bay Municipal Code).

NOW, THEREFORE, the City Council of the City of Morro Bay does hereby ordain as follows:

SECTION 1. Chapter 9.34 is added to the Morro Bay Municipal Code to read as follows:

Chapter 9.34 Psychoactive Bath Salts, Psychoactive Herbal Incense, and other Synthetic Drugs

Sections:

- 9.34.010 Purpose and Intent
- 9.34.020 Definitions
- 9.34.030 Possession of Synthetic Drugs Prohibited
- 9.34.040 Public Nuisance
- 9.34.050 Confiscation of Synthetic Drugs
- 9.34.060 Penalties
- 9.34.070 Seizure of Evidence
- 9.34.080 Exclusions

9.34.010 Purpose and Intent

- A. The purpose and intent of this Chapter is to provide the City with measures to address the dangers to the community posed by Synthetic Drugs that are not regulated by State or Federal law.
- B. The City Council finds the dangers of Synthetic Drugs, which have been documented to cause hallucinations, agitations, psychosis, aggression, suicidal and homicidal ideations, cannibalism, and death, require regulation.
- C. This Chapter shall not apply to any activity already regulated by State or Federal drug laws, or any other applicable State or Federal law or regulation.

9.34.020 Definitions

The definitions and provisions contained in this section shall govern the construction of words and phrases used in this chapter. The definition of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derived from it, or from which it is a derivative, as the case may be.

- A. "Business" shall have the same meaning as the term is defined in Section 5.04.010 A. of this Code.

- B. “Distribute,” “distributing,” and “distribution” shall mean to furnish, give away, exchange, transfer, deliver or supply, whether for monetary gain or not.
- C. “Person” shall include any natural person, business, firm, company, corporation, public corporation, club, trust, partnership, association and/or similar organization.
- D. “Possess,” “possessing,” and “possession,” shall mean to have for consumption, distribution, or sale in one’s actual or constructive custody or control, or under one’s authority or power, whether such custody, control, authority and/or power be exercised solely or jointly with others.
- E. “Provide,” “providing,” and “provision” shall mean offering to distribute or sell a product or substance to any person.
- F. “Psychoactive Bath Salts,” shall mean any crystalline or powder product that contains a synthetic chemical compound that, when consumed, elicits psychoactive or psychotropic stimulant effects. The term “Psychoactive Bath Salts” includes without limitation:
1. Products that elicit psychoactive or psychotropic stimulant effects and contain any of the following substances:
 - (a) Salvia Divinorum or Salvinorum A; all parts of the plant presently classified botanically as Salvia Divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts;
 - (b) Cathinone (2-amino-1-phenyl-1-propane), 4- methylmethcathinone (2-methylamino-1-(4-methylphenyl)propan-1 one), 4-methoxymethcathinone (1-(4-methoxyphenyl)-2 (methylamine) propan-1-one), MDPV (methylenedioxyprovalerone), , methylene (3,4-methylenedioxy-Nmethylcathinone), methcathinone (2-(methylamino)-1-phenyl-propan-1-one), flephedrone (4 fluoromethcathinone), 3-FMC (3-fluoromethcathinone), ethcathinone (2-ethylamino-1 -phenyl-propan-1 -one), butylone β -keto Nmethylbenzodioxolylbutamine), a-PPP (a-pyrrolidinopropiophenone), MPPP (4-methyl-a-pyrrolidinopropiophenone), MDPPP (3’,4’ methylenedioxy-apyrrolidinopropiophenone), α -PVP (1-phenyl-2-(1-pyrrolidinyl)-1-pentanone), naphyrone (1-naphthalen-2-yl-2-pyrrolidin-1-ylpentan-1-one), 6-APDB (6(2aminopropyl)2,3 dihydrobenzofuran), and analogs of MDA (3,4-methylenedioxy-methamphetamine);
 - (c) any derivative of the above listed compounds;
 - (d) any synthetic substance and its isomers with a chemical structure similar to the above listed compounds;

- (e) any chemical alteration of the above listed compounds; or
 - (f) any other substantially similar chemical structure or compound; and
2. Products that elicit psychoactive or psychotropic stimulant effects and are marketed under any of the following trade names: Bliss, Blizzard, Blue Silk, Bonzai Grow, Charge Plus, Charlie, Cloud Nine, Euphoria, Hurricane, Ivory Snow, Ivory Wave, Lunar Wave, Ocean, Ocean Burst, Pixie Dust, Posh, Pure Ivory, Purple Wave, Red Dove, Scarface, Snow Leopard, Stardust, Vanilla Sky, White Dove, White Night, and White Lightning.
- G. “Psychoactive Herbal Incense” shall mean any organic product consisting of plant material that contains a synthetic stimulant compound that, when consumed, elicits psychoactive or psychotropic euphoric effects. The term “Psychoactive Herbal Incense” includes without limitation:
- 1. Products that elicit psychoactive or psychotropic euphoric effects and contain any of the following substances:
 - (a) cannabicyclohexanol (2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol), JWH-018 (naphthalen-1-yl-(1-pentylindol-3-yl) methanone), JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone), JWH-200 (1-(2-morpholin-4-ylethyl)indol-3-yl) naphthalen-1-ylmethanone, HU-210 or 1.1-dimethylheptyl-11-hydroxy-delta8-tetrahydrocannabinol (6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyl-octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[*c*] chromen-1-ol), CP-47, 497 (2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyl-octan-2-yl)phenol) and the dimethylhexyl, dimethyloctyl and dimethylnonyl homologues of CP-47, 497, AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(naphthalen-1-yl)methanone), 1-Pentyl-3-(2-methoxyphenylacetyl)indole (also known as JWH-250), 1-Hexyl-3-(1-naphthoyl)indole (also known as JWH-019), 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (also known as JWH-398), N-benzylpiperazine (also known as BZP), 1-(3-trifluoromethylphenyl)piperazine (also known as TFMPP);
 - (b) any derivative of the above listed compounds;
 - (c) any synthetic substance and its isomers with a chemical structure similar to the above listed compounds;
 - (d) any chemical alteration of the above listed compounds; or
 - (e) any other substantially similar chemical structure or compound; or
 - (f) any other synthetic cannabinoid; and
 - 2. Products that elicit psychoactive psychotropic euphoric effects and are marketed under any of the following trade names: K2, K3, Spice, Genie, Smoke, Potpourri,

Buzz, Spice 99, Voodoo, Pulse, Hush, Mystery, Earthquake, Stinger, Ocean Blue, Stinger, Serenity, Fake Weed, and Black Mamba.

- H. “Psychoactive or psychotropic stimulant effects” shall mean affecting the central nervous system or brain function to change perception, mood, consciousness, cognition, and/or behavior in ways that are similar to the effects of cocaine, methylphenidate or amphetamines.
- I. “Psychoactive or psychotropic euphoric effects” shall mean affecting the central nervous system or brain function to change perception, mood, consciousness, cognition, and/or behavior in ways that are similar to the effects of cannabis.
- J. “Sell,” “selling,” and “sale” shall mean to furnish, exchange, transfer, deliver, or supply for monetary gain.
- K. “Synthetic Drug” shall include Psychoactive Bath Salts and Psychoactive Herbal Incense, as those terms are defined hereinabove.

9.34.030 Possession of Synthetic Drugs Prohibited

- A. It is unlawful for any person to possess any Synthetic Drug within the City.
- B. The enforcing officer may consider any of the following evidentiary factors to determine if the product is a Synthetic Drug:
 - 1. The product is not suitable for its marketed use (such as crystalline or powder being marketed as “glass cleaner”);
 - 2. The product contains a warning label that is not typically present on products that are used for that product’s marketed use (such as “not for human consumption,” “not for purchase by minors,” or “does not contain chemicals banned by section 11357.5”);
 - 3. The product resembles an illicit street drug (such as cocaine, methamphetamine or marijuana); or
 - 4. The product’s name or packaging uses images or slang referencing an illicit drug.

9.34.040 Public Nuisance

- A. The storage, provision, sale, or distribution of any Synthetic Drug from any property, structure, or building in the City and any possession of any Synthetic Drug in the City is declared to be a public nuisance.
- B. Civil Remedies Available; Remedies Cumulative. In addition to the penalties provided in Section 9.34.060, any violation of any provision of this Chapter shall constitute a public nuisance and may be abated by the City by civil process by means of a restraining order,

a preliminary or permanent injunction, or in any manner provided by law for the abatement of such nuisance. All remedies herein are cumulative and non-exclusive.

- C. Attorney's Fees. Any person, including the City, who prevails in any action or proceeding for the abatement of a public nuisance as provided herein shall be entitled to recover attorney's fees incurred in any such action or proceeding.

9.34.050 Confiscation of Synthetic Drugs.

Because the use of Synthetic Drugs has been documented to cause hallucinations, agitation, psychosis, aggression, suicidal and homicidal ideations, cannibalism, and death, any violation of this Chapter presents a grave and imminent danger not only to the person consuming the Synthetic Drug, but also to the public at large. Any Police Officer who issues a criminal citation under this Chapter shall confiscate any Synthetic Drugs and store them, pending the conclusion of the criminal case.

9.34.060 Penalties

- A. Failure to comply with any of the requirements of this Chapter is a misdemeanor punishable by imprisonment in the City or County jail for a period not exceeding six (6) months or by fine not exceeding One Thousand Dollars (\$1,000), or by both; provided, that where the City Attorney determines such action would be in the interest of justice, he/she may specify in the accusatory pleading the offense shall be an infraction.
- B. Each person committing, causing, or maintaining a violation of this Chapter or failing to comply with the requirements set forth herein shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Chapter is committed, continued, maintained, or permitted by such person and shall be punishable accordingly.

9.34.070 Seizure of Evidence

Any products or substances possessed in violation of any provision of this Chapter shall be seized and stored in accordance with law.

9.34.080 Exclusions

- A. This Chapter shall not apply to drugs or substances lawfully prescribed or to intoxicating chemical compounds that have been approved by the Federal Food and Drug Administration or are specifically permitted by California law.
- B. This Chapter shall not apply to drugs or substances that are prohibited by State or Federal law, including without limitation, the State Synthetic Drug Laws, and the Federal Controlled Substances Act.

C. This Chapter shall not be deemed to prohibit any act that is permitted, prohibited, or preempted by any State or Federal law or regulation.

SECTION 2. This Ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be published and posted in the manner required by law.

INTRODUCED at a regular meeting the of the City Council of Morro Bay, held on the 28th day of April, 2015 by motion of Councilmember _____, seconded by Councilmember _____.

PASSED AND ADOPTED this ___th day of ___ 2015.

JAMIE IRONS, Mayor

ATTEST:

DANA SWANSON, City Clerk

APPROVED AS TO FORM:

JOSEPH W. PANNONE, City Attorney

I, Dana Swanson, City Clerk for the City of Morro Bay, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the _____day of _____, 2015, and that hereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the _____day of _____, 2015, by the following vote, to wit:

Ayes:
Noes:
Abstain:
Absent:

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Morro Bay, California, this _____day of _____, 2015.

City Clerk of the City of Morro Bay



AGENDA NO: C-3

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 27, 2015

FROM: David Buckingham, City Manager

SUBJECT: Discussion and Direction regarding Agenda for April 30, 2015 Joint Meeting with Cayucos Sanitary District

RECOMMENDATION

Staff recommends the Council receive information provided by staff.

ALTERNATIVES

No alternatives are recommended.

FISCAL IMPACT

There is no fiscal impact associated with this action.

BACKGROUND/DISCUSSION

Staff will provide a brief presentation of the recent decisions that have been made in an effort to build a new Water Reclamation Center at the Rancho Colina site, as well as the proposed next steps in that process. No Council action is being requested at this time.

Prepared By: DWB Dept Review: _____
City Manager Review: _____
City Attorney Review: _____



AGENDA NO: D-1

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 23, 2015

FROM: David Buckingham, City Manager

SUBJECT: Discussion and Direction to Staff Regarding Lease Site 69-70/69W-70W located at 595 Embarcadero (Morro Bay Aquarium)

RECOMMENDATION

Staff recommends the City Council direct staff to work directly with representatives of the Central Coast Aquarium (CCA) Board of Directors and executive leadership, and by extension with Cal Poly, to assist the CCA to develop a proposal for the operation and future redevelopment of the Morro Bay Aquarium lease site.

ALTERNATIVES

- Bring to Council a proposal to accept the current proposal from the current leaseholder.
- Recraft an RFP and re-release that RFP for a third public opportunity to respond.

FISCAL IMPACT

None

BACKGROUND

The Morro Bay Aquarium, under the tenancy of Dean and Bertha Tyler, has been a significant presence on the Embarcadero for 50 years. The City wants to honor that legacy while building for the future.

In 2011, the City began the normal lease renewal process by contacting the current leaseholder. Through many meetings and discussions between staff and the leaseholder and leaseholder representatives, the leaseholder was not able to propose any measurable change to the existing physical site or operating arrangement--which are considered minimum essential improvements.

In 2012 and 2013, Council directed staff to develop an RFP for the site. The RFP was to include both Aquarium and Marine Education components, and was issued in October, 2013, with an April, 2014, deadline to submit. That deadline was extended for all to October, 2014.

The City received no proposals consistent with the RFP. The City received a proposal from the current leaseholder that included minimal changes to the physical site. The City also received many

01181.0001/250617.1

Prepared By: DWB

Dept Review: _____

City Manager Review: _____

City Attorney Review: JWP

inquiries from CCA, but those conversations did not result in a formal response to the RFP.

As staff considered the way ahead, a number of informal discussions with CCA representatives resulted in this agenda item.

DISCUSSION

The fifty-year history of the Morro Bay aquarium should be honored and that legacy remembered and enshrined. That said, we should take action now to secure a bright, multifaceted, visitor serving future for the Aquarium lease site.

The City Council has clearly stated an intention to attract a partner with the capacity to revitalize the aquarium site in a way that supports our vision for the next 50 years. That intention includes both a visitor-serving Aquarium component, and a marine education component.

The City released an RFP seeking such a partner, but no proposals were submitted for consideration. Primarily, it appears the RFP may have been too constricting for a non-profit to make a proposal that met the requirements laid out in the RFP, or the timeline too short to allow for development of a proposal of the scope and nature the City envisioned.

The current lease holder has requested a 10-year lease extension through 2028. That request did not include any substantial physical improvements to the site, nor did it add any additional educational components. The request is essentially 10 years, “as is”.

CCA is a 501(c)(3) non-profit organization that owns and operates the Central Coast Aquarium in Avila Beach. That aquarium serves visitors on the weekends and summer weekdays. On weekdays during the school year, the aquarium attracts about two school groups a day for ½-day or full-day educational programs.

Informal meetings with CCA leadership indicate a keen interest in working with the City to develop a similar, and perhaps even broader, opportunity in Morro Bay at the current aquarium lease site. Staff believes we share a common vision.

The long-term goal is to create a multifaceted recreational, educational and research facility in Morro Bay. That would include, in time, building a new aquarium – perhaps a \$5M facility. The project would likely be a type of private/public partnership involving the CCA, Cal Poly, and the City. Conceptually, the future Aquarium would:

- have a first floor Aquarium, primarily visitor serving;
- have a dock suitable for use by Cal Poly marine research vessels;
- have a marine research laboratory, with interior windows that would allow visitors and school groups to observe Cal Poly researchers at work;
- have a large second floor space suitable for school-group educational activities, Cal Poly college classes, and public events, such as office parties or weddings; and
- honor and enshrine the first 50 years of the Morro Bay Aquarium.

Staff believes that vision is fully consistent with previous Council guidance regarding the Aquarium, and for creating improved visitor “attractions” in Morro Bay. Further, staff believes some level of City subsidy of this non-profit, resident and visitor enhancing partnership may be appropriate. That “subsidy” may come in the form of reduced cost permits, reduced lease fees, or both. Please note with that financial assistance, prevailing wages would apply to any construction work done at the

Aquarium. The financial requirements in the RFP were of measurable concern to CCA, but staff is confident there may be a way to structure a proposal that would be beneficial both to the City, and the non-profit CCA.

Any proposal would be required to come back to Council for approval. We anticipate CCA would likely have a proposal ready for Council consideration by the end of 2015.

CONCLUSION

The Morro Bay Aquarium has been an important and significant institution in Morro Bay's first 50 years. We should build on that legacy as we rebuild for the next 50 years. The City conducted numerous public meetings in 2013 in determining to go out to RFP for a 21st Century Aquarium/Marine Education facility to replace the existing aquarium. While no formal proposals were received, the City's informal discussions with CCA make it clear we share a common vision. Staff thus recommends the City Council direct staff to work directly with representatives of CCA's Board of Directors and executive leadership, and by extension with Cal Poly, to assist CCA to develop a proposal for the operation and future redevelopment of the Morro Bay Aquarium lease site. That proposal would be brought to Council for consideration.



AGENDA NO: D-2

MEETING DATE: April 28, 2015

Staff Report

TO: Honorable Mayor and City Council

DATE: April 23, 2015

FROM: Scot Graham, Community Development Manager

SUBJECT: Discussion and Direction on Prioritization of Planning Division Objectives

RECOMMENDATION

Review the staff report and presentation by staff and provide guidance on prioritization of the planning work program items presented.

ALTERNATIVES

None

FISCAL IMPACT

Some of the planning work program items are included as budgeted line items in the draft budget, while others involve only staff time.

BACKGROUND

The City Clerk maintains an Agenda Planning Guide, which tracks various items that will be coming forward to future Council meetings. Items are placed on the Agenda Planning Guide by either staff or Council often with a targeted hearing dates identified. Many of the Planning work program items are related to the recently adopted 2015-2016 City Goals and Objectives, while other items are reflective of ongoing work efforts that require Council review.

DISCUSSION

The Planning Division work program items have been placed in a table format with columns denoting Item description, Budget status, Staff or Consultant work item, Related Goal, Notes and Status. The first column is left blank and denotes a Priority status (to be determined by Council). The General Plan/Local Coastal Program Update is not included in the table as Council has already provided clear direction with regard to that objective.

Prepared By: SG

Dept Review: SG

City Manager Review: _____

City Attorney Review: _____

Priority #	ITEM	IN BUDGET	STAFF/CONSULTANT	RELATED GOAL	NOTES/STATUS
	Residential Design Guidelines	Y	Staff	3d	In Process. To PC on 5/5/15
	Secondary Units Ordinance	Y	Staff	3b	Work underway, Tentative to PC in June 2015
	Parking Mgmt. Plan	Y	Staff	7c	Staff reviewing options for implementation of angled and paid parking
	Waterfront Master Plan	N	Requires Consultant	3	TBD/Informed by GP/LCP update
	Beach St. Parking Amendment	Y	Staff	3	Work to start Summer 2015
	Review of Beach St. SP Plan	Y	Staff	3	TBD/informed by GP/LCP update
	Sign Ordinance Update	Y	Staff	-	Start staff outreach July 2015
	Historic Resource Analysis	N	Requires consultant services	-	TBD/informed by GP/LCP update
	Review North Main SP. Plan	Y	Staff	3	TBD/Informed by GP/LCP update
	Reclaimed Gray water Ordinance Discussion	-	Likely Staff	-	TBD
	Solar-Ready Ordinance	-	Likely Staff	-	TBD
	Commercial Design Guidelines	-	Likely Staff	-	TBD
	Compact Infill Ordinance	-	Likely Staff	0	TBD
	Downtown SP Review	Y	Review Staff/update consultant	3e	TBD/informed by GP/LCP update

CONCLUSION

In conjunction with the ongoing budget efforts, staff is seeking to prioritize the Planning Division work program through FY 15/16. The above referenced table includes work program items that are currently under way, scheduled to commence within the next few months and those items where no start date has been identified. The Council should provide input as to prioritization of the listed items to allow staff to better allocate appropriate resources to the various work efforts.

BACKGROUND/DISCUSSION

The City receives approximately 10-15 requests for the installation of stop signs at uncontrolled, or partially controlled, intersections per year. Earlier this year, the City received a petition for the installation of additional stop signs specifically at the subject intersection. Based on that request, the City Council requested that the Public Works Advisory Board (PWAB) review that intersection and provide their input. The PWAB reviewed this issue at their February meeting and requested the City Council order the preparation of an updated traffic engineering report.

Installation of Traffic Control Devices is governed by three separate regulations: the City of Morro Bay Municipal Code Chapter 10, The California Vehicle Code (CVC) and the California Manual of Uniform Traffic Control Devices (CMUTCD).

The City of Morro Bay performs an analysis of the intersection to determine whether installation of a stop sign is “warranted”. The “warrant” criteria for installation of stop signs are summarized below:

1. The CVC establishes the right-of-way rule at intersections having no regulatory traffic control signs such that the driver of a vehicle approaching an intersection must yield the right-of-way to any vehicle or pedestrian already in the intersection. When two vehicles approach an intersection from different streets or highways at approximately the same time, the right-of-way rule requires the driver of the vehicle on the left to yield the right-of-way to the vehicle on the right. The right-of-way can be modified at through streets or highways by placing YIELD signs or STOP signs on one or more approaches.
2. Liberal use of good engineering judgment should be used to establish intersection control. The following factors should be considered:
 - A. Vehicular, bicycle, and pedestrian traffic volumes on all approaches;
 - B. Number and angle of approaches;
 - C. Approach speeds;
 - D. Sight distance available on each approach; and
 - E. Reported crash experience.
3. YIELD or STOP signs should be used at an intersection if one or more of the following conditions exist:
 - A. An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;
 - B. A street entering a designated through highway or street; and/or
 - C. An unsignalized intersection in a signalized area.
4. In addition, the use of YIELD or STOP signs should be considered at the intersection of two minor streets or local roads where the intersection has more than three approaches and where one or more of the following conditions exist:
 - A. The combined vehicular, bicycle, and pedestrian volume entering the intersection from all approaches averages more than 2,000 units per day;

- B. The ability to see conflicting traffic on an approach is not sufficient to allow a road user to stop or yield in compliance with the normal right-of-way rule if such stopping or yielding is necessary; and/or
- C. Crash records indicate that five or more crashes that involve the failure to yield the right-of-way at the intersection under the normal right-of-way rule have been reported within a 3-year period, or that three or more such crashes have been reported within a 2-year period.

5. Yield or stop signs should not be used for speed control.

Based upon the above criteria, Morro Bay has relatively few intersections where standard warrants are not met but where managing traffic continues to be a public concern, including Main and Pacific Streets.

There is a provision in Chapter 10 of the Morro Bay Municipal Code that allows the City Council to place traffic control devices: *10.08.080 - Placement by council: Notwithstanding the above sections (in Chapter 10 of the MBMC), the city council shall have the power to place and maintain or cause to be placed or maintained official traffic-control devices when and as required under this chapter to make effective the provisions of this chapter and may place and maintain such additional traffic-control devices as it deems necessary to regulate traffic under this chapter or under the state law, or to guide or warn traffic.* This provision allows the placement of a traffic control device without the engineering analysis normally required for the City Engineer to place such a device.

Main/Pacific Streets Engineering Analysis

Based on the engineering evaluation of the Main and Pacific intersection certified February 14, 2012 (Attachment 1), it was found that all eight of the warrants are not met at the intersection of Main and Pacific Streets. The vehicular and pedestrian volumes in the area, while high for Morro Bay, are too low to meet the requirements given in the MUTCD for the first four warrants. In addition, with the low crash experience and absence of local schools and traffic control signals, the warrants for those issues are not met. Additionally, the warrant for roadway network coordination is not applicable either, due to low volumes. Since none of the warrants are met, it seems unnecessary, by the standards brought forth in the MUTCD, to install additional stop signs at Main and Pacific Streets. *(Note: Since the publication of the report there have been five additional accidents reported, but still does not meet the accident threshold of five accidents per year.)*

Date	Time	Street	Cross Street	Principal Cause
3/21/2012	9:20	Main Street	Pacific Street	Driver crossing Main on Pacific failed to Yield (21802(a))
9/15/2012	18:00	Main Street	Pacific Street	Driver crossing Main on Pacific failed to Yield (21802(a))
6/11/2014	17:25	Main Street	Pacific St	Driver turning left on to Main from Pacific failed to Yield (21802(a))
12/5/2014	15:35	Main	Pacific	Driver crossing Main on Pacific failed to Yield (21802(a))
12/25/2014	13:51	Main	Pacific	Driver crossing Main on Pacific failed to Yield (21802(a))

Table 1: Accidents since February 14, 2012

In addition to collecting data on vehicular volumes, the traffic count also collected data on vehicle speed. The average speed on Main Street was 24 mph; therefore, it does not appear that speeding is the cause of unsafe driver behavior. There are also adequate stopping sight distances at the intersection. The report states that the Public Works (Services) Department will periodically evaluate this intersection's accident history to determine if a change in conditions warrants a traffic control device installation. In the three years since the traffic engineering report there have not been any changes in the land use that would cause additional traffic on the Pacific Street approaches. Anecdotally, engineering staff has only noticed an occasional pedestrian, cyclist or vehicle using Pacific Street at Main Street; in those cases there has been no issue with the vehicles or pedestrians on Pacific Street navigating the intersection. It appears with adequate sight distance, any accidents or so called "near misses" are a result of inattention or poor driver behavior.

ATTACHMENTS

1. Stop Sign Warrant Analysis – Main and Pacific Streets, February 14, 2012
2. Citizen Petition

Stop Sign Warrant Analysis

Main Street and Pacific Street



January – February 2012

Prepared by:

**Department of Public Services
955 Shasta Avenue
Morro Bay, CA 93442**

Purpose

The City of Morro Bay received a request for an installation of stop signs along Main Street at its intersection with Pacific Street. Currently, there are stop signs on Pacific Street and no stop controls along the Main Street approaches. The first step in the stop sign petition process is for the Traffic Engineer to evaluate whether or not this location meets specific traffic warrants. If some or all of these warrants are met, the Traffic Engineer may approve the installation of traffic control devices at this intersection. However, if these warrants are not met, residents in the area may sign a petition and submit it to the Department of Public Services. The objective of this report is to evaluate the traffic conditions at the intersection of Main Street and Pacific Street. If the warrants are met, then the installation of stop signs in this area will be justified. It is expected with Morro Bay's low vehicular traffic and population that most, if not all, of the warrants will not be met. If this is the case, other options will be explored.

Background

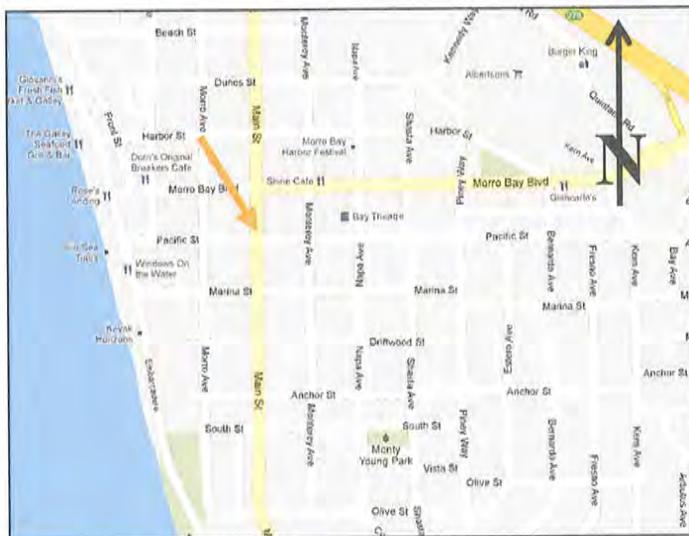


Figure 1: Study Location

The study area is located in the southern part of Morro Bay, relatively close to the waterfront, as can be seen in Figure 1. Main Street is one of the major arterials within Morro Bay. It is the only street, other than Highway 1, that connects north and south Morro Bay. Its intersection with Pacific Street is one block south of Morro Bay Boulevard. The area directly surrounding the intersection is mostly residential, with a few small businesses and the Morro Crest Inn. This intersection is located just south of the downtown commercial district. The Embarcadero is also only a few blocks away. Although the

intersection is located in a primarily residential area, shops, businesses, and other attractions are nearby. Currently, the only traffic control devices at this intersection are two stop signs on Pacific Street—one on the northbound approach and one on the southbound approach. The approaches from Main Street are currently uncontrolled.

Compared to most of Morro Bay, this area has a relatively high amount of traffic, since it is in the downtown area. However, the volumes are still fairly low; therefore, the intersection has not needed stop signs thus far. However, the City of Morro Bay has received complaints that the intersection is dangerous. Throughout the years, there have been a few crashes at this intersection. Due to the safety concerns of a few citizens, a traffic study was conducted between January 25th and February 8th of 2012.

Method of Study

The California Manual on Uniform Traffic Control Devices (MUTCD) details eight different warrants for the installation of traffic signals. It is not necessary that all eight of these be met for the signals to be approved. The warrants are listed below:

- Warrant 1: Eight-Hour Vehicular Volume
- Warrant 2: Four-Hour Vehicular Volume
- Warrant 3: Peak Hour
- Warrant 4: Pedestrian Volume
- Warrant 5: School Crossing
- Warrant 6: Coordinated Signal System
- Warrant 7: Crash Experience
- Warrant 8: Roadway Network

Each warrant has specific conditions and standards that must be met, and these are discussed thoroughly in the California MUTCD. Therefore; this report will contain only relevantly specific details.

The first four warrants are concerned primarily with volumes. For the first warrant to be met, conditions for volume must be met for at least eight hours. There are two conditions—

Condition A is for minimum vehicular volume, and Condition B is for the interruption of continuous traffic—both of these conditions need inputs of the number of lanes of the intersecting streets and the volume, in vehicles per hour, of both

Condition A—Minimum Vehicular Volume									
Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on higher-volume minor-street approach (one direction only)			
Major Street	Minor Street	100% ^a	80% ^b	70% ^c	56% ^d	100% ^a	80% ^b	70% ^c	56% ^d
1.....	1.....	500	400	350	280	150	120	105	84
2 or more...	1.....	600	480	420	336	150	120	105	84
2 or more...	2 or more ...	600	480	420	336	200	160	140	112
1.....	2 or more	500	400	350	280	200	160	140	112

Condition B—Interruption of Continuous Traffic									
Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on higher-volume minor-street approach (one direction only)			
Major Street	Minor Street	100% ^a	80% ^b	70% ^c	56% ^d	100% ^a	80% ^b	70% ^c	56% ^d
1.....	1.....	750	600	525	420	75	60	53	42
2 or more...	1.....	900	720	630	504	75	60	53	42
2 or more...	2 or more ...	900	720	630	504	100	80	70	56
1.....	2 or more	750	600	525	420	100	80	70	56

Figure 2: Warrant 1, Eight-Hour Vehicular Volume

the major and minor street. Either Condition A or Condition B must be satisfied at 100%, or both must be satisfied at 80%, and these specific volumes are given in the MUTCD and are shown in Figure 2.

Warrant 2 is similar to the first one, but it only requires four hours of volume to meet certain standards. The data needed for this warrant are the same as for Warrant 1: the number of lanes of the two streets and the volumes (veh/hr) of both the major and minor streets. This warrant is met if for any four hours of an average day, their volumes plot above the applicable curve given in the MUTCD and shown in Figure 3.

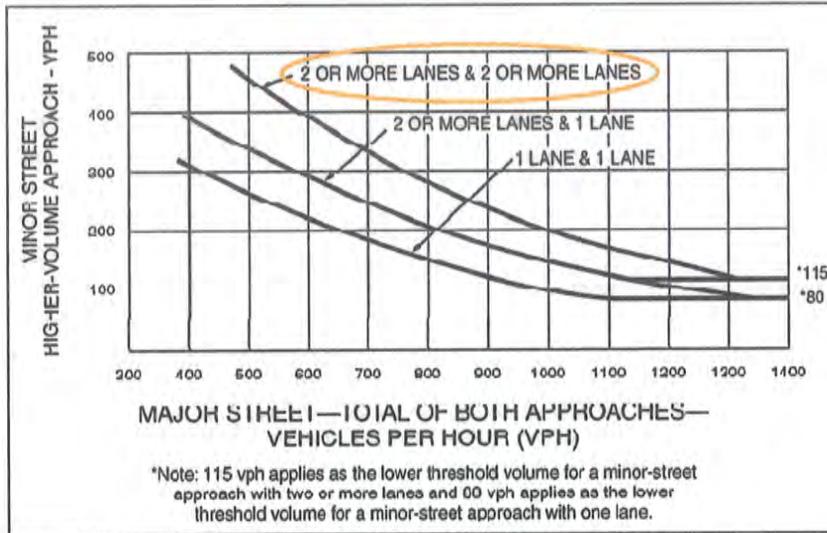


Figure 3: Warrant 2, Four-Hour Vehicular Volume

The third warrant is similar to the first two, except it focuses on the study area for a specific hour. This warrant is typically used when traffic conditions peak at a specific hour, causing excess delay to the minor street vehicles. Similar to Warrant 2, the Peak Hour Warrant requires at least one hour to plot above the given curve. The variables are the same, but the standard is higher for one hour than it was

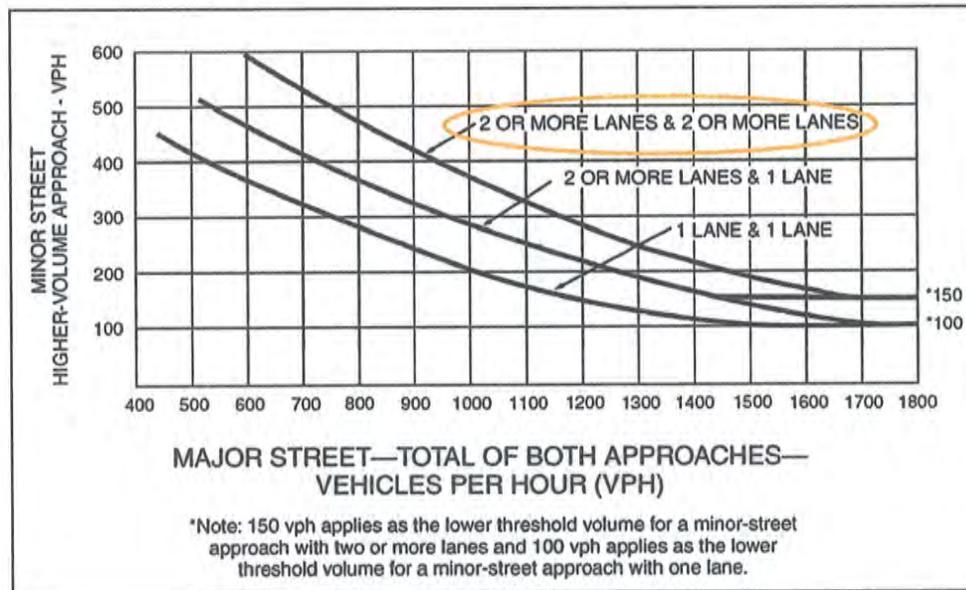


Figure 4: Warrant 3, Peak Hour

for four or eight. The peak hour curve can be seen in Figure 4.

Warrant 4 is the Pedestrian Volume Warrant. This warrant is typically considered when the volume on the major street prevents pedestrians from crossing the street comfortably. This warrant is met if

both of the following conditions from the MUTCD are met. First, *the pedestrian volume crossing the major street at an intersection or midblock location during an average day is 100 or more for each of any*

4 hours or 190 or more during any 1 hour. The second condition is met if *there are fewer than 60 gaps per hour in the traffic stream of adequate length to allow pedestrians to cross during the same period when the pedestrian volume criterion is satisfied.* In addition to these specific conditions, unless it does not interfere with progressive traffic flow, this warrant should not be applied if there is a traffic control signal located within 300 ft of the proposed location. Another important piece to note is that the MUTCD states that *the criterion for the pedestrian volume crossing the major roadway may be reduced as much as 50 percent if the average crossing speed of pedestrians is less than 1.2 m/sec (4 ft/sec).* This exception is most likely applicable in Morro Bay, since the city has a high population of elderly citizens.

Warrant 5 is for School Crossings, and is applied in cases where there are a significant number of school children crossing the street. For this warrant to be applied, there must be a minimum of 20 students crossing at the highest crossing hour, and there must be an insufficiency in crossing gaps. In addition to these, unless it does not interfere with progressive traffic flow, this warrant should not be applied if there is a traffic control signal located within 300 ft of the proposed location. Also, if this warrant is met, other options should be explored first: warning signs, school speed zones, and school crossing guards.

The sixth warrant is for a Coordinated Signal System. This warrant is applied when there are other traffic signals nearby, and an additional signal is needed to maintain proper platooning of vehicles and facilitate progressive traffic flow. This warrant should not be applied when the resultant spacing of signals would be less than 1,000 feet.

Warrant 7 deals with Crash Experience at the location of interest. There must be records of crashes at the intersection, and other alternatives must have been tested before the installation of a signal is to be considered. In a 12 month period, there must have been at least 5 recorded injury-related or property-damaging crashes at the intersection that could have been avoided with a traffic signal. Also, certain conditions from Warrant 1 and 4 must also be met—relating vehicular and pedestrian volume to crash experience.

Warrant 8 is called the Roadway Network Warrant, and this warrant would be used in conditions that would encourage drivers to use particular routes—channeling vehicles onto main routes, rather than causing congestion on local, minor roads. This warrant can be used with current or projected vehicular volumes, if there are plans for new development.

Results of Study

From Wednesday, January 25th through Wednesday, February 8th, a traffic study was conducted at the intersection of Pacific Street and Main Street. Vehicular volume data was collected; pedestrian behavior was observed; and crash history was researched. With this information, an analysis was completed on whether or not the signal warrants could be met for this area.

The first three warrants, as described earlier, are related to hourly vehicular volume. Volume counts were done on Main Street, just north of its intersection with Pacific Street. These data can be seen in Table 1. Throughout the time that the traffic counter was on Main Street, it measured an AM Peak volume of 385 vehicles during the eleven o'clock hour and a PM Peak volume of 425 vehicles during the one o'clock hour. This means that the highest volume of vehicles travelling along Main Street during any given hour was 425 vehicles.

For Warrant 1 to be met, it is necessary to have a major street hourly volume of at least 480 veh/hr to be considered, and this volume would have to be present for at least eight hours of an average day. Similarly, to meet Warrant 2, four points would have to plot above the given curve. The lowest major

Table 1: Hourly Volume

Start Time	01-Feb-12 NB-SB	02-Feb-12 NB-SB	03-Feb-12 NB-SB	04-Feb-12 NB-SB	05-Feb-12 NB-SB	06-Feb-12 NB-SB	07-Feb-12 NB-SB
12:00 AM	*	5	10	18	20	8	10
01:00	*	1	5	12	12	2	3
02:00	*	0	0	2	4	0	0
03:00	*	4	3	10	1	1	1
04:00	*	9	5	7	1	8	8
05:00	*	19	19	14	14	14	13
06:00	*	79	65	45	44	44	61
07:00	*	155	176	107	87	154	162
08:00	*	288	262	219	173	238	234
09:00	*	309	330	276	244	360	261
10:00	325	279	353	322	255	314	279
11:00	335	309	337	385	312	325	342
12:00 PM	361	365	383	401	357	346	317
01:00	318	342	377	425	319	323	317
02:00	349	333	381	247	310	335	319
03:00	403	360	372	243	240	325	334
04:00	332	332	368	191	202	341	308
05:00	341	302	356	214	155	289	264
06:00	212	219	274	263	116	185	192
07:00	131	164	191	200	126	135	115
08:00	86	97	148	112	64	68	87
09:00	63	74	103	89	51	45	66
10:00	31	23	53	66	22	21	33
11:00	9	16	21	31	9	14	12
Total	3296	4084	4592	3899	3138	3895	3738
AM Peak	11:00	09:00	10:00	11:00	11:00	09:00	11:00
Vol.	335	309	353	385	312	360	342
PM Peak	15:00	12:00	12:00	13:00	12:00	12:00	15:00
Vol.	403	365	383	425	357	346	334

street volume shown on the graph is 300 veh/hr, and for that to be met, the minor street would have to exhibit an hourly volume of well over 500 veh/hr. Warrant 3 is the Peak Hour Warrant, and the standards are even higher. As can be seen in Figure 4, the minimum major street volume displayed is 400 veh/hr. On Main Street, the highest hourly volume recorded was only 425 veh/hr; therefore, the first three warrants on vehicular volume fail to be met by a significant margin.

The intersection of Main Street and Pacific Street exhibits a low pedestrian activity; therefore, the hourly volume does not reach 100 ped/hr. For Warrant 4 to be met, the pedestrian volume must be at least 100 ped/hr for at least 4 hours or over 190 ped/hr for at least one hour during an average day. Clearly, this warrant is not met for this area.

Warrant 5 and 6 are not applicable for this study location, as there are no schools or traffic signals located in close proximity.

Warrant 7 has to do with Crash Experience in the area. After looking at records for the past five years (2007-2011), it was found that there have been seven reported crashes within the past five years: one in 2011, one in 2010, three in 2009, one in 2008, and one in 2007. The first requirement with respect to this warrant calls for *five or more crashes reported within a 12 month period susceptible to correction by a traffic signal, and involving injury or damage exceeding the requirements for a reportable crash*. Since there were only a max of three crashes within a 12 month period, and not all of them were injury-related, this requirement is not satisfied. There *is* a second requirement for this warrant; however, *both* requirements must be met to meet the warrant. Furthermore, this second requirement states that one condition of either warrant 1 or 4 must be satisfied at 80%. The intersection of Main and Pacific does not meet these conditions either. Therefore, Warrant 7 is not satisfied.

Warrant 8 states that the intersection must have *a total existing or immediately projected entering volume of at least 1,000 vehicles per hour* during the peak hour or during 5 weekend hours. It is not evident that the intersection of Main Street and Pacific Street has such a volume, nor are there any projections for such an increase.

Conclusions and Recommendations

Through this warrant analysis, it was found that all eight of the warrants are not met at Main Street and Pacific Street, as expected. The vehicular and pedestrian volumes in the area are too low to meet the requirements given in the MUTCD for the first four warrants. In addition, with the relatively low crash experience, and absence of local schools and traffic control signals, warrants 5, 6, and 7 are not met. Warrant 8 is not applicable either, due to low volumes. Since none of the warrants are met, it seems



Figure 5: Northbound Main Approach

unnecessary, by the standards brought forth in the MUTCD, to install stop signs along Morro Avenue at its intersection with Marina Street.

In addition to collecting data on vehicular volumes, the traffic count also collected data on vehicle speeds on Main Street. The average speed was 24 mph; therefore, it does not seem like speeding is the cause of unsafe driver behavior. In addition, sight distances at the intersection are fairly good with very few obstructions, as can be seen in Figure 5.

As has been shown through this report, stop signs are not warranted in this area. However, if it is still the desire of the community, they may petition City Council for the installation of these stop signs. For more information, see the Municipal Code 10.16.010, Subsection C.

Appendix

City of Morro Bay

955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6200

Main at Pacific, North Side
Wednesday - Wednesday
Installed by: Damaris & Sarah

Date Start: 01-Feb-12
Date End: 08-Feb-12

Closest Cross Street: Morro Bay Blvd.

Start Time	01-Feb-12 NB-SB	02-Feb-12 NB-SB	03-Feb-12 NB-SB	04-Feb-12 NB-SB	05-Feb-12 NB-SB	06-Feb-12 NB-SB	07-Feb-12 NB-SB
12:00 AM	*	5	10	18	20	8	10
01:00	*	1	5	12	12	2	3
02:00	*	0	0	2	4	0	0
03:00	*	4	3	10	1	1	1
04:00	*	9	5	7	1	8	8
05:00	*	19	19	14	14	14	13
06:00	*	79	65	45	44	44	61
07:00	*	155	176	107	87	154	162
08:00	*	288	262	219	173	238	234
09:00	*	309	330	276	244	360	261
10:00	325	279	353	322	255	314	279
11:00	335	309	337	385	312	325	342
12:00 PM	361	365	383	401	357	346	317
01:00	318	342	377	425	319	323	317
02:00	349	333	381	247	310	335	319
03:00	403	360	372	243	240	325	334
04:00	332	332	368	191	202	341	308
05:00	341	302	356	214	155	289	264
06:00	212	219	274	263	116	185	192
07:00	131	164	191	200	126	135	115
08:00	86	97	148	112	64	68	87
09:00	63	74	103	89	51	45	66
10:00	31	23	53	66	22	21	33
11:00	9	16	21	31	9	14	12
Total	3296	4084	4592	3899	3138	3895	3738
AM Peak	11:00	09:00	10:00	11:00	11:00	09:00	11:00
Vol.	335	309	353	385	312	360	342
PM Peak	15:00	12:00	12:00	13:00	12:00	12:00	15:00
Vol.	403	365	383	425	357	346	334

City of Morro Bay

955 Shasta Avenue
 Morro Bay, CA 93442
 (805) 772-6200

Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Date Start: 01-Feb-12
 Date End: 08-Feb-12

Closest Cross Street: Morro Bay Blvd.

Start Time	08-Feb-12 NB-SB	09-Feb-12 NB-SB	10-Feb-12 NB-SB	11-Feb-12 NB-SB	12-Feb-12 NB-SB	13-Feb-12 NB-SB	14-Feb-12 NB-SB
12:00 AM	5	*	*	*	*	*	*
01:00	2	*	*	*	*	*	*
02:00	3	*	*	*	*	*	*
03:00	1	*	*	*	*	*	*
04:00	6	*	*	*	*	*	*
05:00	13	*	*	*	*	*	*
06:00	67	*	*	*	*	*	*
07:00	169	*	*	*	*	*	*
08:00	315	*	*	*	*	*	*
09:00	295	*	*	*	*	*	*
10:00	299	*	*	*	*	*	*
11:00	239	*	*	*	*	*	*
12:00 PM	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*
06:00	*	*	*	*	*	*	*
07:00	*	*	*	*	*	*	*
08:00	*	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*
Total	1414	0	0	0	0	0	0
AM Peak	08:00						
Vol.	315						
PM Peak							
Vol.							



Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Morro Bay Blvd.

COMBINED

Report for 2/1/2012 9:14:00 AM to Midnight

Vehicles	Peak Periods			
	AM		PM	
2.789	Time	11:15	Time	03:00
	Count	289	Count	316
	PHF	0.860	PHF	0.823

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	Buses	2 Axle Long	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	219	1295	5	671	368	46	0	8	2	0	0	1	0	174
Percent	7.9	46.4	0.2	24.1	13.2	1.6	0.0	0.3	0.1	0.0	0.0	0.0	0.0	6.2

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	300	381	322	242	183	182	133	144	110	72	80	68	61	511
Percent	10.8	13.7	11.5	8.7	6.6	6.5	4.8	5.2	3.9	2.6	2.9	2.4	2.2	18.3

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	382	300	612	782	431	189	74	18	0	1	0	0	0	0
Percent	13.7	10.8	21.9	28.0	15.5	6.8	2.7	0.6	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	2407	2107	1495	713	282	93	19	1	1	0	0	0	0	0
Percent	86.3	75.5	53.6	25.6	10.1	3.3	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	13	14	16	25	26	27	33	36	39

Average (Mean) 26

Pace Speed 22-31
 Number in Pace 1433
 Percent in Pace 51.4

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	118.5	127.4	172.4	406.0	930.0	0	0	0	0	0	0

Axles Per Vehicle 2.14



Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Morro Bay Blvd.

COMBINED

Report for Thursday, February 02, 2012

Vehicles	Peak Periods	
	AM	PM
3,347	Time 11:30 Count 293 PHF 0.852	Time 03:00 Count 317 PHF 0.871

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	218	1866	725	10	214	50	1	14	1	0	1	0	0	247
Percent	6.5	55.8	21.7	0.3	6.4	1.5	0.0	0.4	0.0	0.0	0.0	0.0	0.0	7.4

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	293	427	386	295	235	199	162	150	128	114	110	95	87	659
Percent	8.8	12.8	11.6	8.8	7.0	6.0	4.9	4.5	3.8	3.4	3.3	2.8	2.6	19.7

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	480	388	899	1025	405	110	30	8	2	0	0	0	0	0
Percent	14.3	11.6	26.9	30.6	12.1	3.3	0.9	0.2	0.1	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	2867	2479	1580	555	150	40	10	2	0	0	0	0	0	0
Percent	85.7	74.1	47.2	16.6	4.5	1.2	0.3	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Percentile	5%	10%	15%	45%	55%	85%	90%	95%						
Speed	13	14	16	24	26	31	32	35						

Average (Mean) 24

Pace Speed 22-31
 Number in Pace 1963
 Percent in Pace 58.6

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	113.6	125.2	177.3	375.7	316.3	0	437.0	0	0	0	0
Axles Per Vehicle	2.17										

Closest Cross Street: Morro Bay Blvd.



Main at Pacific, North Side
Wednesday - Wednesday
Installed by: Damaris & Sarah

COMBINED

Report for Friday, February 03, 2012

Vehicles	Peak Periods	
	AM	PM
3,763	Time 11:30 Count 304 PHF 0.854	Time 02:00 Count 334 PHF 0.908

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	156	2307	728	7	156	48	1	16	1	0	0	0	0	343
Percent	4.1	61.3	19.3	0.2	4.1	1.3	0.0	0.4	0.0	0.0	0.0	0.0	0.0	9.1

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	411	491	438	349	292	207	186	184	144	109	125	70	96	655
Percent	10.9	13.1	11.7	9.3	7.8	5.5	5.0	4.9	3.8	2.9	3.3	1.9	2.6	17.4

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	533	540	1074	1215	361	34	6	0	0	0	0	0	0	0
Percent	14.2	14.4	28.5	32.3	9.6	0.9	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	3230	2690	1616	401	40	6	0	0	0	0	0	0	0	0
Percent	85.8	71.5	42.9	10.7	1.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Percentile	5%	10%	15%	45%	55%	85%	90%	95%						
Speed	13	14	16	24	25	30	31	32						

Average (Mean) 24

Pace Speed 22-31
Number in Pace 2291
Percent in Pace 60.9

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	114.3	123.7	149.7	478.0	400.5	0	0	0	0	0	0
Axles Per Vehicle	2.18										



Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Morro Bay Blvd.

COMBINED

Report for Saturday, February 04, 2012

Vehicles	Peak Periods	
	AM	PM
3,319	Time 10:45 Count 348 PHF 0.935	Time 12:45 Count 375 PHF 0.938

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	Buses	2 Axle Long	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	183	2024	2	607	140	35	1	7	0	1	0	0	0	319
Percent	5.5	61.0	0.1	18.3	4.2	1.1	0.0	0.2	0.0	0.0	0.0	0.0	0.0	9.6

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	301	402	379	274	253	191	164	147	122	118	89	81	73	721
Percent	9.1	12.1	11.4	8.3	7.6	5.8	4.9	4.4	3.7	3.6	2.7	2.4	2.2	21.7

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	535	514	985	968	277	36	3	0	1	0	0	0	0	0
Percent	16.1	15.5	29.7	29.2	8.3	1.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	2784	2270	1285	317	40	4	1	1	0	0	0	0	0	0
Percent	83.9	68.4	38.7	9.6	1.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	12	14	15	23	24	25	29	30	32

Average (Mean) 23

Pace Speed 21-30
 Number in Pace 1953
 Percent in Pace 58.8

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	113.2	119.2	149.2	233.3	371.7	0	0	0	0	0	0

Axles Per Vehicle 2.17



Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Morro Bay Blvd.

COMBINED
Report for Sunday, February 05, 2012

Vehicles	Peak Periods			
	AM	PM	AM	PM
2,752	11:30 Count 319 PHF 0.938	12:00 Count 330 PHF 0.948		

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	161	1801	435	0	80	43	0	3	0	0	0	0	0	229
Percent	5.9	65.4	15.8	0.0	2.9	1.6	0.0	0.1	0.0	0.0	0.0	0.0	0.0	8.3

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	259	308	245	208	196	156	150	115	101	82	89	87	59	690
Percent	9.4	11.2	8.9	7.6	7.1	5.7	5.5	4.2	3.7	3.0	3.2	3.2	2.1	25.1

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	360	322	737	1003	299	27	2	2	0	0	0	0	0	0
Percent	13.1	11.7	26.8	36.4	10.9	1.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	2392	2070	1333	330	31	4	2	0	0	0	0	0	0	0
Percent	86.9	75.2	48.4	12.0	1.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Percentile	5%	10%	15%	45%	55%	85%	90%	95%						
Speed	13	14	16	25	26	30	31	33						

Average (Mean) 24

Pace Speed 22-31
 Number in Pace 1745
 Percent in Pace 63.4

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	111.5	120.3	154.4	1108.0	199.0	0	0	0	0	0	0
Axles Per Vehicle	2.17										



Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Morro Bay Blvd.

COMBINED
 Report for Monday, February 06, 2012

Vehicles	Peak Periods			
	AM		PM	
3,234	Time	09:00	04:30	
	Count	304	292	
	PHF	0.905	0.849	

CLASS STATISTICS - Modified Scheme F

Class	Bikes		Cars & Trailers		Buses		2 Axle Long		3 Axle Single		4 Axle Single		<5 Axl Double		5 Axle Double		>6 Axl Double		<6 Axl Multi		6 Axle Multi		>6 Axl Multi		No Class	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
	144	4.5	1943	60.1	6	0.2	670	20.7	50	1.5	0	0.0	12	0.4	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	285	8.8

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2		4		6		8		10		12		14		16		18		20		22		24		26		28	
	Count	Percent																										
	360	11.1	375	11.6	351	10.9	259	8.0	258	8.0	181	5.6	168	5.2	157	4.9	127	3.9	101	3.1	87	2.7	79	2.4	65	2.0	662	20.5

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15		16 - 20		21 - 25		26 - 30		31 - 35		36 - 40		41 - 45		46 - 50		51 - 55		56 - 60		61 - 65		66 - 70		71 - 75		76 - 999	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
	456	14.1	395	12.2	945	29.2	1081	33.4	316	9.8	39	1.2	2	0.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Over Speed	15		20		25		30		35		40		45		50		55		60		65		70		75		999	
Count	2778		2383		1438		357		41		2		0		0		0		0		0		0		0		0	
Percent	85.9		73.7		44.5		11.0		1.3		0.1		0.0		0.0		0.0		0.0		0.0		0.0		0.0		0.0	

Percentile	5%	10%	15%	20%	25%	30%	35%	40%	45%	50%	55%	60%	65%	70%	75%	80%	85%	90%	95%
Speed	13	14	16	16	24	25	25	30	31	32	32	32	32	32	32	32	32	32	32

Average (Mean) 24

Pace Speed 21-30
 Number in Pace 2026
 Percent in Pace 62.6

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	115.5	128.7	165.1	208.0	625.0	0	0	0	0	0	0

Axles Per Vehicle 2.18



Main at Pacific, North Side
Wednesday - Wednesday
Installed by: Damaris & Sarah

Closest Cross Street: Morro Bay Blvd.

COMBINED

Report for Tuesday, February 07, 2012

Vehicles	Peak Periods			
	AM		PM	
3,067	Time	11:00	Time	03:00
	Count	277	Count	289
	PHF	0.923	PHF	0.903

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	152	1913	580	4	123	53	1	4	2	0	0	0	0	235
Percent	5.0	62.4	18.9	0.1	4.0	1.7	0.0	0.1	0.1	0.0	0.0	0.0	0.0	7.7

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	267	324	335	229	238	182	169	149	91	117	103	90	65	702
Percent	8.7	10.6	10.9	7.5	7.8	5.9	5.5	4.9	3.0	3.8	3.4	2.9	2.1	22.9

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	478	374	915	1001	275	20	3	1	0	0	0	0	0	0
Percent	15.6	12.2	29.8	32.6	9.0	0.7	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	2589	2215	1300	299	24	4	1	0	0	0	0	0	0	0
Percent	84.4	72.2	42.4	9.7	0.8	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Percentile	5%	10%	15%	45%	55%	85%	90%	95%						
Speed	12	14	15	24	25	29	30	32						

Average (Mean) 23

Pace Speed 21-30
Number in Pace 1916
Percent in Pace 62.5

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	112.9	119.0	137.2	443.3	447.5	0	0	0	0	0	0
Axles Per Vehicle	2.16										



Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Morro Bay Blvd.

COMBINED

Report for Wednesday, February 08, 2012, Midnight to 11:46 AM

Vehicles	Peak Periods			
	AM		PM	
1,163	Time	08:15	12:00	
	Count	264	3	
	PHF	0.904	0.250	

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	57	683	265	1	63	12	0	7	0	1	0	0	0	74
Percent	4.9	58.7	22.8	0.1	5.4	1.0	0.0	0.6	0.0	0.1	0.0	0.0	0.0	6.4

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	84	146	114	105	80	96	55	58	40	36	46	30	22	245
Percent	7.3	12.6	9.9	9.1	6.9	8.3	4.8	5.0	3.5	3.1	4.0	2.6	1.9	21.2

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	153	133	310	414	127	25	1	0	0	0	0	0	0	0
Percent	13.2	11.4	26.7	35.6	10.9	2.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	1010	877	567	153	26	1	0	0	0	0	0	0	0	0
Percent	86.8	75.4	48.8	13.2	2.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	13	15	16	25	25	26	30	31	33

Average (Mean) 24

Pace Speed 22-31
 Number in Pace 731
 Percent in Pace 62.9

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	116.6	137.2	168.4	0	530.0	0	0	0	0	0	0

Axles Per Vehicle 2.15



Main at Pacific, North Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

955 Shasta Avenue
 Morro Bay, CA 93442
 (805) 772-6200

Closest Cross Street: Morro Bay Blvd.

COMBINED

Report for Report From 2/1/2012 9:14:00 AM to 2/8/2012 11:46:04 AM

CLASS STATISTICS - Modified Scheme F

Class	Count	Percent	Trailers	Cars & Bikes	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axle Double	5 Axle Double	>6 Axle Double	<6 Axle Multi	6 Axle Multi	>6 Axle Multi	No Class
Count	1290		13832	4681	1268	35	1268	337	4	71	6	2	1	1	0	1906
Percent	5.5		59.0	20.0	5.4	0.1	5.4	1.4	0.0	0.3	0.0	0.0	0.0	0.0	0.0	8.1

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	Count	Percent	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	2275		2854	2570	1961	1735	1394	1187	1104	863	749	729	600	528	4845
Percent	9.7		12.2	11.0	8.4	7.4	6.0	5.1	4.7	3.7	3.2	3.1	2.6	2.3	20.7

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	Count	Percent	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	3377		2966	2966	6477	7489	2491	480	121	29	3	1	0	0	0	0
Percent	14.4		12.7	12.7	27.6	32.0	10.6	2.0	0.5	0.1	0.0	0.0	0.0	0.0	0.0	0.0

Over Speed	Count	Percent	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	20057		17091	10614	634	3125	634	154	33	4	1	0	0	0	0	0
Percent	85.6		72.9	45.3	2.7	13.3	2.7	0.7	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	Speed	10%	15%	20%	25%	30%	35%	40%	45%	50%	55%	60%	65%	70%	75%	80%	85%	90%	95%
Speed	12	14	16	18	20	22	24	26	28	30	32	34	36	38	40	42	44	46	48

Average (Mean) 24

Pace Speed 22-31
 Number in Pace 14001
 Percent in Pace 59.7

MISC. STATISTICS

Number of Axles	Count	Percent	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	114.3		124.1	157.6	407.5	431.7	437.0	0	0	0	0	0	0

Axles Per Vehicle 2.17

City of Morro Bay

Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

955 Shasta Avenue
 Morro Bay, CA 93442
 (805) 772-6200

Date Start: 25-Jan-12
 Date End: 01-Feb-12

Closest Cross Street: Monterey Ave.

Start Time	25-Jan-12 WB-EB	26-Jan-12 WB-EB	27-Jan-12 WB-EB	28-Jan-12 WB-EB	29-Jan-12 WB-EB	30-Jan-12 WB-EB	31-Jan-12 WB-EB
12:00 AM	*	2	3	12	8	6	5
01:00	*	0	2	2	5	2	1
02:00	*	0	1	3	0	1	0
03:00	*	0	0	1	5	1	0
04:00	*	5	1	0	0	2	2
05:00	*	10	11	10	6	4	9
06:00	*	34	21	17	21	26	40
07:00	*	72	50	46	63	65	65
08:00	*	102	90	80	81	93	111
09:00	*	91	122	121	107	127	105
10:00	*	115	134	137	119	136	131
11:00	*	145	142	148	97	152	154
12:00 PM	132	138	152	156	148	138	143
01:00	150	147	166	165	128	143	166
02:00	129	158	171	198	127	158	138
03:00	138	181	153	203	103	160	121
04:00	134	134	165	179	116	146	162
05:00	140	128	130	147	103	92	120
06:00	84	94	93	104	70	77	96
07:00	43	53	53	56	53	37	52
08:00	36	40	40	35	38	37	40
09:00	22	25	57	29	31	21	29
10:00	13	12	28	32	7	9	11
11:00	6	11	11	15	9	6	7
Total	1027	1697	1796	1896	1445	1639	1708
AM Peak		11:00	11:00	11:00	10:00	11:00	11:00
Vol.		145	142	148	119	152	154
PM Peak	13:00	15:00	14:00	15:00	12:00	15:00	13:00
Vol.	150	181	171	203	148	160	166

City of Morro Bay

955 Shasta Avenue
 Morro Bay, CA 93442
 (805) 772-6200

Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Date Start: 25-Jan-12
 Date End: 01-Feb-12

Closest Cross Street: Monterey Ave.

Start Time	01-Feb-12 WB-EB	02-Feb-12 WB-EB	03-Feb-12 WB-EB	04-Feb-12 WB-EB	05-Feb-12 WB-EB	06-Feb-12 WB-EB	07-Feb-12 WB-EB
12:00 AM	3	*	*	*	*	*	*
01:00	4	*	*	*	*	*	*
02:00	1	*	*	*	*	*	*
03:00	0	*	*	*	*	*	*
04:00	2	*	*	*	*	*	*
05:00	6	*	*	*	*	*	*
06:00	32	*	*	*	*	*	*
07:00	65	*	*	*	*	*	*
08:00	79	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*
12:00 PM	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*
06:00	*	*	*	*	*	*	*
07:00	*	*	*	*	*	*	*
08:00	*	*	*	*	*	*	*
09:00	*	*	*	*	*	*	*
10:00	*	*	*	*	*	*	*
11:00	*	*	*	*	*	*	*
Total	192	0	0	0	0	0	0
AM Peak	08:00						
Vol.	79						
PM Peak							
Vol.							



955 Shasta Avenue
Morro Bay, CA 93442
(805) 772-6200

Pacific at Main St., East Side
Wednesday - Wednesday
Installed by: Damaris & Sarah

Closest Cross Street: Monterey Ave.

COMBINED

Report for 1/25/2012 11:48:00 AM to Midnight

Vehicles	Peak Periods	
	AM	PM
1,021	Time Count PHF	11:30 99 0.576
	Time Count PHF	01:30 152 0.905

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	18	695	253	2	45	0	0	4	0	0	0	0	0	4
Percent	1.8	68.1	24.8	0.2	4.4	0.0	0.0	0.4	0.0	0.0	0.0	0.0	0.0	0.4

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	Count	Percent	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Count	41	74	7.3	5.8	6.8	5.6	5.7	3.5	3.8	3.4	3.7	4.0	4.1	3.6	3.5	3.2	3.3	3.6	3.5	3.5	3.5	3.2	3.3	3.6	2.9	2.8	3.1	4.41	43.2
Percent	4.0	7.3	5.8	5.6	6.8	5.6	5.7	3.5	3.8	3.4	3.7	4.0	4.1	3.6	3.5	3.2	3.3	3.6	3.5	3.5	3.2	3.3	3.6	2.9	2.8	3.1	4.41	43.2	

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	Count	Percent	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	65	291	28.5	499	159	7	0	0	0	0	0	0	0	0	0	0
Percent	6.4	28.5	48.9	15.6	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999		
Count	956	665	166	7	0	0	0	0	0	0	0	0	0	0	0	0
Percent	93.6	65.1	16.3	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	15	17	18	21	22	22	26	26	28

Average (Mean) 22

Pace Speed 18-27
Number in Pace 836
Percent in Pace 81.9

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	114.4	200.1	350.4	0	0	0	0	0	0	0	0

Axles Per Vehicle 2.02



Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Monterey Ave.

COMBINED

Report for Thursday, January 26, 2012

Vehicles	Peak Periods	
	AM	PM
1,652	Time 11:00	Time 03:15
	Count 141	Count 171
	PHF 0.953	PHF 0.872

CLASS STATISTICS - Modified Scheme F

Class	Bikes		Cars & Trailers		Buses	2 Axle Long		3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
	Count	Percent	Count	Percent		Count	Percent									
Count	23	1.4	1184	71.7	0	65	3	6	0	3	0	0	0	0	0	8
Percent	1.4		71.7		0.0	3.9	0.2	0.4	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.5

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	Count	Percent
2	4	0.2
4	108	6.6
6	86	5.2
8	91	5.5
10	82	5.0
12	90	5.5
14	69	4.2
16	55	3.3
18	56	3.4
20	65	3.9
22	45	2.7
24	54	3.3
26	47	2.9
28	721	43.8

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	Count	Percent	15-20	20-25	25-30	30-35	35-40	40-45	45-50	50-55	55-60	60-65	65-70	70-75	75-80	80-85	85-90	90-95	95-100
Count	88	5.3	422	889	249	4	0	0	0	0	0	0	0	0	0	0	0	0	0
Percent	5.3		25.5	53.8	15.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	999
Count	1564	1142	253	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Percent	94.7	69.1	15.3	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%										
Speed	15	17	18	22	22	23	26	26	27										

Average (Mean) 22

Pace Speed 18-27
 Number in Pace 1378
 Percent in Pace 83.4

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	113.3	206.6	380.0	0	0	0	0	0	0	0	0
Axles Per Vehicle	2.01										

COMBINED

Report for Friday, January 27, 2012

Vehicles	Peak Periods	
	AM	PM
1,773	Time 11:30 Count 153 PHF 0.981	Time 02:30 Count 173 PHF 0.901

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	21	1283	369	0	78	7	0	9	0	0	1	1	0	4
Percent	1.2	72.4	20.8	0.0	4.4	0.4	0.0	0.5	0.0	0.0	0.1	0.1	0.0	0.2

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	90	136	123	102	76	81	88	68	64	76	50	51	41	721
Percent	5.1	7.7	7.0	5.8	4.3	4.6	5.0	3.8	3.6	4.3	2.8	2.9	2.3	40.8

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	124	521	870	252	6	0	0	0	0	0	0	0	0	0
Percent	7.0	29.4	49.1	14.2	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	1649	1128	258	6	0	0	0	0	0	0	0	0	0	0
Percent	93.0	63.6	14.6	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%					
Speed	15	17	18	21	22	22	25	26	27					

Average (Mean) 22

Pace Speed 18-27
Number in Pace 1449
Percent in Pace 81.7

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	114.2	218.3	503.0	1154.0	1056.0	0	0	0	0	0	0
Axles Per Vehicle	2.02										



Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Monterey Ave.

COMBINED

Report for Saturday, January 28, 2012

Vehicles	Peak Periods	
	AM	PM
1,861	Time 11:30 Count 154 PHF 0.963	Time 02:00 Count 216 PHF 0.900

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	Buses	2 Axle Long	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	33	1336	2	389	87	0	0	9	0	0	0	0	0	5
Percent	1.8	71.8	0.1	20.9	4.7	0.0	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.3

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	95	149	146	118	95	94	75	75	73	62	65	43	56	710
Percent	5.1	8.0	7.9	6.4	5.1	5.1	4.0	4.0	3.9	3.3	3.5	2.3	3.0	38.3

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	106	582	930	233	10	0	0	0	0	0	0	0	0	0
Percent	5.7	31.3	50.0	12.5	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	1755	1173	243	10	0	0	0	0	0	0	0	0	0	0
Percent	94.3	63.0	13.1	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Percentile	5%	10%	15%	50%	55%	85%	90%	95%						
Speed	15	17	18	22	22	25	26	27						

Average (Mean) 21

Pace Speed 17-26
 Number in Pace 1555
 Percent in Pace 83.6

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	114.8	248.8	373.9	0	0	0	0	0	0	0	0

Axles Per Vehicle 2.02



Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Monterey Ave.

COMBINED

Report for Sunday, January 29, 2012

Vehicles	Peak Periods			
	AM		PM	
1,416	Time	10:15	12:30	
	Count	123	145	
	PHF	0.904	0.806	

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	28	1022	301	1	48	2	0	9	1	0	0	0	0	4
Percent	2.0	72.2	21.3	0.1	3.4	0.1	0.0	0.6	0.1	0.0	0.0	0.0	0.0	0.3

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	68	103	63	62	84	58	41	37	54	45	40	47	36	672
Percent	4.8	7.3	4.5	4.4	6.0	4.1	2.9	2.6	3.8	3.2	2.8	3.3	2.6	47.7

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	64	420	737	184	10	1	0	0	0	0	0	0	0	0
Percent	4.5	29.7	52.0	13.0	0.7	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	1352	932	195	11	1	0	0	0	0	0	0	0	0	0
Percent	95.5	65.8	13.8	0.8	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	16	17	18	22	22	22	25	26	27

Average (Mean) 22

Pace Speed 17-26
 Number in Pace 1198
 Percent in Pace 84.6

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	113.2	252.1	446.6	553.0	0	0	0	0	0	0	0

Axles Per Vehicle 2.02



Closest Cross Street: Monterey Ave.

Pacific at Main St., East Side
Wednesday - Wednesday
Installed by: Damaris & Sarah

COMBINED

Report for Monday, January 30, 2012

Vehicles	Peak Periods			
	AM		PM	
1,578	Time	11:15	Time	01:45
	Count	150	Count	156
	PHF	0.872	PHF	0.907

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	26	1109	351	0	71	4	0	11	0	0	0	0	0	6
Percent	1.6	70.3	22.2	0.0	4.5	0.3	0.0	0.7	0.0	0.0	0.0	0.0	0.0	0.4

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	87	111	90	106	69	70	70	71	49	44	42	36	35	686
Percent	5.6	7.1	5.7	6.8	4.4	4.5	4.5	4.5	3.1	2.8	2.7	2.3	2.2	43.8

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	128	487	775	182	6	0	0	0	0	0	0	0	0	0
Percent	8.1	30.9	49.1	11.5	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	1450	963	188	6	0	0	0	0	0	0	0	0	0	0
Percent	91.9	61.0	11.9	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	14	16	17	21	21	22	25	26	27

Average (Mean) 21

Pace Speed 17-26
Number in Pace 1286
Percent in Pace 81.5

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	115.2	259.6	383.0	0	0	0	0	0	0	0	0

Axles Per Vehicle 2.02



Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Monterey Ave.

COMBINED

Report for Tuesday, January 31, 2012

Vehicles	Peak Periods			
	AM		PM	
1,649	Time	11:15	Time	01:15
	Count	154	Count	162
	PHF	0.895	PHF	0.942

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	23	872	614	2	120	4	0	9	0	0	0	0	0	5
Percent	1.4	52.9	37.2	0.1	7.3	0.2	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.3

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	80	96	99	102	79	77	68	70	56	38	59	48	38	733
Percent	4.9	5.8	6.0	6.2	4.8	4.7	4.1	4.3	3.4	2.3	3.6	2.9	2.3	44.6

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	77	386	798	340	47	1	0	0	0	0	0	0	0	0
Percent	4.7	23.4	48.4	20.6	2.9	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	1572	1186	388	48	1	0	0	0	0	0	0	0	0	0
Percent	95.3	71.9	23.5	2.9	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	16	17	18	22	23	23	27	28	29

Average (Mean) 23

Pace Speed 18-27
 Number in Pace 1290
 Percent in Pace 78.2

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	119.1	232.8	342.7	0	0	0	0	0	0	0	0

Axles Per Vehicle 2.02



Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

Closest Cross Street: Monterey Ave.

COMBINED
Report for Wednesday, February 01, 2012, Midnight to 08:50 AM

Vehicles	Peak Periods	
	AM	PM
181	Time 07:45	Time -
	Count 88	Count -
	PHF 0.917	PHF -

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	1	57	83	0	36	1	0	2	0	0	0	0	0	1
Percent	0.6	31.5	45.9	0.0	19.9	0.6	0.0	1.1	0.0	0.0	0.0	0.0	0.0	0.6

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	9	6	5	7	7	5	4	9	5	3	2	1	1	111
Percent	5.1	3.4	2.9	4.0	4.0	2.9	2.3	5.1	2.9	1.7	1.1	0.6	0.6	63.4

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	4	29	67	50	28	3	0	0	0	0	0	0	0	0
Percent	2.2	16.0	37.0	27.6	15.5	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	177	148	81	31	3	0	0	0	0	0	0	0	0	0
Percent	97.8	81.8	44.8	17.1	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	17	19	20	24	25	25	31	32	34

Average (Mean) 25

Pace Speed 20-29
 Number in Pace 120
 Percent in Pace 66.3

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	130.7	360.5	499.0	368.0	0	0	0	0	0	0	0

Axles Per Vehicle 2.04



Pacific at Main St., East Side
 Wednesday - Wednesday
 Installed by: Damaris & Sarah

955 Shasta Avenue
 Morro Bay, CA 93442
 (805) 772-6200

Closest Cross Street: Monterey Ave.

COMBINED

Report for Report From 1/25/2012 11:48:00 AM to 2/1/2012 8:50:54 AM

CLASS STATISTICS - Modified Scheme F

Class	Bikes	Cars & Trailers	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	No Class
Count	173	7558	2723	7	550	24	0	56	1	0	1	1	0	37
Percent	1.6	67.9	24.5	0.1	4.9	0.2	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.3

COMBINED GAP STATISTICS - 2 To 26+ by 2 Seconds

Seconds	2	4	6	8	10	12	14	16	18	20	22	24	26	28
Count	549	783	671	657	549	510	453	426	393	369	336	309	285	4795
Percent	5.0	7.1	6.1	5.9	5.0	4.6	4.1	3.8	3.5	3.3	3.0	2.8	2.6	43.3

SPEED STATISTICS - 15 to 70+ by 5 MPH

Speed in MPH	1 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65	66 - 70	71 - 75	76 - 999
Count	656	3138	5565	1649	118	5	0	0	0	0	0	0	0	0
Percent	5.9	28.2	50.0	14.8	1.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Over Speed	15	20	25	30	35	40	45	50	55	60	65	70	75	999
Count	10475	7337	1772	123	5	0	0	0	0	0	0	0	0	0
Percent	94.1	65.9	15.9	1.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Percentile	5%	10%	15%	45%	50%	55%	85%	90%	95%
Speed	15	17	18	22	22	22	26	26	28

Average (Mean) 22

Pace Speed 18-27
 Number in Pace 9076
 Percent in Pace 81.5

MISC. STATISTICS

Number of Axles	2	3	4	5	6	7	8	9	10	11	12
Avg. Wheelbase	115.2	237.0	402.5	691.7	1056.0	0	0	0	0	0	0

Axles Per Vehicle 2.02

JAN 13 2015

PETITION

160 signatures

TO ADD A STOP SIGN ON MAIN ST. AT THE CORNER OF PACIFIC AND MAIN

Sponsored by resident Cruz Reyes and the citizens for a safer Morro Bay

This petition is requesting the City of Morro Bay to add a stop sign on Main St. at the corner of Main and Pacific.

- This is an extremely busy corner during the work week and on weekends when the city has their activities. Also, this corner is continually busy during the summer and holiday months. It is a hard intersection to cross, whether by vehicle or on foot.
- There are many accidents at this intersection every year. It is a danger to pedestrians as well, as there are no crosswalks on Main at this corner which is used to access the Embarcadero and the shops on Morro Bay Blvd. Pacific Street is used by trucks with boat trailers as access to the marina and Main Street is used by RVs to access Morro Bay State Park. Also large delivery trucks use Pacific every day.

We, the undersigned, would like to bring your attention to this issue.

<u>NAME</u>	<u>ADDRESS</u>	<u>COMMENTS (optional)</u>
Cruz & Linda Reyes	271 Pacific St. M.B.	Please pass this petition
Jamie Taylor	685 Main St Ste C	
Abbie Duffy	670 Main St (Morro Crest Inn Mgr.)	
Tara Austin	670 Main St.	Please pass this petition
Sanna Mynick	665 Main St	
Jessy Arthurs	665 Main St	
Eric Smith	645 Main St	
Kilu Wilver	785 Marina St.	
Haluk Shaban	665 Main St	
Shannon Dorsley	665 Main St.	
Kerry Thompson	775 Marina St	
Ashley Fox	275 Marina St	
Meghan Lass	525 1/2 Piney Way	
Arina Pavlar	691 Morro Ave	
Hannah Sobel	691 Morro Ave	
Jin Fan	691 Morro Ave	
Liliana Guata	691 Morro Ave	
Christina	1675 Las Vir	
Robert DeBalle	218 PACIFIC ST	SAFETY FOR MY KIDS
Chloe P. Reuter	238 PACIFIC ST	
John Egan	220 Atascadero Rd	
Vanessa Barber	898 Wagon	
Vanessa Barber	2435 Elm Avenue	
Brenda Sue	248 Morro Bay Blvd.	

NAME

ADDRESS

Linda Hamilton	260 Morro Bay Blvd.
Jon Elliott	240 Morro Bay Blvd
Cloudy Restmandana	1501 Morro Bay
Kelba	121 Main St
Gemi Cowan	787 Main St. Morro Bay
DAVID ANDERSON	699 EMBARECERO #11 MORRO BAY
Melissa Scroggins	1232 12 th St. LOS OSOS CA 93402
Kelli Blue	1837 8 th St. LOS OSOS CA - work @ 30 Morro Bay Blvd.
Dixie L. Tara	4610 th St CAUCUS, CA work @ PCB
Michele Jacques	250 Pacific Str. Morro Bay, CA 93442
Duce Vasquez	4316 Arizona Ave Atascadero CA
Marianas Yehin	9634 11 th St LOS OSOS, CA 93402
Grace DeLeon	775 Morro Rd Atascadero, Ca 93422
Antonia Mara	1861 Main St Morro Bay CA 93422
Uns F Rangel Zamudio	250 Pacific St Morro Bay CA 93442
Garnett Harvath	250 Pacific St MB CA 93442
Amish Patel	730 Morro Ave. Morro Bay CA 93442
Mike Covineza	264 Pacific St. Morro Bay, CA 93442
Whitney Busch	535 FRESHO AVE Morro Bay, Ca 93442
Justin Busch	" " " " " " " "
Jan Lin	640 Main St Morro Bay CA 93442
Claudia Estan	305 MAIN ST " " " 93442
Alex	598 Main St. Morro Bay CA 93442
Rita RAY/A	321 Pacific St " " " 93442
Curtis Ray	321 Pacific St., Morro Bay, CA 93442
Shawn Plencford	975 SAN BELVARD'S CREEK RD MORRO BAY, CA 93442
Leslie O'Leary	857 Main St. MB 93442
Tabitha Ozaki	899 Main St
Groy Brewer	1246 SANTA YNEZ AVE 93442
Julie Booth	355 Tulare Ave. Morro Bay. 93442
Kay Crocker	2470 Ironwood Ave. M.B. Ca 93442
Jim Jim	1625 C St 55 50 70 CAUCUS
Mandi Bijan	898 Main St. MB 93442
Jason Cardero	898 Main St. Morro Bay, 93442
Osvaldo J. AMIKO	3025 SANDALWOOD MB 93442
Kathy Belcher (work here)	9329 Bocina Ln Apt. C Atascadero 93422
KEVIN TALENTINO (work here)	9329 Bocina Ln Apt. C Atascadero 93422
J. Becerra	801 Main St MB 93442
Sarah Smith	#1172 left
Richard Kudrinski	2075 Ironwood Ave MB 93442
June Tremble	2075 Ironwood Ave 93442
Bethany Campos	432 257 MORRO BAY BLVD (REVOLVE)
Janith Hollman	312 Yerba Buena, Morro Bay, CA

NAME

ADDRESS

ATTACHMENT 2

NAME	ADDRESS	ATTACHMENT 2
JAYANTI PATEL	545 MORRO AV	
Danielle Bennett	780 Morro Bay Blvd + Market	
REN C. Scott	515 MORRO AVE MB	
Low Manschiello	585 MAIN ST #4	
Karen manschiello	"	
Virginia E. Gunther Junck	595 MORRO AVE	
Judith Junck	1110 12th St LOS OSOS, CA 93402	
Stacey Johnson	1110 12th St. L.O. I WORK @ 250 Pacific St.	
Kyle Buller	767 Main St. Save a life!	
Dan M.	785 Quinlan Rd PIZZA PORT	
Heather Mavety	475 18th St 785 Main St PIZZA PORT	
J.W. HERSHBERGER	1200 MORRO 9340	Mutteralberg
Taylor Mansy	261 Pacific St	
Samantha Hoffman	261 Pacific St	
GARY WINCH	767 MORRO AVE	Damp Enrico
C. HAD SARI	244 WALLER LEAVE	
HOLLY KNEPPE	1615 17th St. LOS OSOS, CA	
JOE WANN	780 EL RETIRO ST. ATASCADERO	
GEORGE OWEN	21 HUTTON AVE. TORONTO CANADA	Visitor.
Helen Burt	645 Morro Ave. MB CA	snowbird
Gayle Burt		
MARTHA A ENRIQUEZ	260 PACIFIC ST. MORRO BAY, CA 93442	
Sandpiper inn	540 main st morro bay, CA 93442	
Margaret Lindt	545 Main St slab-1 Morro Bay CA 93442	
Betty Gong	1010 Quintanilla Morro Bay CA 93442	
April Ambrose	1230 morro Ave Morro Bay CA 93442	
Ryan Garcia	545 Main #B2 Morro Bay CA 93442	
Victor Flores	3185 Wood DR Cambria	
Christopher Kesso	2732 Houston Dr Los Osos	
Cheryll Schuette	698 Monterey Av Morro Bay CA 93442	
R. Wade Schuette	698 Monterey Ave Morro Bay CA 93442	
Bryan McCarly	721 Pacific St Morro Bay CA 93442	
Sara Robertson	550 Bonita Pl Morro Bay CA 93442	
Kath Cervantes	390 morro bay Blvd Morro Bay CA 93442	
Hannah Gordon	330 Morro Bay Blvd Morro Bay CA 93442	
Monica Sandt	330 Morro Bay Blvd Morro Bay CA 93442	
Elva Mejorado	330 morro Bay Blvd morro Bay CA 93442	
Pamela Woodruff	325 Morro Bay Blvd Morro Bay CA 93442	
JEWELL L. HAYWOOD	317 M.B. BLVD MORRO BAY 93442	
MARE WINTER	785 QUINTANA RD #170, MORRO BAY, 93442 CA	
Efrain Hdez.	620 Monterey Ave, MORRO BAY, 93442 CA Distalio	
William Austin	259 M.B. BLVD MORRO BAY 93442 CA	
Jonathan Aysall	416 Monterey Ave Morro Bay 93442 CA	
Margo Camilleri	370 Zanibar St Morro Bay 93442 CA	

NAME	ADDRESS
Brendan Lanner	439 Rennell St
Jason Brodson	275 Morro Bay Ct
Bill Fritch	P.O. Box 331 Morro Bay
Jerry Day	2965 BIRCH AVE MORRO BAY
Salvador	805 Main St Morro Bay
Kate McWhitten	805 Main Street
William Ramage	2646 Koa ^{MB} MORRO BAY ART ASSOC.
Arif. Brown	2265 Del Norte Los Osos
Park Merrill	2471 TIERRA DR, LOS OSOS
JACKIE 'JADE' HERRERA	2331 CREST AVE., LOS OSOS
Peggy Stanfill	1595 LOS OSOS VALLEY RD #31A LOS OSOS
Charles Adams	785 QUINTANA RD MORRO BAY.
Key Street	2DA. Orosa Valley Rd. Los Osos.
Carlynn Brown	1511 VIA ROSA, Pismo Robles, CA
Sharon Vestray	789 Highland Dr L.O.
Janne Hand	1160 Las Tunas Morro Bay
Catherine Kincaid	1335 13th St Los Osos, CA 93402
Maria Hernandez	956 Las Tunas Morro Bay CA 93447
Gwen A Soderer	1342 Clara Belle Dr. MORRO BAY CA
Anit Patel	1095 main st, MR CA 93442
RICHARD WIMMER	899 PINEY WAY, MD 93442
Lindsey Wimmer	1189 Santa Ynez AVE, Los Osos 93402
Jackie Setz	595 Morro Bay Blvd, Morro Bay
Carol Reis	2091 Tapiden Ave, LOS OSOS Ca 93402
Juan Eduardo	529 Morro Bay Blvd, Morro Bay
John	Same
Russ 'Sandra Corina'	507 Morro Bay Blvd Morro Bay
Daniel Salas	505 MORRO BAY BLVD M.B.
Cynthia Smith	501 MORRO BAY BLVD. M.B. CA.
Christy Young	501 MORRO BAY BLVD M.B. CA
Walter	495 MB Blvd MB
Walter	499 MB Blvd. MB
Mary van Zee	475 MB Blvd, m.B. CA
JUSTINA VICTORINO	1290 Scott St. Apt #2, M.B. CA 93442
Mary Louie	1301 San Luis Ave L.O. CA
David Miller	431 MORRO BAY BLVD M.B.
Carol O'Mara	1226 14th Street L.O. 93402
	395 MORRO BAY BLVD M.B 93442
	385 MORRO BAY BLVD M.B 93447
EDDIE FRAWLEY	365 Morro Bay Blvd, MB 93442
C.F. Fonsoar	355 MORRO BAY BL
Susan Stewart	498 Fresno Avenue and 333 Morro Bay Blvd
Tim Cowan	787 MAIN ST MB

PETITION

TO ADD A STOP SIGN ON MAIN ST. AT THE CORNER OF PACIFIC AND MAIN

Sponsored by resident Cruz Reyes and the citizens for a safer Morro Bay

This petition is requesting the City of Morro Bay to add a stop sign on Main St. at the corner of Main and Pacific.

- This is an extremely busy corner during the work week and on weekends when the city has their activities. Also, this corner is continually busy during the summer and holiday months. It is a hard intersection to cross, whether by vehicle or on foot.
- There are many accidents at this intersection every year. It is a danger to pedestrians as well, as there are no crosswalks on Main at this corner which is used to access the Embarcadero and the shops on Morro Bay Blvd. Pacific Street is used by trucks with boat trailers as access to the marina and Main Street is used by RVs to access Morro Bay State Park. Also large delivery trucks use Pacific every day.

We, the undersigned, would like to bring your attention to this issue.

NAME

ADDRESS

COMMENTS (optional)

Cruz + Laida Reyes	271 Pacific St. M.B.	Please pass this Petition
Sara East	220 Atascadero Rd, M.B.	

NAME

ADDRESS

Eddie PEREZ	2464 CRESTON Rd (PASO) WALK IN (M.B.)
-------------	---------------------------------------