



CITY OF MORRO BAY CITY COUNCIL AGENDA

*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, September 13, 2016
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

RECOGNITION

CLOSED SESSION REPORT

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

PRESENTATIONS

Presentation of Scholarships by Friends of the Fire Department

Presentation of Sea Otter Awareness Week Presentation

PUBLIC COMMENT PERIOD

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 city of residence 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. The public will also be provided an opportunity to comment on consent agenda items.

- A-1 APPROVAL OF MINUTES FROM THE AUGUST 9, 2016 JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

- A-2 APPROVAL OF MINUTES FROM THE AUGUST 9, 2016 CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

- A-3 APPROVAL OF MINUTES FROM THE AUGUST 23, 2016 CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

- A-4 APPROVAL OF PROCLAMATION DECLARING SEPTEMBER 18 – 24, 2016, AS SEA OTTER AWARENESS WEEK; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

- A-5 QUARTERLY STATUS REPORT ON PARKING IN-LIEU FEE WAIVERS; (COMMUNITY DEVELOPMENT)

RECOMMENDATION: Receive and file.

- A-6 WATER RECLAMATION FACILITY (“WRF”) PROGRAM UPDATE; (PUBLIC WORKS)

RECOMMENDATION: Receive and file.

- A-7 APPROVAL OF PURCHASE AND SALE AGREEMENT FOR REAL PROPERTY AT 2783 CORAL AVENUE; (COMMUNITY DEVELOPMENT)

RECOMMENDATION: Approve as submitted.

B. PUBLIC HEARINGS - NONE

C. BUSINESS ITEMS

- C-1 SEA OTTER AWARENESS WEEK 2016 UPDATE; (HARBOR)

RECOMMENDATION: Receive and file.

- C-2 DISCUSSION AND APPROVAL OF CONDITIONAL CONSENT OF LANDOWNER PERTAINING TO LEASE SITE 87-88/87W-88W LOCATED AT 833 EMBARCADERO; (ADMINISTRATION)

RECOMMENDATION: Award conditional Consent of Landowner for development of Lease Site 87-88/87W-88W to K & C Development, LLC in association with the Boutique Hotel Collection.

C-3 INTRODUCTION OF ORDINANCE NO. 608, WHICH AMENDS SECTIONS 3.08.100 AND 3.08.110 OF THE MORRO BAY MUNICIPAL CODE PROVIDING FOR COOPERATIVE PURCHASING PROCEDURES (PIGGYBACKING) AND ADOPTION OF RESOLUTION NO. 68-16, RESCINDING RESOLUTION 44-07; (PUBLIC WORKS)

RECOMMENDATION: Introduce, for first reading by title only and with further reading waived, Ordinance No. 606: An Ordinance of the City Council of the City of Morro Bay, California, repealing and then replacing section 3.08.70 (Bidding) of Chapter 3.08 (Purchase and Sale of Supplier and Equipment) of Title 3 (Revenue and Finance) of the Morro Bay Municipal Code to provide for bidding procedures for purchase of supplies, equipment, materials and Public Works projects, while also providing for cooperative purchasing procedures, and adopt Resolution 68-16 rescinding Resolution 44-07.

C-4 REVIEW OF RESOLUTIONS TO BE CONSIDERED AT THE ANNUAL LEAGUE OF CALIFORNIA CITIES CONFERENCE; (ADMINISTRATION)

RECOMMENDATION: Discuss and provide direction to the City's voting delegate and alternate regarding the annual League of California Cities Annual Conference resolution.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

E. ADJOURNMENT

The next Regular Meeting will be held on **Tuesday, September 27, 2016 at 6:00 pm** at the Veteran's Memorial Hall located at 209 Surf Street, Morro Bay, California.

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 REASONABLE ARRANGEMENTS CAN BE MADE TO PROVIDE ACCESSIBILITY TO THE MEETING.

MINUTES – AUGUST 9, 2016
JOINT MEETING OF THE MORRO BAY
CITY COUNCIL AND PLANNING COMMISSION
MORRO BAY VETERAN'S HALL
209 SURF STREET – 4:00 P.M.

PRESENT:	Jamie Irons	Mayor
	John Headding	Councilmember
	Christine Johnson	Councilmember
	Matt Makowetski	Councilmember
	Noah Smukler	Councilmember
	Robert Tefft	Chairperson
	Gerald Luhr	Planning Commissioner
	Joseph Ingraffia	Planning Commissioner
	Michael Lucas	Planning Commissioner
	Richard Sadowski	Planning Commissioner
STAFF:	David Buckingham	City Manager
	Chris Neumeyer	Assistant City Attorney
	Dana Swanson	City Clerk
	Scot Graham	Community Development Director

ESTABLISH QUORUM AND CALL TO ORDER

A quorum was established by the City Council with all members present.

A quorum was established by the Planning Commission with all members present.

PUBLIC COMMENT

<https://youtu.be/TwEdiwBstMg?t=56s>

Robert Davis, Morro Bay resident and member of the General Plan Advisory Committee, commented as a private resident and not member of the Committee. For purposes of the General Plan update, he proposed the City continue to use level of service for intersection analysis rather than vehicle miles traveled (“VMT”).

Rigmor, Morro Bay, urged the Council to enforce the 3-minute public comment period for all speakers, shared her support for the Morro Bay Police Department, and expressed appreciation for the Planning Commission and information provided regarding vacation rentals and housing.

The Public Comment period was closed.

SPECIAL MEETING AGENDA ITEMS:

I. REVIEW STATUS OF GENERAL PLAN / LOCAL COASTAL PLAN PROGRAM UPDATE

<https://youtu.be/TwEdiwBstMg?t=5m57s>

Jeff Henderson and Tammy Seale of Michael Baker Int'l. presented a project update on activities to date including the draft Values and Vision Statement, Downtown Waterfront Strategic Plan objectives, and Community Baseline Assessment findings. The PowerPoint presentation is available on the City website: <http://www.morro-bay.ca.us/DocumentCenter/View/9980>

Following the presentation, the City Council and Planning Commission had an opportunity to ask questions and provide individual feedback. No formal action was taken.

<https://youtu.be/TwEdiwBstMg?t=1h18m20s>

ADJOURNMENT

The joint meeting of the City Council and Planning Commission concluded at 5:49 p.m.

Recorded by:

Dana Swanson
City Clerk

AGENDA NO: A-2

MEETING DATE: September 13, 2016

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – AUGUST 9, 2016
VETERAN'S MEMORIAL HALL – 6:00 P.M.

PRESENT:	Jamie Irons	Mayor
	John Headding	Councilmember
	Matt Makowetski	Councilmember
	Christine Johnson	Councilmember
	Noah Smukler	Councilmember
STAFF:	Dave Buckingham	City Manager
	Chris Neumeyer	Assistant City Attorney
	Dana Swanson	City Clerk
	Susan Slayton	Administrative Services Director
	Rob Livick	Public Works Director
	Scot Graham	Community Development Director
	Steve Knuckles	Fire Chief
	Larry Todd	Interim Police Chief
	Eric Endersby	Harbor Director

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:03 p.m., with all members present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION

<https://youtu.be/ek8KeODqR2g?t=1m51s>

City Manager Buckingham and Interim Police Chief Todd, along with the City Council, presented Life Saving Medals to Sergeant Cox, Officer Riddering and Officer Painter for their rescue and lifesaving actions on January 23, 2016.

CLOSED SESSION REPORT – No Closed Session Meeting was held.

MAYOR AND COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

CITY MANAGER REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PRESENTATIONS - None

PUBLIC COMMENT

<https://youtu.be/ek8KeODqR2g?t=7m41s>

Kevin Koon and Steven Rogall of Rogall Painting, Inc. provided the business spot. Rogall Painting started in 2004 primarily as a painting company and has expanded to construction and home remodeling. They made a purposeful early decision to provide in-house career development and training for their employees. Please visit www.rogallpainting.com or call 772-2012 for more information.

Carole Truesdale, Morro Bay resident and Director of the Neighborhood Watch Team, extended her gratitude to the community, Morro Bay Police Department, Morro Bay Fire Department and several other businesses and organizations for supporting the recent National Night Out event.

John DiNunzio, SLOCOG Regional Transportation Planner, shared all seven cities in San Luis Obispo County have approved the SLO County Self-Help Local Transportation Plan. The plan and ordinance were adopted and will be on the November ballot as Measure "J". For more information, visit selfhelpslo.org.

Janice House, Morro Bay, spoke regarding the pending sale of City-owned property at Coral and San Jacinto and commitment to use proceeds to pay down fire station debt. Reading from the FY 16/17 adopted budget, "...Council expressed intent to pay down the USDA debt with proceeds from sale of the Cloisters property". She found the same in every budget since 2012.

Carla Wixom, Morro Bay, stated many residents are expressing discontent with actions taken under the current leadership, including business licensing, code enforcement, the sewer at Righetti Ranch, and now public safety.

The comment period was closed.

A. CONSENT AGENDA
<https://youtu.be/ek8KeODqR2g?t=21m18s>

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

A-1 APPROVAL OF MINUTES FROM THE JULY 12, 2016 SPECIAL CLOSED SESSION CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FROM THE JULY 12, 2016 CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 ADOPTION OF RESOLUTION NO. 61-16, WHICH RESCINDS RESOLUTION NO. 37-16 AND AMENDS AND ADOPTS THE COMPLETE 2016/17 MASTER FEE SCHEDULE; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 61-16.

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

MOTION: Councilmember Headding moved the Council approve all items on the Consent Agenda. The motion was seconded by Councilmember Johnson and carried unanimously, 5-0.

B. PUBLIC HEARINGS - None

C. BUSINESS ITEMS

- C-1 CONSIDERATION AND DECISION ON MANAGEMENT PARTNERS' RECOMMENDATION REFERENCE CONTRACTED RELATIONSHIP FOR LAW ENFORCEMENT AND OTHER MANAGEMENT PARTNERS RECOMMENDATIONS ; (ADMINISTRATION)
<https://youtu.be/ek8KeODqR2g?t=21m55s>

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

The Council voiced its support for staff recommendation to not pursue research and consideration of a contracted relationship for law enforcement services.

MOTION: Councilmember Heading moved the Council not pursue research and consideration of an outsourced relationship for Morro Bay Police Department, Fire Department or Harbor Patrol operations unless the City's financial condition should deteriorate to a point that it warrants such consideration in the future. Councilmember Smukler seconded the motion.

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

Ken Vesterfelt, Morro Bay, 21-year resident and 15-year volunteer for Morro Bay Police Department, presented a petition signed by 2,259 residents in support of the Morro Bay Police Department.

Greg Gruich, President of the Morro Bay Police Officer Association, spoke in support of the Morro Bay Police Department ("MBPD") and provided a comparison of services provided by SLO County Sheriff and the MBPD.

Ron Reisner, Morro Bay, spoke in support of MBPD noting to pursue this recommendation would be in direct opposition to the stated priorities of the community.

Pastor Jim Berg, Morro Bay resident and volunteer Police Chaplain, urged the Council to reject outsourcing Police, Fire and Harbor services, adding that in 2006, Morro Bay residents passed Measure Q in support of public safety and street repairs.

Robert Davis, Morro Bay, asked the discussion of outsourcing law enforcement services be completely taken off the table. He added the Police, Fire and Harbor Departments are part of the core identity as an incorporated city.

Trudy O'Brien, Morro Bay, asked the Council not ever consider outsourcing Police, Fire or Harbor services.

Vicki Landis, Morro Bay, spoke in support of the MBPD and community-oriented policing.

Betty Winholtz, Morro Bay, thanked Council for listening to the public and shared that regardless of finances, it's the values of the community that are important.

Mary Jo DiSio, Morro Bay, shared a recent experience with local police and fire and urged the Council to remove the timing provision in the recommended motion.

Garry Johnson, Morro Bay, spoke in support of local law enforcement and appreciated the prompt response by Fire and Police after a recent accident.

Kate Angevin, teacher at Cuesta College, felt that comparing funding either streets or police was an illogical argument should not be in the final report.

Sara Hart, Morro Bay, suggested if cost cutting measures are necessary, cut the number of officers and do not outsource law enforcement services.

Lynda Merrill, Morro Bay, spoke regarding the petition presented to the Council and shared many who signed the petition had never signed a petition before.

Jane Von Koehe, Morro Bay, stated outsourcing law enforcement would result in the loss of local jobs.

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

The Council thanked residents for showing their support for the Police Department. There was concurrence to amend the motion to remove the qualification and direct staff not to pursue this item any further.

Councilmember Headding withdrew his motion. Councilmember Smukler withdrew the second.

MOTION: Councilmember Headding moved the Council not pursue research and consideration of a contracted outsourced relationship for law enforcement services in Morro Bay for Police Department, Fire Department, and Harbor Patrol. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

The Council took a short recess at 8:05 p.m. The meeting reconvened at 8:19 p.m.

C-2 WATER RECLAMATION FACILITY (“WRF”) PROGRAM UPDATE AND QUARTERLY BUDGET REPORT; (PUBLIC WORKS)
<https://youtu.be/ek8KeODqR2g?t=2h2m34s>

WRF Program Manager Nunley presented the staff report and proposed reporting schedule and responded to Council inquiries ([click here for presentation](#)).

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

Mary Jo DiSio, Morro Bay, attended WRFCAC meeting last week and found it informative. She asked when the final site will be selected.

Tina Metzger, Morro Bay, asked when the Righetti site will be eliminated from the process and what other project site alternatives are being used. She also asked for clarification on how to submit correspondence during the EIR scoping period.

Betty Winholtz, Morro Bay, asked for an update on the MOU, when the discussion of accessories would take place, and for a cost comparison to move the pipeline from Morro to Chorro valley.

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

Staff responded to additional Council questions and those raised during the public comment period.

Staff clarified those wishing to send communications regarding the Environmental Impact Report (“EIR”) be sent to the City Clerk. Emails or letters can also be sent as directed in the Notice of Preparation of EIR to John Rickenbach or Jennifer Jacobus. Correspondence should be marked “WRF EIR” and list key issues or concerns. Any correspondence received at this point in the process becomes part of the record but does not require a response.

The proposed reporting schedule was acceptable to the Council and no other formal action was taken.

C-3 DISCUSSION OF FINANCING STREET REPAIRS BY DEDICATING DISTRICT TRANSACTION TAX (MEASURE Q) MONIES FOR DEBT SERVICE PAYMENTS; (ADMINISTRATIVE SERVICES)
<https://youtu.be/ek8KeODqR2g?t=3h37m27s>

Mr. Buckingham presented the staff report and responded to Council inquiries.

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

Betty Winholtz, Morro Bay, urged the Council to wait to see if Measure “J” passes in November and hoped there was a plan to support that ballot measure. She does not support taking out loans, particularly against the Committee’s recommendation.

Rick Young, Morro Bay, was opposed to borrowing money to pave streets and urged the City to move forward with street paving now.

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

The Council and staff responded to questions raised during public comment and noted a Street Summit will be held in September. Staff will provide impartial facts to voters regarding Measure “J” at that time.

Councilmember Makowetski asked Chair Spagnola from the Citizens Finance Advisory Committee (“CFAC”) to share her insight.

Barbara Spagnola, CFAC Chair and member of WRFAC, spoke as a resident and summarized the work done by the Committee. The Committee asked for the PCI or condition of the streets to perform a robust financial analysis of the return on investment. The primary concern was the loan would tie up a large portion of Measure Q funds for 30 years to repair approximately 25% of the streets. The Committee felt more general fund money should be contributed to streets.

The Council discussed and agreed more information would be available after the election to inform its decision. At that time, a community-wide streets financing discussion could take place but must keep in mind other infrastructure challenges, such as the WRF.

The City Manager clarified this item likely will not come back until requested by Council; the Council agreed. No formal action was taken on this item.

- C-4 ADOPTION OF ORDINANCE NO. 606, WHICH AMENDS VARIOUS PROVISIONS OF THE MORRO BAY MUNICIPAL CODE RELATING TO CITY ORGANIZATIONAL MATTERS, USE OF CITY PARKS AND RECREATION EQUIPMENT AND PROVIDES OTHER CLARIFICATIONS; (CITY ATTORNEY)
<https://youtu.be/ek8KeODqR2g?t=4h22m18s>

Assistant City Attorney Neumeyer presented a brief staff report.

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

MOTION: Councilmember Makowetski moved for adoption by title only and with further reading waived, Ordinance 606: An Ordinance of the City Council of the City of Morro Bay, California, amending various provisions of the Morro Bay Municipal Code relating to City organizational matters, use of City parks and recreation equipment, and providing other clarifications. The motion was seconded by Councilmember Heading and carried 5-0.

- C-5 ADOPTION OF ORDINANCE NO. 607, WHICH AMENDS SECTION 3.34.010 OF THE MORRO BAY MUNICIPAL CODE RELATING TO THE CITY'S MASTER FEE SCHEDULE: (CITY ATTORNEY)
<https://youtu.be/ek8KeODqR2g?t=4h25m11s>

Mr. Neumeyer presented a brief staff report.

The public comment period for Item C-5 was opened; seeing none, the public comment period was closed.

MOTION: Councilmember Johnson moved for adoption by title only and with further reading waived, Ordinance No. 607: an ordinance of the City Council of the City of Morro Bay, California, amending Section 3.34.010 of the Morro Bay Municipal Code relating to the City's Master Fee Schedule. The motion was seconded by Councilmember Heading and carried unanimously, 5-0.

- D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
<https://youtu.be/ek8KeODqR2g?t=4h28m>

Councilmember Smukler requested quarterly updates on the Parking-in-lieu Fee Waiver Incentive Program so the community can track the impact. The Council supported this item.

- E. ADJOURNMENT

The meeting adjourned at 10:45 p.m. The next Regular Meeting will be held on Tuesday, August 23, 2016 at 6:00 p.m. at the Veteran's Memorial Hall located at 209 Surf Street, Morro Bay, California.

Recorded by:

Dana Swanson,
City Clerk

AGENDA NO: A-3

MEETING DATE: September 13, 2016

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – AUGUST 23, 2016
VETERAN'S MEMORIAL HALL – 6:00 P.M.

PRESENT:	Jamie Irons	Mayor
	John Headding	Councilmember
	Christine Johnson	Councilmember
	Noah Smukler	Councilmember
ABSENT:	Matt Makowetski	Councilmember
STAFF:	Dave Buckingham	City Manager
	Joe Pannone	City Attorney
	Dana Swanson	City Clerk
	Susan Slayton	Administrative Services Director
	Jennifer Little	Tourism Manager
	Rob Livick	Public Works Director
	Rick Sauerwein	Capital Projects Manager
	Scot Graham	Community Development Director
	Larry Todd	Interim Police Chief
	Steve Knuckles	Fire Chief
	Eric Endersby	Harbor Director

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:02 p.m., with all but Councilmember Makowetski present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION - None

CLOSED SESSION REPORT – City Attorney Pannone reported that with regard 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 REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PRESENTATIONS

Presentation of the Maritime Discovery Month Proclamation to Larry Newland of the Maritime Museum Association

<https://youtu.be/ovQSDbuezls?t=4m52s>

Presentation of Morro Bay Chamber of Commerce Quarterly Report for the 2nd Quarter of 2016

<https://youtu.be/ovQSDbuezls?t=10m24s>

PUBLIC COMMENT

<https://youtu.be/ovQSDbuezls?t=21m16s>

Joe Pettit of Fitness Works provided the business spot. Fitness Works is celebrating its 13-year anniversary with special events beginning September 13 through October 1. Call 772-8969 or visit www.fitnessworksmb.com for more information.

Betty Winholtz, Morro Bay, spoke regarding Item C-4 expressing concern about the lack of opportunities for public input and also opposed a roundabout at this location due to safety concerns.

Gary Wilbur, Morro Bay, asked the Council to review regulations regarding sober living facilities operating as boarding houses.

Don Doubledee, Morro Bay, announced the Harbor Festival to be held Saturday, October 1, from 11:00am – 8:00pm. Admission is free and this year's event will feature local vendors along with the Morro Bay fishing industry.

Janice House, Morro Bay, expressed concerns about the City's hiring practices.

Robert Davis, Morro Bay, thanked the Police Department and officer who investigated the open front door on Greenwood Avenue yesterday.

Walter Heath, Morro Bay, announced surfboard art pieces for the Morro Bay Surfboard Art Festival will be on exhibit from October 1 through December 1 at local businesses with an art sale to be held December 3. Exhibit maps will be available at the Visitors Center and at www.mbsaf.com.

Marlys McPherson, Chair of the Public Works Advisory Board, spoke regarding Item C-4 and reporting the Board reviewed this issue several times and voted unanimously to support the contract provided both the signal and roundabout alternatives will be evaluated during the engineering phase. The Board also wanted to be sure the public has opportunities to provide input.

The comment period was closed.

Staff responded to questions raised during the public comment period.

A. CONSENT AGENDA
<https://youtu.be/ovQSDbuezls?t=45m47s>

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

A-1 APPROVAL OF MINUTES FROM THE AUGUST 9, 2016 SPECIAL CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FROM THE AUGUST 10, 2016 SPECIAL CLOSED SESSION CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FROM THE AUGUST 15, 2016 SPECIAL CLOSED SESSION CITY COUNCIL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 APPROVAL OF PROCLAMATION DECLARING OCTOBER AS MARITIME DISCOVERY MONTH; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-5 ADOPTION OF RESOLUTION NO. 62-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2018 SURRENDERED AND ABANDONED VESSEL EXCHANGE GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$13,400 FOR REMOVAL OF ABANDONED/SURRENDERED VESSELS AND HAZARDS TO NAVIGATION; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 62-16.

A-6 ADOPTION OF RESOLUTION NO. 63-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2031 BOATING SAFETY AND ENFORCEMENT GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$18,437.00 FOR PURCHASE OF FLIR THERMAL IMAGING EQUIPMENT; (HARBOR)

RECOMMENDATION: Adopt Resolution No. 63-16.

A-7 ADOPTION OF RESOLUTION 64-16, A RESOLUTION OF INTENTION TO SET A PUBLIC HEARING FOR THE ABANDONMENT (VACATION) OF A PORTION OF THE PUBLIC SERVICES (SEWER) EASEMENT ON THE NORTHEAST PORTION OF PROPERTY AT 219 MARINA (C.P. PARKER, 219 MARINA, APPLICANT) PERMIT NO. E00-000-107; (PUBLIC WORKS)

RECOMMENDATION: Adopt Resolution No. 64-16.

A-8 APPROVAL OF PROPOSED AMENDMENT #2 FOR WATER RECLAMATION FACILITY (WRF) MASTER PLAN CONTRACT WITH BLACK AND VEATCH; (PUBLIC WORKS)

RECOMMENDATION: Approve as submitted.

A-9 ADOPTION OF RESOLUTION NO. 65-16 IMPLEMENTING THE TENTATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE MORRO BAY POLICE EMPLOYEES AND RELATED COMPENSATION FOR THE PERIOD JULY 1, 2016 – JUNE 30, 2017; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 65-16.

A-10 ADOPTION OF RESOLUTION NO. 66-16 IMPLEMENTING THE TENTATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE MORRO BAY FIREFIGHTERS ASSOCIATION AND RELATED COMPENSATION FOR THE PERIOD JULY 1, 2016 – JUNE 30, 2017; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 66-16.

A-11 ADOPTION OF RESOLUTION NO. 67-16 IMPLEMENTING THE TENTATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL 620, AND RELATED COMPENSATION FOR THE PERIOD JULY 1, 2016 – JUNE 30, 2017; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Adopt Resolution No. 67-16.

A-12 APPROVAL OF UPDATED FY 16/17 CITY GOALS AND OBJECTIVES, INCLUDING ADDITION OF OBJECTIVE RELATED TO SKATE PARK IMPROVEMENTS; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

The public comment period for the Consent Agenda was opened.

Dana McClish, Morro Bay, encouraged those with fishing boats, sailboats, kayaks and paddle boards to join the flotilla that will greet and welcome the San Salvador on September 29. Also, this year's Harbor Festival will include the Harbor Fest Cup race hosted by the Yacht Club.

Gannon Campbell, Morro Bay, spoke regarding Item A-12 and voiced his support for a new skate park in Morro Bay.

Lori Lorian, on behalf of Arts Obispo and the San Luis Obispo County Arts Council, announced an Open Studios Art Tour will be held October 8-9 and 15-16 featuring five Morro Bay artists. They are honored to be part of Maritime Discovery Month and thanked the Council for its Proclamation.

Jason Linker, Morro Bay, read a statement prepared by Jack Smith, owner of the Morro Bay Skateboard Museum, voicing his support to update the existing or build a new skate park.

Steve Campbell, Morro Bay, spoke regarding Item A-12 and shared a better skate facility would be good for the kids and the community. He is willing to work with the City to make that happen.

Ken Twist, Morro Bay, spoke regarding A-12 in support of a new skate park in Morro Bay as it would enhance the family experience by providing another outdoor activity.

Jane Heath, Morro Bay resident, business owner and Board Member of the Maritime Museum Association, thanked the Council for its proclamation declaring October Maritime Discovery Month and shared her excitement about the San Salvador arrival later this month. Please visit www.morrobaymaritime.org for more information.

Mike Sherrod, Morro Bay, thanked neighbors and friends who encouraged the City to build an improved skate park and thanked the Council for listening.

The public comment period for the Consent Agenda was closed.

Mayor Irons pulled Item A-12 and commented briefly on Items A-9, A-10 and A-11. Councilmember Heading pulled Items A-5 and A-6.

MOTION: Councilmember Johnson moved the Council approve Items A-1 through A-4 and A-7 through A-11 on the Consent Agenda. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

A-5 ADOPTION OF RESOLUTION NO. 62-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2018 SURRENDERED AND ABANDONED VESSEL EXCHANGE GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$13,400 FOR REMOVAL OF ABANDONED/SURRENDERED VESSELS AND HAZARDS TO NAVIGATION; (HARBOR)

<https://youtu.be/ovQSDbuezls?t=1h4m7s>

Councilmember Heading pulled this item to call attention to the contract requirement for the City to have a drug-free work place policy in place. Staff confirmed a policy is in place and that policy will be updated as part of the new Personnel Rules and Regulations.

MOTION: Councilmember Heading moved for approval of Item A-5. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

A-6 ADOPTION OF RESOLUTION NO. 63-16 AUTHORIZING THE CITY OF MORRO BAY TO ENTER INTO A 2016-2031 BOATING SAFETY AND ENFORCEMENT GRANT CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A GRANT TO THE CITY IN THE AMOUNT OF \$18,437.00 FOR PURCHASE OF FLIR THERMAL IMAGING EQUIPMENT; (HARBOR)

<https://youtu.be/ovQSDbuezls?t=1h7m10s>

MOTION: Councilmember Heading moved for approval of Item A-6. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

A-12 APPROVAL OF UPDATED FY 16/17 CITY GOALS AND OBJECTIVES, INCLUDING ADDITION OF OBJECTIVE RELATED TO SKATE PARK IMPROVEMENTS; (ADMINISTRATION)

<https://youtu.be/ovQSDbuezls?t=1h7m34s>

The Council supported adding skate park improvements to the FY 16/17 goals and objectives but noted this year's effort would be limited to resurfacing the existing skate park and developing options for consideration during the FY 17/18 budget process. The Council expressed its appreciation for those who came to speak in support of this item and looks forward to a great partnership.

MOTION: Councilmember Smukler moved the Council to approve Item A-12. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

The Council took a short recess at 7:22 p.m.; the meeting reconvened at 7:29 p.m.

B. PUBLIC HEARINGS - None

C. BUSINESS ITEMS

C-1 APPROVAL OF ABSENCE OF COUNCIL MEMBER MATT MAKOWETSKI FROM ATTENDANCE AT COUNCIL MEETINGS FOR A 90-DAY PERIOD; (ADMINISTRATIVE SERVICES)
<https://youtu.be/ovQSDbuezls?t=1h21m37s>

City Manager Buckingham provided a brief report and responded to Council inquiries.

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

Bob Keller, Morro Bay, spoke in support of Councilmember Makowetski and urged the Council approve the requested leave of absence.

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

There was unanimous support for granting the approved leave of absence to allow Councilmember Makowetski time to focus on healing.

MOTION: Councilmember Smukler moved the Council grant Councilmember Makowetski's request for a 90-day leave of absence beginning today. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

C-2 FY 2015/16 GOALS REVIEW; (ADMINISTRATION)
<https://youtu.be/ovQSDbuezls?t=1h28m41s>

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

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

As this was a receive and file report, no formal action was taken.

C-3 DISCUSSION AND APPROVAL OF CITY ORGANIZATIONAL ITEMS AND APPROVAL OF FY 16/17 SALARY SCHEDULE; (ADMINISTRATION)
<https://youtu.be/ovQSDbuezls?t=2h13m5s>

Mr. Buckingham presented the staff report and pointed out edits and clarifications that will be made to the City Clerk, Recreation Division Coordinator, Finance Director and Tourism Manager job descriptions.

The public comment period for Item C-3 was opened; seeing none, the public comment period was closed.

Councilmember Smukler requested the Environmental Programs Manager job description be edited to include responsibility for the Urban Forest Management Plan.

Councilmember Heading responded to questions raised during the earlier public comment period noting the hiring process being used is robust, the criteria is well laid out in advance, and known to both those who apply and those who participate in the interview process.

The Council discussed and expressed support for the planned reorganization of Utilities Division which is in line with the future One Water plan.

MOTION: Councilmember Heading moved the Council approve the staff recommendation, including proposed edits to the job descriptions. The motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

AMENDED MOTION: Councilmember Heading amended the motion to include approval of the FY 16/17 salary schedule. The amended motion was seconded by Councilmember Smukler and carried 4-0-1 with Councilmember Makowetski absent.

C-4 AUTHORIZE AWARD OF A CONSULTANT AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES FOR PROJECT 05-5391R, STATE ROUTE 1/MAIN STREET AT SR41 IMPROVEMENTS; (PUBLIC WORKS)

<https://youtu.be/ovQSDbuezIs?t=2h51m58s>

Capital Projects Manager Sauerwein presented the staff report and responded to Council inquiries.

The public comment period for Item C-4 was opened.

Robert Davis, Morro Bay, commented that if Measure J does not pass, the City won't receive the \$1 Million needed to construct a project at this intersection.

The public comment period for Item C-4 was closed.

The Council appreciated the clear outline of the process to date and future steps that provide multiple opportunities for public input on both alternatives. It was agreed having a shovel-ready plan in place was crucial to have the best opportunity to receive project funding.

MOTION: Councilmember Johnson moved the Council award a consultant agreement to Omni-Means, Ltd., as amended, for preliminary engineering services of Project 05-5391R, and authorize the Public Works Director to execute an agreement in the amount of \$260,213, including a 10-percent contingency in the amount of \$23,656. The motion was seconded by Councilmember Heading and carried 4-0-1 with Councilmember Makowetski absent.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

<https://youtu.be/ovQSDbuezIs?t=3h54m14s>

Councilmember Smukler requested discussion of options to amend the zoning code to allow chickens and other urban agricultural practices in residential areas. The Council supported this item.

E. ADJOURNMENT

The meeting adjourned at 10:07 p.m. The next Regular Meeting will be held on Tuesday, September 13, 2016 at 6:00 p.m. at the Veteran's Memorial Hall located at 209 Surf Street, Morro Bay, California.

Recorded by:

Dana Swanson,
City Clerk

**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY DECLARING
SEPTEMBER 18 – SEPTEMBER 24, 2016
AS THE 14TH SEA OTTER AWARENESS WEEK**

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

WHEREAS, the sea otter is a symbol of wildness, an integral part of California's natural ecosystem and serves as an indicator for the overall health of California's nearshore marine environment; and

WHEREAS, a growing awareness of the benefits of maintaining the health of the nearshore marine environment has raised public awareness in the sea otter; and

WHEREAS, disease from a variety of sources, including land-based biological pathogens, accounts for a significant amount of the mortality of California sea otters in a given year; and

WHEREAS, increased human viewing and other interactions with sea otters can have a detrimental effect on sea otter health; and

WHEREAS, the survival of the sea otter in California remains dependent upon continued public support and increased understanding of the essential role sea otters play in nature.

NOW, THEREFORE, BE IT RESOLVED, that the Morro Bay City Council does hereby proclaim September 18 – September 24, 2016, to be the 14th "Sea Otter Awareness Week."

IN WITNESS WHEREOF I have
hereunto set my hand and caused the
seal of the City of Morro Bay to be
affixed this 13th day of September, 2016

Jamie L. Irons, Mayor
City of Morro Bay, California



AGENDA NO: A-5

MEETING DATE: September 13, 2016

Staff Report

TO: Honorable Mayor and City Council **DATE:** August 31, 2016
FROM: Scot Graham, Community Development Director
SUBJECT: Quarterly Status Report on Parking In-Lieu Fee Waivers

RECOMMENDATION

Receive and File

BACKGROUND

The City Council, on June 28, 2016, adopted Resolution No. 54-16 suspending the \$15,000 In-Lieu parking fee for up to twenty-four months while the General Plan and Local Coastal Program update is underway (Resolution No. 54-16 provided in Attachment A). Resolution No. 54-16 applies to the Embarcadero and Downtown and serves not only to suspend the \$15,000 Parking In-Lieu Fee, but also implements the following measures:

1. Use of historic parking credits along the Embarcadero is an acceptable practice for evaluation of parking requirements found Chapter 17.44 of the City of Morro Bay Municipal Code.
2. The Parking In-Lieu fee program, established by Resolution No. 37-05, shall be suspended, from the date of adoption of this Resolution, for a period of no more than 24 months, as an economic incentive for new or redevelopment/expansion of commercial properties within the City.
3. The parking in-lieu fee program, for the following 24 months, shall include the following parameters:
 - a. Parking in-lieu fees are waived for the first four (4) required parking spaces
 - b. In-Lieu fees in the amount of \$500.00 shall be paid for any additional in-lieu parking spaces required beyond the initial 4.

Prepared By: SG & RL Dept Review: SG & RL

City Manager Review: _____ City Attorney Review: JWP

- c. Community Development Department staff shall have the ability to administer the in-lieu fee program for all administrative approvals involving seven (7) or fewer in-lieu spaces.
- d. Projects involving a need for eight (8) to fifteen (15) in-lieu spaces shall require Planning Commission review.
- e. Projects requesting in-lieu parking spaces totaling sixteen (16) or greater shall require approval by the City Council.

The City Council may reduce or increase that period by adoption of another resolution.

- 4. Staff is directed to develop a comprehensive parking solution for the downtown and waterfront/Embarcadero areas of the City as part of the General Plan/Local Coastal Program update process, including recommending actions needed to rescind or revised this Resolution and Resolution No. 37-05. as needed.

DISCUSSION

The Council recently requested staff provide a quarterly report on the number of Parking In-Lieu fee waivers issued. While staff is aware of at least two potential projects that may make use of the fee waiver, none have come forward as of the time of the writing of this staff report.

ATTACHMENT

City Council Resolution No. 54-16

Attachment A

RESOLUTION NO. 54-16

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
TO MEMORIALIZE HISTORIC PARKING CREDITS, SUSPEND PARKING IN-LIEU
FEES FOR THE EMBARCADERO AND DOWNTOWN AREAS, AND DIRECT THE
EVALUATION OF THE COMMERCIAL PARKING PROGRAM**

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

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 May 3, 2016, for the purpose of considering an interpretation of historic parking credits and to forward a recommendation to 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 June 28, 2016, for the purpose of considering the memorialization of historic parking credits, the suspension of parking in-lieu fees for the Embarcadero and Downtown areas for 18- 24 months, and directing the evaluation of the overall commercial parking program as part of the General Plan / Local Coastal Plan update process; and

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

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

1. Use of historic parking credits along the Embarcadero is an acceptable practice for evaluation of parking requirements found Chapter 17.44 of the City of Morro Bay Municipal Code.
2. The Parking In-Lieu fee program, established by Resolution No. 37-05, shall be suspended, from the date of adoption of this Resolution, for a period of no more than 24 months, as an economic incentive for new or redevelopment/expansion of commercial properties within the City.
3. The parking in-lieu fee program, for the following 24 months, shall include the following parameters:
 - a. Parking in-lieu fees are waived for the first four (4) required parking spaces
 - b. In-Lieu fees in the amount of \$500.00 shall be paid for any additional in-lieu parking spaces required beyond the initial 4.

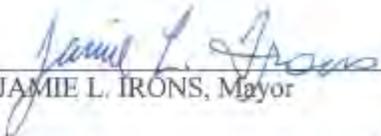
- c. Community Development Department staff shall have the ability to administer the in-lieu fee program for all administrative approvals involving seven (7) or fewer in-lieu spaces.
- d. Projects involving a need for eight (8) to fifteen (15) in-lieu spaces shall require Planning Commission review.
- e. Projects requesting in-lieu parking spaces totaling sixteen (16) or greater shall require approval by the City Council.

The City Council may reduce or increase that period by adoption of another resolution.

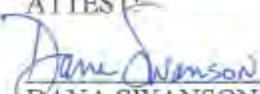
- 4. Staff is directed to develop a comprehensive parking solution for the downtown and waterfront/Embarcadero areas of the City as part of the General Plan/Local Coastal Program update process, including recommending actions needed to rescind or revised this Resolution and Resolution No. 37-05. as needed.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on this 28th day of June, 2016 on the following vote:

AYES: Makowetski, Johnson, Smukler
NOES: None
ABSENT: Headding
ABSTAIN: Irons



JAMIE L. IRONS, Mayor

ATTEST:


DANA SWANSON, City Clerk



AGENDA NO: A-6

MEETING DATE: September 13, 2016

Staff Report

TO: Honorable Mayor and City Council **DATE:** September 6, 2016
FROM: Mike Nunley, PE – Water Reclamation Facility Program Manager
SUBJECT: Water Reclamation Facility (“WRF”) Program Update

RECOMMENDATION

Staff recommends the Council review the current status and the proposed next steps regarding the development of a WRF program.

ALTERNATIVES

No alternatives are recommended.

FISCAL IMPACT

No impact to the WRF Program Budget is proposed as part of this update. The program budget for FY 16/17 was presented at the August 9, 2016 City Council meeting.

DISCUSSION

Staff provides this report as a monthly update to the progress made to date on the new WRF project. With the denial of the permit for the WWTP project in its current location, the City has embarked on a process for a WRF. This staff report provides a review of what has occurred to date. See the list of major milestones or accomplishments since the last update to City Council below.

Accomplishments and Milestones

The City’s Program Management team and technical consultants performed the following tasks since the August 9th program update:

- Organized and held the Environmental Impact Report (EIR) Scoping Meeting on August 16, 2016.
- Reviewed an initial draft hydrogeological investigation of treated effluent reuse opportunities in the Chorro Valley and provided comments to GSI Water (program hydrogeologist).
- Completed the administrative (internal) draft WRF Facility Master Plan.
- Continued compiling water quality and flow data for use by design/construction teams during the proposal process for the Phase I WRF.
- Completed the final Salinity Source Identification and Control Development Plan.
- Scheduled the Community Workshop for the Draft WRF Facility Master Plan for Thursday, October 13, 2016 at 6 PM at the Morro Bay Community Center Multipurpose Room.
- Reviewed initial draft site plans for the South Bay Boulevard site and provided comments to the Facility Master Plan team.

Budget, Expenses, and Schedule

A detailed quarterly budget report will be submitted at the November City Council and WRFCAC meetings.

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

FY 16/17 activities are primarily planning, permitting, and procurement of consultants for elements of the Phase I WRF. Specific objectives include completion of the Facility Master Plan, Master Water Reclamation Plan, technical studies and initial drafts of the Environmental Impact Report, and procurement of the State Revolving Fund Planning and Design Loan. No changes to the critical path items in the Program Schedule have occurred since the August update to Council and WRFAC.

ATTACHMENTS

None

amendment to the purchase agreement to include the following terms:

- Additional nonrefundable deposit in the amount of \$30,000, bringing total deposit to \$50,000
- Buyer will immediately close escrow and deliver to City a Buyer's promissory note secured by the first deed of trust encumbering the property for the balance of the purchase price (\$749,000)
 - Payment of 5% interest annually, paid in monthly installments, compounded monthly from the close of escrow.
 - Maturity of the Note at 36-months following close of escrow; or
 - 30-days following buyers receipt of all necessary and final/non-appealable land use entitlements and approvals for the project and the running of any applicable statutes of limitation relating to initiation of legal action challenging the entitlements or the project.

The City has been in active negotiations related to the above requested changes. Staff agrees with the changes and finds them reasonably necessary to allow the purchase to proceed. However, the City did request and has received concurrence from Mr. Mayer for the addition of the following terms:

- Interest will continue to accrue during any period where the legal action is brought against the project
- Inclusion of an indemnification clause related to Entitlement Litigation

It should be noted that Mr. Mayer has signed and forwarded to the City the First Amendment to the purchase agreement, which includes the above referenced terms.

By sale of the property, the City is not committing to any future development or use of the property. Such use and development would be required to proceed through the City and Coastal Commission's land use entitlement procedures.

CONCLUSION

Staff recommends that the City Council concur with the revised purchase agreement terms and direct staff to proceed with execution of First Amendment to the purchase agreement.

ATTACHMENT(S)

1. Resolution 59-16
2. Mayer, August 24, 2016 Letter
3. First Amendment to Purchase Agreement

RESOLUTION NO. 59-16

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT
2783 CORAL AVENUE APN: 065-386-015**

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

WHEREAS, the City of Morro Bay desires to sell certain City-owned property located at 2783 Coral Avenue in the City of Morro Bay, with APN: 065-386-015 (the "Sale Property"), bounded to the West by Coral Avenue, North by San Jacinto and East by State Highway 1; and

WHEREAS, Jeff Mayer has submitted an offer in the amount of \$799,000.00 to the City for purchase of the Sale Property; and

WHEREAS, the Planning Commission, on April 19, 2016, adopted Resolution No. 13-16 finding the sale of the vacant City-owned property consistent with the City of Morro Bay General Plan; and

WHEREAS, the Council finds there is no present or anticipated future use of the Sale Property, for public purposes; and

WHEREAS, the sale of the Sale Property is both consistent with the City's General Plan and is for the benefit of the City's citizens;

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

1. The City Council hereby finds the sale of the Sale Property is in the public interest.
2. The City Council hereby finds the sale of the Sale Property for the amount of \$799,000.00 is in the public interest for the common benefit of the City's citizens and is not below the fair market value of the Sale Property.
3. The City Council approves the sale of the Sale Property to Jeff Mayer in the amount of \$799,000.00 less sales commission, escrow and closing costs.
4. The City Manager or his designee is authorized to execute the Purchase Sale Agreement and all other documents to effectuate the sale of the Sale Property.

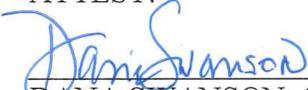
PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on this 12th day of July, 2016 on the following vote:

AYES: Irons, Headding, Johnson, Makowetski, Smukler
NOES: None
ABSENT: None
ABSTAIN: None



JAMIE L. IRONS, Mayor

ATTEST:



DANA SWANSON, City Clerk

Jeffrey S. Mayer
1467 W Shaw Avenue
Fresno, CA 93711

August 24, 2016

Mr. David Buckingham
City Manager
City of Morro Bay, CA
595 Harbor Street
Morro Bay, CA 93442-1957

Re: 2783 Coral Avenue Morro Bay, CA 93442 APN: 065-386-015

Dear Mr. Buckingham,

As you know, we entered in to a Vacant Land Purchase Agreement and Joint Escrow Instructions for the subject Property that became effective on July 19, 2016. Since that time, we have been reviewing matters of title, and conducting our research in to the feasibility of developing the property as a residential subdivision with 6 single family homes located thereon. We have also completed a Phase 1 Environmental Site Assessment, have reviewed the previous (and now expired) Conditional Use Permit, Vesting Tentative Map, and other related correspondence in an effort to determine the likelihood of obtaining the necessary approvals from the City of Morro Bay, and the California Coastal Commission for the aforementioned development. We currently understand these "entitlements" to include, but not be limited to, a Conditional Use Permit/Amendment to the Cloisters Tract approval, a Vesting Tentative Map, an Amendment to the City of Morro Bay Local Coastal Plan, and a Coastal Development Permit, and whatever necessary CEQA certification is deemed necessary by your staff, along with the required engineering and related studies that may be required as a part of these entitlements.

I would like to specifically thank Scot Graham and your Community Development staff for their cooperation and willingness to continually take our calls and meet to review the information we have had questions about. It is refreshing to work with such a responsive team.

As we discussed in our telephone discussion today, the entitlement process with the City will take several months, and possibly up to a year to complete, and then there will be a subsequent process with the California Coastal Commission. This total process will require significant investment in the engineering, studies and application fees, and could take up to two years, not including any significant challenges or litigation. Based on our findings, we are not willing to purchase the property according to the terms of the current Agreement. That said, we believe it is in the best interest of the City to amend the Agreement in a way that addresses our concerns, and ultimately accomplishes your goal to sell the Property.

Mr. David Buckingham
Page 2
August 24, 2016

We are proposing that we amend the Agreement as follows:

The Purchase Price shall be evidenced in the form of cash in the amount of \$50,000 and a Promissory Note held by the City of Morro Bay for the balance of the Purchase Price. The Promissory Note would be secured by a First Deed of Trust on the Property.

The Terms of the Promissory Note would be:

Principal: \$749,000.00

Interest Rate 5% per annum, paid with monthly installments of Interest only.

Maturity: The earlier of 36 months from the Date of the Note, or the date that is 30 days following the final approval for the Property that allows the subdivision and development of the Property in to six (6) single family home sites, including all appeal periods or statutory timeframes for litigation challenging such entitlements/approvals. In the event the entitlements are challenged through litigation, the Maturity Date shall be "tolled" until said litigation is finally adjudicated.

If this Amendment is acceptable to the City, we are prepared to waive any remaining contingencies, and proceed with Close of Escrow on the Property on or before September 30, 2016.

We will also agree that this Amendment is conditioned on obtaining the consent from Frankie Ciano/Ciano Real Estate that any commission due to Ciano Real Estate related to this transaction shall be paid by the City on a "cash received" basis, and not upon the Close of Escrow.

Thank you again for taking the time to discuss this matter, and for your willingness to consider this Amendment.

Sincerely,



Kevin Huber



Jeffrey S. Mayer

Copy: Mr. Scot Graham-Community Development Director Morro Bay, CA
Mr. Fritz Huber
Mr. Frankie Ciano

FIRST AMENDMENT TO VACANT LAND
PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS
(2783 Coral Avenue, Morro Bay, CA)

This FIRST AMENDMENT TO VACANT LAND PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS ("First Amendment"), dated for reference purposes only September __ 2016, is entered by and between the CITY OF MORRO BAY, a municipal corporation ("Seller"), and JEFF MAYER and/or his assignee ("Buyer").

RECITALS

A. Seller and Buyer entered into that certain Vacant Land Purchase Agreement and Joint Escrow Instructions dated for reference purposes on or about July 1, 2016 (as amended, the "Purchase Agreement"), pursuant to which Seller agreed to sell to Buyer, and Buyer agreed to purchase from Seller, upon the terms and conditions of the Purchase Agreement, certain real property owned by Seller and located at 2783 Coral Avenue, Morro Bay, San Luis Obispo County, California 93442 (Assessor's Parcel No. 065-386-015) and more particularly described in the Purchase Agreement;

B. Buyer's has completed his preliminary study and investigation of the Property and has determined completing the land use entitlement process necessary for the subdivision of the Property into six (6) single-family home sites, as contemplated by Buyer, (the "Project") will require a greater amount of time and the expenditure of a significantly greater amount of money. Accordingly, pursuant to the Purchase Agreement, Buyer notified Seller Buyer is currently unwilling to proceed with the Close of Escrow;

C. The parties have determined it is in their mutual interest to expedite a Close of Escrow by restructuring the financing terms set forth in the Purchase Agreement to provide for, among other things, an additional deposit and increased Seller financing; and

D. The parties now desire to amend the Purchase Agreement as hereinafter set forth.

AMENDMENT

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements in this First Amendment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Buyer hereby agree as follows:

1. Definitions and Recitals. Capitalized terms that are not defined in this First Amendment shall have the meanings given to them in the Purchase Agreement. The parties acknowledge and agree to the truthfulness of the foregoing recitals, which are hereby incorporated into this First Amendment.

2. Increased Deposit. Buyer shall deliver to Escrow Holder an increased deposit in the amount of \$30,000.00, for a total down payment amount of \$50,000.00 ("Down Payment") within five (5) business days after the complete execution and delivery of this First Amendment.

The Down Payment shall be non-refundable and is intended to serve as liquidated damages pursuant to paragraph 27B, except in the event of Seller's default or failure of a material condition to Closing.

3. Seller Financing. Buyer agrees to deliver to Seller through Escrow at Closing Buyer's promissory note ("Note") secured by a deed of trust ("Deed of Trust") encumbering the Property in favor of Seller for the balance of the purchase price (\$749,000.00), bearing interest at the rate of five percent (5%) per annum, compounded monthly, from the Close of Escrow, payable in monthly installments of interest only (in arrears) beginning on October 1, 2016, and continuing until maturity, unless paid sooner. The forms of Note and Deed of Trust shall be as reasonably agreed to by the parties at least three (3) business days prior to the Close of Escrow, but shall contain the following terms and conditions:

(a) Maturity of the Note: Upon the earlier to occur of:

(i) 36 months following the Close of Escrow;

(ii) 30 days following (1) Buyer's receipt of all necessary and final/non-appealable land use entitlements and approvals for the Project (from all governmental agencies, commissions or authorities having jurisdiction over the Project) (collectively the "Entitlements") and (2) the running of any applicable statutes of limitation relating to initiating legal action to challenge the Entitlements or the Project; or

(iii) 30 days following Seller's written notice to Buyer after Seller, acting reasonably and in good faith, determines Buyer has failed to either pursue the Entitlements for the Project or defend any legal action relating to the Entitlements or the Project; provided, that if the latter occurs Seller shall have no obligation to defend that legal action.

(b) Suspension of Monthly Note Payments: In the event Buyer is a party to or is otherwise forced to defend (or commence) legal action related to the Entitlements, monthly payments due pursuant to the terms of the Note shall be suspended for so long as Buyer is involved in such legal action. Notwithstanding the suspension of payments, interest shall continue to accrue on the outstanding balance of the Note.

(c) Indemnification Related to Entitlement Litigation. Buyer shall defend and indemnify Seller from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, reasonable attorney's fees, disbursements and court costs) which may arise from the Project and/or the Project's approval, whether based on Seller's CEQA determination or other governmental decision; provided that Buyer's obligation to indemnify does not apply to the extent Seller is found liable for gross negligence or willful misconduct.

4. Close of Escrow. Close of Escrow shall occur on or before September 30, 2016.

5. Commission. Notwithstanding anything to the contrary contained in the Purchase Agreement or any listing or other representation agreement between Seller and Ciano Real Estate Inc. ("Agent") regarding the Property, Agent and Seller agree any commission or compensation otherwise payable by Seller upon the Close of Escrow shall be paid when and only to the extent of cash received by Seller on account of the Purchase Price.

6. Further Assurances; Cooperation. Each of the parties shall execute such other and further documents and do such further acts as may be reasonably required to effectuate the intent of the parties and carry out the terms of this First Amendment. Without limiting the foregoing, the parties shall execute and deliver such instructions as necessary to transfer the escrow and Buyer's deposit to the Escrow Holder designated herein and to cause the Preliminary Report to be issued expeditiously.

7. No Further Amendment. Except as expressly provided in this First Amendment, the Purchase Agreement remains unmodified and in full force and effect. Further, all the terms and provisions of the Purchase Agreement apply to this First Amendment except as modified by this First Amendment.

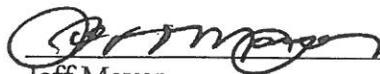
8. Interpretation. The provisions of this First Amendment shall be construed as to the fair meaning and not for or against any party based upon any attribution of such party as the sole source of the language in question. In the event of any inconsistency between this First Amendment and the Purchase Agreement, the terms of this First Amendment shall prevail.

9. Counterparts. This First Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same instrument. To facilitate execution of this Agreement, the parties may execute and exchange by electronic mail or telephone facsimile counterparts of the signature pages.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the dates below written.

(SIGNATURES APPEAR ON THE FOLLOWING PAGE)

BUYER:



Jeff Mayer

Dated: September 9, 2016.

SELLER:

CITY OF MORRO BAY, a
municipal corporation

By: _____
Jamie Irons, Mayor

Dated: September ____, 2016.

ATTEST:

Dana Swanson, City Clerk

APPROVED AS TO FORM:

Joseph W. Pannone,
City Attorney

Agreed as to Paragraph 5:

Ciano Real Estate, Inc., a
California corporation

By: 

Frank M. Ciano, President



AGENDA NO: C-1

MEETING DATE: September 13, 2016

Staff Report

TO: Honorable Mayor and City Council **DATE:** August 30, 2016
FROM: Eric Endersby, Harbor Director
SUBJECT: Sea Otter Awareness Week 2016 Update

RECOMMENDATION

Receive and file, this is an informational item only.

FISCAL IMPACT

No direct fiscal impact has occurred with the City's execution of this goal objective; only impacts on staff time.

BACKGROUND

As part of the 2016/2017 City Council goals, the Council approved the following Goal Objective for Goal 8 - Enhance Quality of Life, Objective (c):

Take specific actions to raise awareness of sea otter protection practices and participate in the 2016 Sea Otter Awareness Week.

The approved Work Plan Elements for this Objective are:

1. *Continue current efforts with State Parks and Fish and Wildlife regarding establishing Morro Bay-specific sea otter awareness materials.*
2. *Engage stakeholders, identify opportunities and ideas, and bring to the Harbor Advisory Board for input and recommendation.*
3. *Implement recommendations.*
4. *Participate to the extent possible in Sea Otter Awareness Week 2016 (typically the fourth week in September).*

Sea Otter Awareness Week 2016 is September 18-24; a Sunday to Saturday format.

DISCUSSION

To date, the department has done and/or planned for the following with the Work Plan Elements:

1. Assisted State Parks with their "SeaLife Stewards" volunteer docent program with local knowledge, volunteer safety training and being a response resource in the case of issues as they arise. Stewards in kayaks protect wildlife while providing important information to fellow water recreationists such as safe viewing guidelines for sea otters, harbor seals, sea lions and seabirds.

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____

In collaboration with the “Sea Otter Savvy” non-profit based in Moss Landing/Monterey, distributed “Be Sea Otter Savvy” stickers to local kayak rental shops.

Collaborate with Fish and Wildlife to continue development of Morro Bay-specific “sea otter savvy” materials.

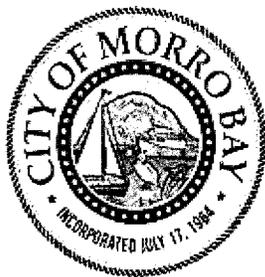
2. At the August 4, 2016 Harbor Advisory Board (HAB) meeting, item C-6 on the agenda was to take Board and public input on planned department actions and activities, as well as to take input on other ideas or suggestions. The staff report for that item is included as Attachment 1.
3. In August, the HAB endorsed the department’s plan, in general, with some recommended changes. Several of the ideas brought forward are being implemented.
4. In collaboration with State Parks, SeaLife Stewards, Sea Otter Savvy and our own Tourism Manager, the following Sea Otter Awareness Week activities are planned:
 - State Parks will have their “Sea Otter Experience” table with docents offering various otter informational and educational items, spotting scopes, lectures at the Target Rock area daily during Sea Otter Awareness Week. In addition, they will have a table and docents at Anchor Memorial Park on Sunday the 18th and Saturday the 24th with similar materials and activities.
 - Both the Morro Bay State Park Museum of Natural History and the Morro Bay National Estuary Program will have sea otter materials and information on public display at their respective facilities for the duration of the week.
 - SeaLife Stewards will be on the bay providing information and best viewing practices to water enthusiasts.
 - Information to the media and area schools, in addition to Facebook posts, are being released as appropriate to advise of the opportunities and information being presented.
 - Outreach to organizations such as Camp Keep, Kern County’s environmental education program, is being made.

CONCLUSION

Several great happenings are scheduled for Sea Otter Awareness Week 2016, and the City encourages our residents and visitors to take full advantage of what the community has to offer.

ATTACHMENT

HAB Sea Otter Awareness Week staff report from August 4, 2016 meeting.



AGENDA NO: C-6

MEETING DATE: August 4, 2016

Staff Report

TO: Harbor Advisory Board **DATE:** July 27, 2016

FROM: Eric Endersby, Harbor Director

SUBJECT: Input on Harbor Department Sea Otter Awareness Activities and City Participation in Sea Otter Awareness Week 2016

RECOMMENDATION

Receive report and provide staff input and recommendations.

FISCAL IMPACT

Minimal negative fiscal impact expected in purchasing materials and items for Sea Otter Awareness Week activities.

BACKGROUND

During the City Council/Advisory Body goal-setting process completed earlier this year, the City Council adopted "Sea Otter Awareness" as a Harbor Advisory Board work program goal for the upcoming fiscal year. The goal is:

"Take specific actions to raise awareness of sea otter protection practices and participate in the 2016 Sea Otter Awareness Week."

Four Work Plan Elements (WPE) were adopted to guide the process and help achieve the goal. Those WPEs are:

- WPE1: "Continue efforts with State Parks and Fish & Wildlife regarding establishing Morro Bay-specific sea otter awareness materials."
- WPE2: "Engage stakeholders, identify opportunities and ideas, and bring to HAB for input and recommendation." This WPE was slated to commence in the fourth quarter (Q4) of fiscal year 2015/2016, and continue into the first quarter (Q1) of this current fiscal year.
- WPE3: "Implement recommendations." This WPE is slated to commence in Q1.
- WPE4: "Participate to the extent possible in Sea Otter Awareness Week 2016 (typically the 4th week in September)."

Prepared By: EE

Dept. Review: EE

The Sea Otter Awareness Week Fact Sheet put out by the Friends of the Sea Otter is included with this staff report as Attachment 1.

DISCUSSION

WPE1

Since last year, Harbor Department personnel have worked with State Parks to help them develop their SeaLife Stewards program. SeaLife Stewards is a new volunteer program on the waters of Morro Bay with the goal of protecting wildlife and providing information about Morro Bay Estuary to water recreationists. Many of the local species of wildlife that are in Morro Bay are sensitive to casual repeated disturbance by watercraft. SeaLife Stewards in kayaks share safe viewing guidelines for sea otters, harbor seals, California sea lions and seabirds.

Harbor Patrol Supervisor Becka Kelly and her staff assisted State Parks to write their SeaLife Stewards guideline manual, learn boating and kayak safety, vessel rules of the road and tips for interacting with the public, and train and drill in self-rescue in the event of a capsize and perform a swimming proficiency test. In addition, Harbor Patrol responds to requests for assistance from the Stewards during their work if necessary.

WPE2 and WPE3

Staff have contacted State Parks, the Morro Bay National Estuary Program, Fish and Wildlife and local citizens to identify opportunities and ideas. To date, the list of potential opportunities and ideas includes:

- Continue working with the SeaLife Stewards as previously outlined.
- Assist Fish and Wildlife to distribute “Sea Otter Savvy” materials currently being created by them.
- City Council proclamation of Sea Otter Awareness Week 2016 at their September 13, 2016 meeting.

WPE3 and WPE4

For Sea Otter Awareness Week 2016, September 18-24, staff envision the following:

- State Parks’ sea otter trailer and informational booth/table set-ups at the Target Rock area for the weekend of Sea Otter Awareness Week, to include displays, personnel available for Q&A and handout materials including something for the kids.
- An event one evening (perhaps Saturday?) indoors at the Rec center or Vet’s Hall to include speakers, presentations and informational materials such as State Parks on sea otter facts and proper human viewing and recreating near otters, Fish and Wildlife on otter population status and the National Estuary Program on the importance of otters to the estuarine environment.

CONCLUSION

Staff is seeking HAB and public input on the current and proposed activities and events, as well as any new ideas, which may be incorporated into the Harbor Department’s current efforts, as

well as into the Sea Otter Awareness Week activities. An update on Sea Otter Awareness Week and other activities will be given at the September Harbor Advisory Board meeting.

ATTACHMENTS

1. Sea Otter Awareness Week Fact Sheet

Sea Otter Awareness Week



What is the purpose of Sea Otter Awareness Week?

- Sea otter Awareness Week (SOAW) provides the opportunity to broadly educate the public about sea otters, their natural history and the conservation issues they are facing.
- SOAW allows researchers, academics, zoos and aquariums, marine institutions, the conservation community, and businesses to interact with, inform and involve the public in sea otter research and conservation.

Why are sea otters important? How do they affect humans?

- Sea otters play a critical role in the marine ecosystem as a keystone species. They promote a healthy kelp forest that, in turn, supports thousands of organisms.
- Sea otters are the top predator in their ecosystem.
- Wildlife viewing is one of the most popular activities among tourists and residents of California and important in other areas sea otters reside.
- Sea otters are indicator or sentinel species, meaning they reflect the condition of the environment they live in, and they are dying of a tremendous amount of disease that has land-based connections. As humans and sea otters eat many of the same seafood items, high rates of sea otter disease may be a warning for both human and marine ecosystem health.

Sea otter systematics

- Common names: Southern or California sea otter; Northern sea otter; Russian sea otter
- Genus/species/subspecies: *Enhydra lutris nereis*; *Enhydra lutris kenyoni*; *Enhydra lutris lutris*
- Smallest marine mammal in northern hemisphere.
- Largest member of Family Mustelidae; relatives include ferret, badger, mink, river otter, etc.

Historic and current range/population census

- In the early 1700's, before wide-scale hunting began, their worldwide range was continuous from Japan to Baja California and the population was estimated at 300,000, possibly with a million or more, with approximately 16,000-20,000 along California's coast.
- Sea otters are now only found off the coast of Japan, Russia, Alaska, British Columbia, Washington, and California.
- Standardized census of the California population was initiated in 1983.
- California sea otter population counts are conducted twice a year, in the spring and fall, along the entire range.
- Spring counts are considered the most reliable due to more favorable viewing conditions and consistently higher annual numbers.

– over, please –



For more information, contact Jim Curland, jcurland@seaotters.org or Frank Reynolds, freynolds@seaotters.org.
Follow us on Facebook: <http://www.facebook.com/friendsoftheseaotter> & Twitter: [friendsseaotter](https://twitter.com/friendsseaotter)

PO Box 223260, Carmel, CA 93922 • 831.915.3725 • www.seaotters.org

Sea Otter Awareness Week



Southern sea otter management issues

- The final southern sea otter recovery plan, a blueprint to guide, assist with, and implement sea otter recovery, was issued in 2005.
- The two primary management objectives for the California population are to increase sea otter abundance through reducing sources of mortality and increase the size of their range.
- Population decline – since the causes of declines occurring over the last decade are not entirely known, it is difficult to identify and implement a management action, rather it will be necessary to implement various management actions.
- Conflicts with fisheries – sea otters are curious by nature, making them susceptible to entanglement in nets and traps and they eat many things that are commercially or recreationally harvested.
- Results from sea otter research will have a significant impact on the future management of the sea otter population.

You can make a difference!

- A number of non-governmental agencies, researchers, educators, federal and state agencies, and others are involved in sea otter recovery efforts.
- Support effort to control urban, industrial and agricultural runoff that carries chemicals and biological pathogens into the oceans.
- In California, if you come across a stranded or dead sea otter, report it immediately. You can call the Monterey Bay Aquarium Security Desk: (831) 648-4840 (For live, dead, sick, distressed and/or injured sea otters) or go to this site to find out what to do: <http://www.seaotters.org/soaw/whattodo.pdf>
- Support efforts to minimize entrapment of marine mammals and birds in fishing nets.
- Purchase products harvested sustainably (guides are available from Blue Ocean Institute, Audubon Society and the Monterey Bay Aquarium).
- Support efforts to remove the “no-otter zone” from Point Conception, near Santa Barbara, to the Mexican border.

Helpful links:

<http://www.seaotters.org>
<http://www.dfg.ca.gov/ospr/Science/marine-wildlife-vetcare/>
<http://www.mbayaq.org/cr/sorac.asp>
<http://www.vetmed.ucdavis.edu/owcn/>
<http://www.seaotterresearch.org/>
<http://www.seaotters.com>
<http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0A7>
<http://www.werc.usgs.gov/Project.aspx?ProjectID=91>
<http://alaska.fws.gov/fisheries/mmm/seaotters/recovery.htm>



For more information, contact Jim Curland, jcurland@seaotters.org or Frank Reynolds, freynolds@seaotters.org. Follow us on Facebook: <http://www.facebook.com/friendsoftheseaotter> & Twitter: [friendsseaotter](https://twitter.com/friendsseaotter)

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AGENDA NO: C-2

MEETING DATE: September 13, 2016

Staff Report

TO: Honorable Mayor and Council Members **DATE:** September 13, 2016
FROM: David Buckingham, City Manager
SUBJECT: Discussion and Approval of Conditional Consent of Landowner Pertaining to Lease Site 87-88/87W-88W located at 833 Embarcadero

RECOMMENDATION

Staff recommends the Council award conditional Consent of Landowner for development of lease site 87-88/87W-88W to K&C Development, LLC¹ in association with the Boutique Hotel Collection.

The conditions placed on the Consent of Landowner agreement are specified below. In short, those conditions are meant to ensure the investor is able and willing to make certain typical modifications to more fully comply with land use documents and policies, and is able and willing to conform the project to the forthcoming Centennial Parkway concept design.

Lease site 87-88/87W-88W is the current home of Off the Hook restaurant and for ease of communication this staff report refers to the site as the "Off the Hook" site.

FISCAL IMPACT

The long-term fiscal impact to the City of K&C Development's proposed \$11.5M investment is substantial. The project is projected to generate around \$3.6M of revenue to the City over the first ten years, including nearly \$300,000 per year of transient occupancy tax. That does not include what should be a substantial investment in the implementation of part of the Centennial Parkway concept plan, a plan the City does not have revenue to accomplish on its own and will require private capital, or a substantial municipal loan, to complete.

SUMMARY OF PROPOSAL

K&C Development, LLC, is a partnership that includes John King, an experienced regional hotel builder / operator, and Burt Caldwell, another experienced regional developer and Morro Bay business owner. Mr Caldwell is the current leaseholder of the Libertine Pub lease site, adjacent to the lease site in question, and, importantly, holds a current Consent of Landowner from the Morro Bay City Council for a complete renovation of the Libertine lease site.

The King and Caldwell proposal envisions Mr. Caldwell abandoning his plans for the Libertine site, joining the Libertine and Off the Hook lease sites together, removal of both the Libertine and Off the Hook building improvements, and construction of a new, single building, on the combined Libertine and Off the Hook sites. The proposed development includes a hotel, brewery and distillery to be managed and operated by the Boutique Hotel Collection, <http://www.boutiquehotelcollection.com/>.

¹ At this time K&C Development, LLC is being formed. Based on that, the recommendation is for the Council's approval of the COL to be effective only if that LLC is registered to conduct business in California within 60 days after the Council approves that COL.

The combined site is adjacent to the proposed Centennial Parkway revitalization project and in its final plans, the K&C project will be designed to integrate into the City's plans for the Parkway project.

BACKGROUND

1. Lease Site/ RFP Process.

- a. The Off the Hook site lease expires in March 2018.
- b. In March 2016, the City Council directed staff to complete a full and broad RFP process to generate the most / best possible options for revitalization of that site.
- c. Staff released an RFP consistent with Council's guidance and three proposals were received by the response deadline.
- d. Staff convened a panel to evaluate all three proposals.
 - i. The panel included the City Manager (economic development assessment), Community Development Director (planning, land-use and building assessment) and Harbor Director (harbor and lease management perspective).
 - ii. The panel also included a Morro Bay resident with significant national visitor-serving development experience, a 3rd generation Morro Bay resident and business owner with service industry experience, and the Chairman of the Morro Bay Planning Commission.
- e. In addition to the panel, staff met separately with teams representing each proposal to ask questions and learn more about each project.
- f. The panel unanimously, and strongly, recommended the K&C proposal. Staff's one-on-one meetings with each proposing team served to strengthen that recommendation.

2. Centennial Parkway Concept Plan.

- a. The City is completing an 18-month public process to develop a design concept for revitalization of Centennial Parkway. That process began in February 2015 with Council direction to bring concepts to "link" the Embarcadero and Downtown at Centennial Parkway.
- b. The general direction has been to create an integrated public space from the top of the existing Centennial Stairs (between Dorn's and DiStasio's) down through the Chessboard / Public Bathroom space, across the Embarcadero, and encompassing the existing parking lot between the Libertine and Rose's Landing.
- c. Significant stakeholder outreach was conducted this past spring and a public design workshop was well-attended in early summer.
- d. The City's design contractor is putting the finishing touches on two concepts that will be presented for Council consideration at their Sept 27 meeting.
- e. Both concepts, consistent with all of the public input received to date, envision the space between the Libertine and Rose's as a pedestrian plaza, welcoming to families, and, ideally integrated with the planned revitalization of the Libertine site, and the proposed partial renovation of the Rose's site.
- f. The Centennial Parkway concepts can also be adapted to integrate with the possible "Market Plaza" revitalization project that includes the Front Street parking lot, DiStasio's lot, and perhaps the parking lot at Pacific and Main.
- g. It is important to note at this time the City does not have the significant resources required to implement the proposed Centennial Parkway concept plans. We are fortunate, though, to have private revitalization projects abutting both sides and ends of the Centennial Parkway project that could bring the investment essential to complete the Parkway revitalization.

3. Lease Site Size.

- a. The primary commercial Tidelands Trust lease sites managed by the City are of varying sizes when measuring frontage along the Embarcadero. Some are as narrow as around 45 feet, others are nearly 140 feet.
- b. While our narrow lease sites are generally nicely designed and reasonably productive, the wider sites offer opportunity for more unique, more interesting, and more productive buildings. Following are lease site width examples in the blocks nearest the Off the Hook site:
 - i. Aquarium 44'
 - ii. Otter Rock 50'
 - iii. Libertine 52'
 - iv. Anderson Inn 70'
 - v. Off the Hook 75'
 - vi. Roses 113'
 - vii. Boatyard 125'
 - viii. Dutchman 130'
 - ix. Marina Square (N and S) 272'
- c. The narrowness of the existing Off the Hook lease site also likely contributed to the relatively low number of respondents to the City's RFP. The City initially expected 5-7 proposals, but received only two focused solely on the Off the Hook. Staff assessment is a number of potential respondents chose not to submit a proposal due in part to the challenging economics of new development on a small site.
- d. A combined Libertine / Off the Hook lease site would be 127' wide, consistent with the Dutchman/Boatyard/Rose's sites, and less than half of the Marina Square complex. There are two key notes about the possible consolidation of those two sites into one (see Attachment 2 – lease site map):
 - i. This is a once in a lifetime opportunity for the City. If the two sites are redeveloped independently, then the leases will almost certainly be 40-50 years each. There will not be another opportunity to combine those sites until around 2060, if at all.
 - ii. The K&C proposal is **not** to have two separate leaseholders "working together" on a single project that spans two lease sites. Instead, the proposal is a single leaseholder with a single building under single ownership on what will effectively be a single lease site composed of two previously separate lease sites, with a "centerpiece" or "anchor" project at the heart of our Centennial / Embarcadero / Morro Bay Blvd. revitalization efforts.
- e. The City's Harbor Lease Management Policy states, "leases that are not renewed should be put out to bid or kept in short-term interim lease arrangements until adjacent sites become available for consolidation," and, "lease expiration dates should be encouraged to coincide where adjoining sites may have mutual planning benefits. In some cases, the City should not renew a lease, either for the purpose of consolidating sites or to pursue other extenuating public benefit." While not necessarily warranted in all lease site cases, in this case, a combined Libertine / Off the Hook site consolidation and redevelopment meets all those policy parameters and comes at the perfect time, in the right location, with a proven team.

4. Hotel Operations and Stock.

- a. Considering the fiscal / revenue benefits of hotels that produce TOT, and the benefit of providing coastal access to visitors, the City has a record of encouraging appropriate new hotel opportunities on the Embarcadero. That includes approval early this year of the Caldwell proposal to modify his Libertine plans to include ~10 second floor hotel rooms, and Council direction to include 2nd floor lodging opportunities as a component of the Off the Hook RFP.
- b. From a hotel design and management perspective, combining the Libertine and Off the Hook lease sites makes sense for several reasons.
 - i. First, design of one building instead of two makes better use of space. A single hotel building only requires one elevator, one registration area, one office and one janitorial and supply area. Two hotel operations likely result in two of each; thus, one building on two sites results in more TOT-producing hotel room space in the same area.
 - ii. Second, while some smaller hotels manage quite well, especially in unique locations such as Morro Bay, generally in the hotel industry around 30 rooms is considered the minimum to ensure a long-term sustainable project.
- c. Considering available hotel stock, the City has fewer larger, higher-end lodging opportunities. Most, but not all, of the City's higher-end hospitality venues are 10 rooms or fewer. One goal of the City's revitalization's efforts has been to encourage the addition of higher-end lodging opportunities that will broaden the visitors the City attracts. That goal includes one or more larger (30+) hospitality venues that are higher-end.

5. Consent of Landowner and Consistency with Plans. It is normal for initial Consent of Landowner proposals to have areas in which the plans are not perfectly consistent with City land use plans and policies, such as the Waterfront Master Plan. Consent of Landowner comes at the very beginning of a design, planning and permitting process, a process designed in part for the City and developers to work together to design a project that is both consistent with existing policies and bring the greatest possible public good. From roof pitch to second floor set-back to view corridors, all three proposals received by the City included design elements that would have to be modified to ensure the best, most consistent project possible. In this case, the City is primarily choosing whether or not to combine both lease sites into one, and also giving consent for K&C Development to work further with staff to complete a concept plan for a project similar to the one depicted in the attached drawings.

- 6. Next Steps in the Process.** If the Council awards a Consent of Landowner to the K&C project, or to any project, following are the key "next steps":
- Developer, in close coordination with planning staff, completes a Concept Plan.
 - Concept Plan is processed through the Planning Commission to the Council for approval.
 - Developer takes Concept Plan to Coastal Commission for approval.
 - City and Developer complete Master Lease Agreement.
 - Developer makes adjustments required by Coastal Commission and completes Precise Plan that must be approved by Planning Commission.

DISCUSSION of PROPOSALS

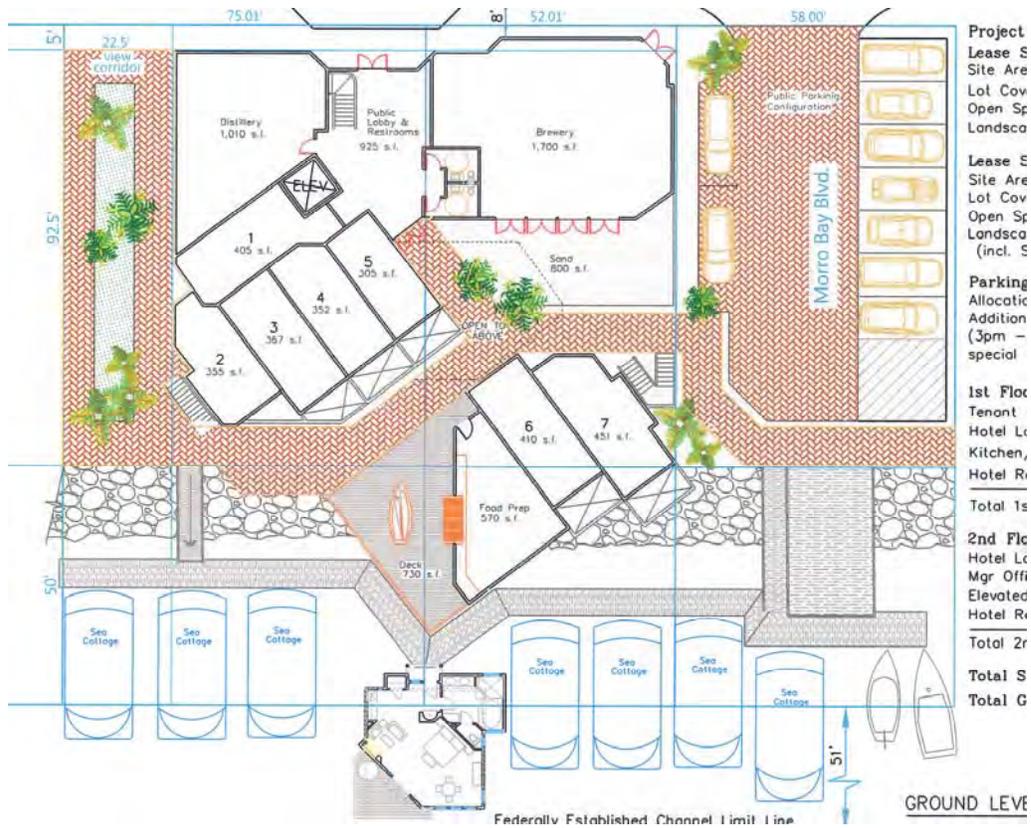
1. General Comparison. As noted, the City received three responses to the Request for Proposals

(RFP) related to the Off the Hook Lease Site: Proposal "A" from K&C Development and the Boutique Hotel Collection, Proposal "B" from TLC Family Enterprises, Inc. and Proposal "C" from Central Coast Investments, Inc. A full set of renderings for each project is provided in Attachment 1.

- a. Proposal A envisions combining the Off the Hook and Libertine lease sites and constructing a new ~30 room hotel. The hotel includes 15 second floor rooms, 7 ground floor rooms on the bay side, and the possibility of up to 7 floating sea cottages and an 800 sq. ft. floating honeymoon suite for the water portion of the lease. On the ground floor, a brewery and separate distillery facing the Embarcadero and on the bay side the project proposes an outdoor, sailing-themed bar serving hot food.

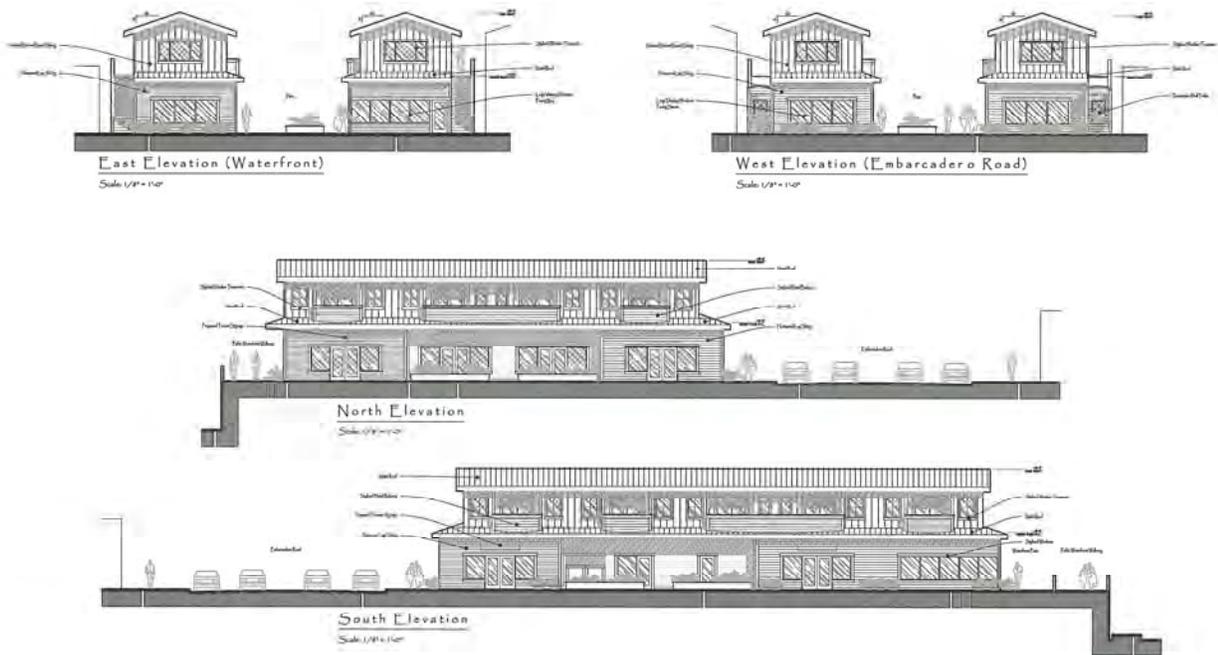
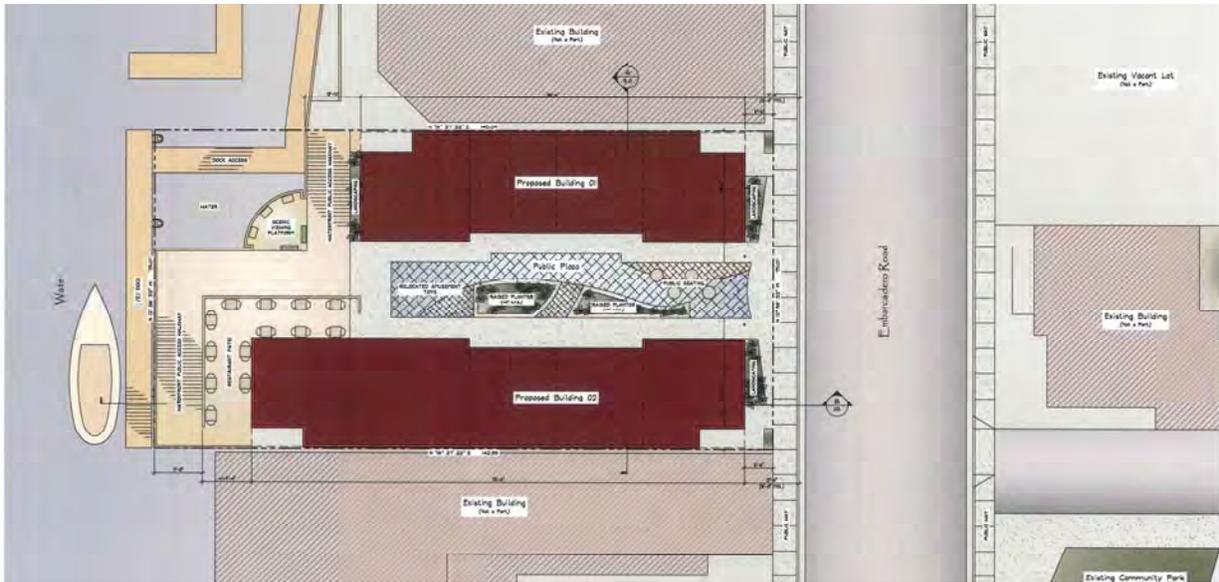


6/7/2016
Morro Bay Redevelopment
333 Embarcadero, Morro Bay CA
6200 Hill
architectural associates, inc.
627 Hill and the Hill, in 2004
PH 78-827



- b. Proposal B envisions a single building on the Off the Hook Site. That building sits on the approximate footprint of the existing Off the Hook building with a courtyard / children’s play area approximately where it exists today. The project includes a second floor hotel with ~6 rooms. On the ground floor, two retail spaces face the Embarcadero, a small frozen yogurt shop faces the courtyard and a “food court” sits on the bay side. The management plan is to include four separate food vendors in the food court, serving 1) fish and chips, 2) sushi, 3) a coffee shop, and 4) a bar. The master lease holder would have responsibility for upkeep of the common eating area serving the four food vendors.





- d. In compliance with the RFP, all three proposals include differing degrees of family-oriented features and sustainability or LEED-type features.

2. Comparison of Key Features and Experience.

- a. **Use of Lease Site.** As noted above, Proposal A envisions combining the Off the Hook and Libertine lease sites. Staff / professional assessment is combining those two sites is a very significant, positive, long-term benefit in general, and especially since the site is adjacent to the proposed Centennial Parkway / Market Plaza revitalization concepts.

For that reason alone, Project A is should be given primary consideration for Consent of Landowner. Neither proposals B nor C envision combing the sites. (It is important to note Mr. Caldwell holds a recently awarded Consent of Landowner for the Libertine site, so any proposal to combine the sites must include him. In this case, Mr. Caldwell partnered with Mr. King on proposal A.)

b. **Development Experience.** K&C Development has substantially more development experience than either of the other proposers, especially in the area of commercial development.

- K&C development experience spans 40 years in Central California and includes development of commercial retail, restaurant, hotel and destination resort venues in San Luis Obispo County, and the Big Sur Coast, Palm Springs, Marina, and Tahoe. A full list of K&C and Boutique Hotel Collection Related projects is at Attachment 3.
- Proposer C has some commercial development experience, primarily in apartment buildings. Proposer B does not have any commercial development experience.

c. **Coastal Development Experience.** K&C Development is the only proposer with commercial development experience in the Coastal zone.

- K&C has worked closely with the Coastal Commission on waterfront projects in Pismo Beach and Marina.
- Coastal development experience of both proposers B and C is limited to construction of single-family homes in the Coastal Zone.

d. **Hotel Development and Operation.** K&C Development is the only proposer with experience building and / or operating hotels.

- K&C has substantial experience designing, building and operating destination hotels. In addition to local / regional projects designed and built such as the Sea Venture Beach Hotel in Pismo Beach and Marina Dunes Resort in Marina, CA, they have also designed other successful hotel projects such as the Princess Palms Resort in the US Virgin Islands. Further, under their Boutique Hotel Collection management, K&C owns and operates the Cliffs Resort in Shell Beach, The SeaVenture Beach Hotel in Pismo Beach, Sycamore Mineral Springs hotel in Avila Beach and the Apple Farm in San Luis Obispo.
- Neither proposer B nor C have any experience designing or building hotels, nor do they have experience operating / managing a hotel. Project B initially plans to have one of their subtenants manage the 6 upstairs hotel rooms. Proposer C intends to market the 9 upstairs rooms as vacation rentals, managed by a local property management company.

e. **Financial Capacity.** In one way or another, all three proposers have submitted documents suggesting they have at least the minimum financial capacity to complete the project they propose. However, K&C clearly has substantial financial depth, well beyond the other proposers. While it is not appropriate to publish detailed financial information in this staff report, the following observations are relevant:

- K&C submitted financial documents showing both a strong lender relationship

for development of the project, and adequate cash on hand to complete the entire project without financing.

- Both proposers B&C submitted general bank and other documents showing they have the capacity to secure financing for the projects they propose.
- The Off the Hook site may require substantial site work, especially on the seawall / revetment / pilings, work that could be significantly more expensive than it appears on initial inspection. Thus, a developer may require substantial financial depth to complete the project.

f. **Economic Benefit.** While this staff report does not provide a comprehensive analysis of the economic benefits of each project, the K&C project will likely produce ~80% more revenue to the City than the other proposals.

- The K&C proposal includes 30 TOT-producing rooms. That compares to 16-19 possible rooms between the existing Libertine proposal (~10 rooms) and ~6-9 rooms proposed by Off the Hook proposals B & C. Thus, the K&C project will have around 70% more rooms.
- One reason the anticipated revenue is even higher for proposal A than for B & C is the proposed ground floor hotel rooms will generate substantially more revenue than ground floor retail, especially ground floor bay side retail. (A higher end, 400 sq ft hotel room will generate \$8,000 - \$10,000/ year in TOT, or ~\$22.50 per square foot. A typical Embarcadero, street-facing retail store at 1500 sq ft generates around \$3500 in sales tax revenue for the City, or ~\$2.40 per square foot a year.)
- Based on room size and likely project quality / amenities, the K&C project will likely produce measurably higher average daily rate (ADR), further increasing the economic benefit of that project compared to the others.
- Since it is adjacent to the Centennial Parkway street end, the K&C proposal will ensure the developer of the Off the Hook lease site shares in the cost of part of the Centennial Parkway revitalization project. Since they are not adjacent to Centennial Parkway, neither projects B or C would reasonably share in the cost of the public improvements to Centennial Parkway.
- The Tidelands Lease Management Policy states: "The Harbor Department will manage leases in a way that will strive to support Tidelands visitor serving lease businesses to increase revenues consistent with adopted City Plans and Policies, and coordinated with planning and land use policies." Clearly the K&C proposal will serve to increase and maximize revenues on those combined sites.

3. Discussion of Land Use Compatibility.

a. **The Proposal.** The K&C Proposal "A" includes a unique design mixing different types of hotel rooms (standard and floating), while also providing separate brewery and distillery spaces. The development makes use of not only the Off the Hook and Libertine lease spaces, but also incorporates the adjacent street end. Incorporation of the street end into the project should be considered as it is a means to potentially bring forward a portion of the Centennial Plaza project design once that plan is complete. At minimum, the proposer should be directed to consider the Centennial Plaza street end design in any future concept plan submittal.

b. **Waterfront Master Plan (WMP) inconsistencies.** Revisions to the design will be necessary in preparation of the Concept Plan in order to more closely align the proposal with the following Master Plan requirements:

- Incorporate a ten-foot wide lateral public access path along the water side of the development
- Provide 10-foot second floor step back from Embarcadero right-of-way
- Provide 30% of lease site width in view corridors to the bay
- Demonstrate greater than normal public benefit to achieve building height of 25-feet

Revisions to preliminary plans submitted for COL along the waterfront are typical when moving from the COL stage to the Concept Plan phase of the approval process. Similar WMP inconsistencies can be found in both Proposals B and C. Staff has had discussions with the K&C and they have agreed to address the items noted above if they are awarded COL.

Given there are inconsistencies between the current preliminary proposal for COL and the WMP, it is suggested language similar to the following be incorporated into the COL resolution:

- The City shall have the right to withdraw the COL if K&C refuses or fails to revise the Concept Plans to conform with the requirements of the Waterfront Master Plan. The final decision on revocation of the COL shall reside with the City Manager.

The above referenced language has been incorporated into the proposed COL resolution as a condition.

- c. **Preliminary Concept Review by PC.** Given the fact the proposal includes 185-feet of frontage along the Embarcadero, when including the street end, it is recommended the Planning Commission be afforded an “Preliminary” review of the Concept Plan prior to reviewing the project for recommendation to the Council. Staff is, therefore, recommending the following condition also be added to the COL Resolution:

- K&C shall be required to submit to the Planning Commission for a “Preliminary Conceptual Review,” plans, drawings and materials in sufficient detail to determine overall architecture and Waterfront Master Plan compliance. That review shall be a noticed Planning Commission hearing and take place prior to review of the Concept Plan for recommendation to the City Council.

The above referenced language has been incorporated into the COL Resolution as condition.

4. Discussion of Waterfront / Tidelands Trust Items.

- a. As previously noted, the City’s Lease Management Policy encourages lease site consolidation and redevelopment, where appropriate, and is not without precedent with the successful Dutchman’s and Marina Square redevelopments of the early 1990’s. Staff strongly believes the proposed K&C consolidation and redevelopment best and appropriately serves the administrative, economic and community revitalization goals of the City.
- b. Our Tidelands Trust mandate on our developed waterfront is generally to maximize that development and subsequent revenue, in addition to maximizing public benefits such as access to the waterfront and bay. In addition, Morro Bay waterfront development is limited to that which is either visitor-serving or coastal / marine-dependent, or both. In the case of K&C’s “sea cottage” and floating honeymoon suite proposal, all three of

- those tenets are satisfied.
- c. Combining two lease site redevelopments into one will effectively cut in half the City's staff, Planning Commission and City Council time to process the necessary conditional use permits, which can be substantial.
 - d. Similarly, the time and effort to negotiate one lease and manage one lease site instead of two will substantially reduce staff and City Council time and effort required.

SUMMARY

The K&C Proposal represents a rare opportunity for the City to achieve an important step in our revitalization efforts. The proposal to combine two small lease sites into a larger site is consistent with, and encouraged by, our established policy and historical practice. The site's positioning adjacent to the proposed Centennial Parkway revitalization makes the prospect of a "signature" project even more compelling, and provides the opportunity to implement part of the Centennial Parkway revitalization concept using private investment dollars. Further, the project will generate substantially more revenue to the City's General Fund than two individual projects on the Off the Hook and Libertine sites. The developer has substantial experience developing high-end, destination hospitality properties in the coastal zone, and has a management company, the Boutique Hotel Collection, with experience effectively managing such properties in SLO County, including on the coast. The developer further is willing and able to work closely with the City to ensure the project conforms appropriately to our existing land use plans and requirements.

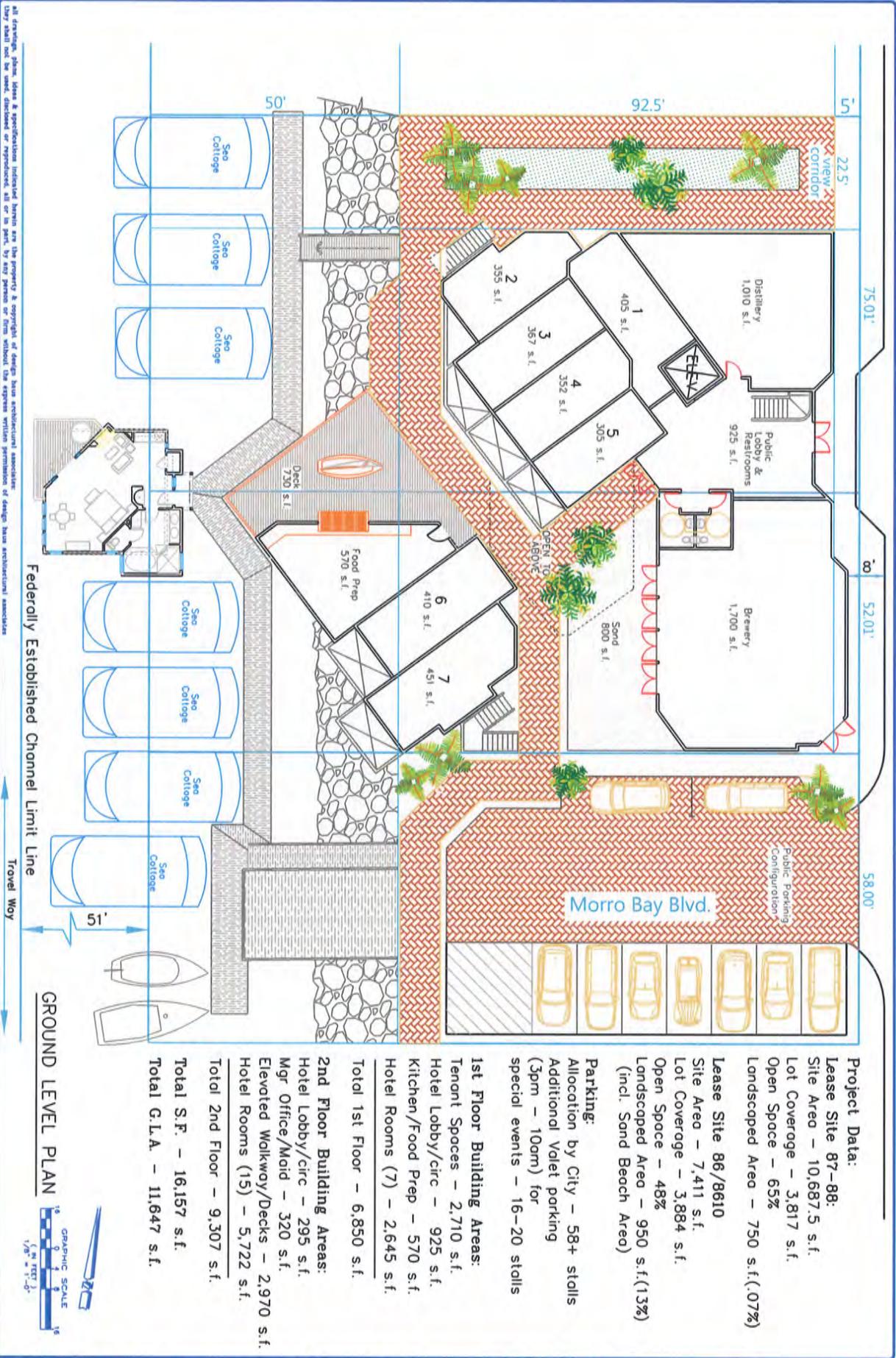
RECOMMENDATION

Staff recommends the Council award conditional Consent of Landowner approval to K&C Development and further direct, as noted in the staff report, K&C, with staff support, bring updated plans to the Planning Commission for Preliminary Concept Review. If K&C is unable / unwilling to deliver plans agreeable to the City, as demonstrated by Planning Commission initial conceptual approval, then the City Manager is empowered to rescind the Consent of Landowner agreement or bring the matter to the City Council for preliminary review.

ATTACHMENTS

1. Plans and renderings for proposals A, B and C
2. Lease site maps
3. K&C Development and Boutique Hotel Collection company profile
4. Proposed Consent of Landowner agreement

Proposal "A"
K&C Development / Boutique Hotel Collection



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Federally Established Channel Limit Line

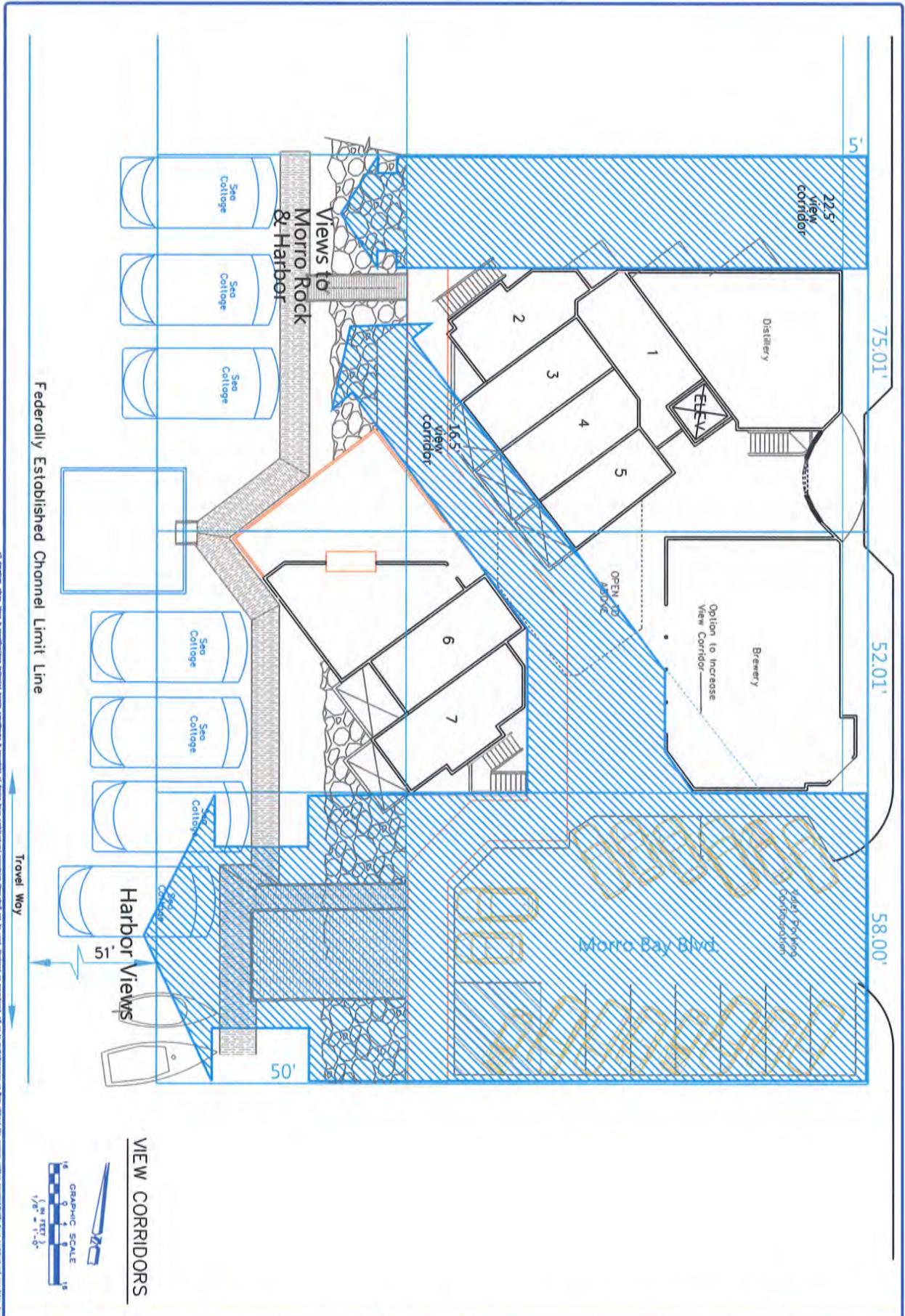
Trove Way

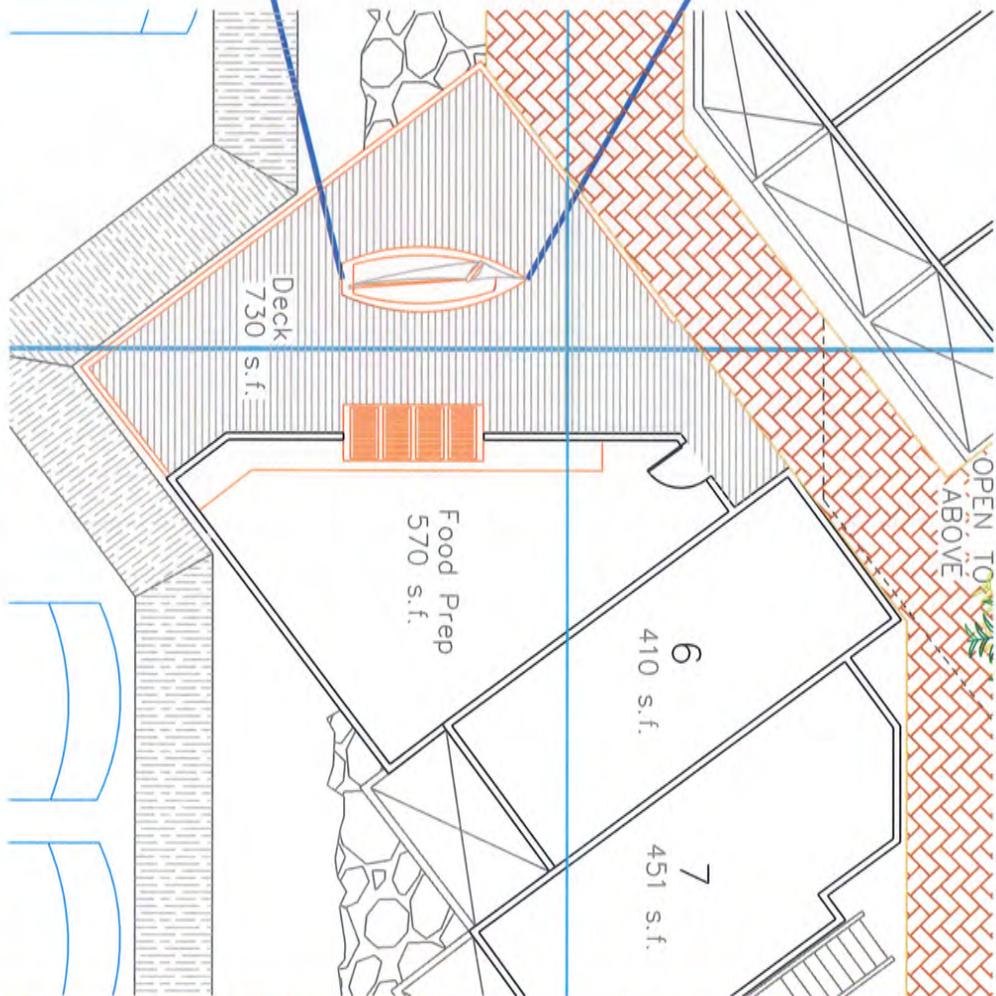
GROUND LEVEL PLAN



- Project Data:**
- Lease Site 87-88:
 - Site Area - 10,687.5 s.f.
 - Lot Coverage - 3,817 s.f.
 - Open Space - 65%
 - Landscaped Area - 750 s.f. (.07%)
- Lease Site 86/8610**
- Site Area - 7,411 s.f.
 - Lot Coverage - 3,884 s.f.
 - Open Space - 48%
 - Landscaped Area - 950 s.f. (13%) (incl. Sand Beach Area)
- Parking:**
- Allocation by City - 58+ stalls
 - Additional Valet parking (3pm - 10am) for special events - 16-20 stalls
- 1st Floor Building Areas:**
- Tenant Spaces - 2,710 s.f.
 - Hotel Lobby/circ - 925 s.f.
 - Kitchen/Food Prep - 570 s.f.
 - Hotel Rooms (7) - 2,645 s.f.
 - Total 1st Floor - 6,850 s.f.
- 2nd Floor Building Areas:**
- Hotel Lobby/circ - 295 s.f.
 - Mgr Office/Moid - 320 s.f.
 - Elevated Walkway/Decks - 2,970 s.f.
 - Hotel Rooms (15) - 5,722 s.f.
 - Total 2nd Floor - 9,307 s.f.
- Total S.F. - 16,157 s.f.**
- Total G.L.A. - 11,647 s.f.**







"Sail-Bar" Feature Detail

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FRONT (STREET) ELEVATION

1/4" = 1'-0" SCALE

ELEVATION "KEY NOTES"

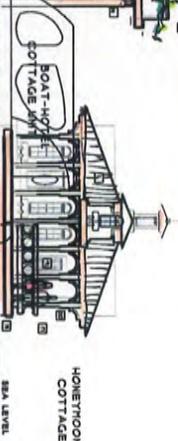
- 1 GLASS "A" ARCHITECTURAL GRADE ASPHALT COMB SHINGLE ROOF
- 2 OAK V. INT. PARAPET CAP / DEEP EDGE. GALVALUME PRIME AND PAINT TO ARCHITECT'S SPEC.
- 3 HON. 1" EXT. MAASWOOD FINISH COLOR PER ARCHITECT
- 4 INT. FRAME T. GLAZING / ENTRY DOORS WITH DIVIDED LIGHTS
- 5 OAK V. CORRUGATED METAL SOUND MATERIAL. COLOR PER ARCHITECT
- 6 R.S. PLYNG / BOARD AND BATT WOOD SOUND.
- 7 EXTD. PER-CAST CONC. STAIRS, WALKS, RET. WALLS PER PLAN
- 8 1/2" RNO. METAL OUTLETS. W/ ROUND D.S. PER ARCHITECT SELECTION
- 9 FIBERGLASS / VINYL CLAD WINDOWS - FRENCH DOORS
- 10 CAST IN PLACE TEXTURED CONC. WALKWAYS / PAVEMENT MATERIALS PER OWNER / ARCH.
- 11 TILE TRIM / PAVERS
- 12 HWY FRAMED WOOD TRUSS / TRUSS ELEMENT
- 13 OAK V. INT. FLASHING / PRIME/PAIN TO MATCH
- 14 FINISH GRADE / SLOPE AWAY FROM BLDG 1/4" PER FT.
- 15 TOP PLATE
- 16 FINISH FLOOR / TOP OF SLAB
- 17 W. IRON GUARDRAILING (POWDER COAT FIN.) 44" HT. W/ STAINLESS ST. CABLES. PER CODE REQUIRMENTS. PER DET.
- 18 PRE-CAST CONC. BOLLARDS W/ HEAVY ROPE OR INTL. CHAINS
- 19 WOOD DOOR / PILES ELEMENTS PER MARINE ARCHITECT'S DESIGN AND SPEC.
- 20 DEC. WOOD TRIM AND ARCH. DETAIL. PRIME AND PAINT
- 21 ROOF MOUNTED ELECT. WIND TURBINE GENERATOR



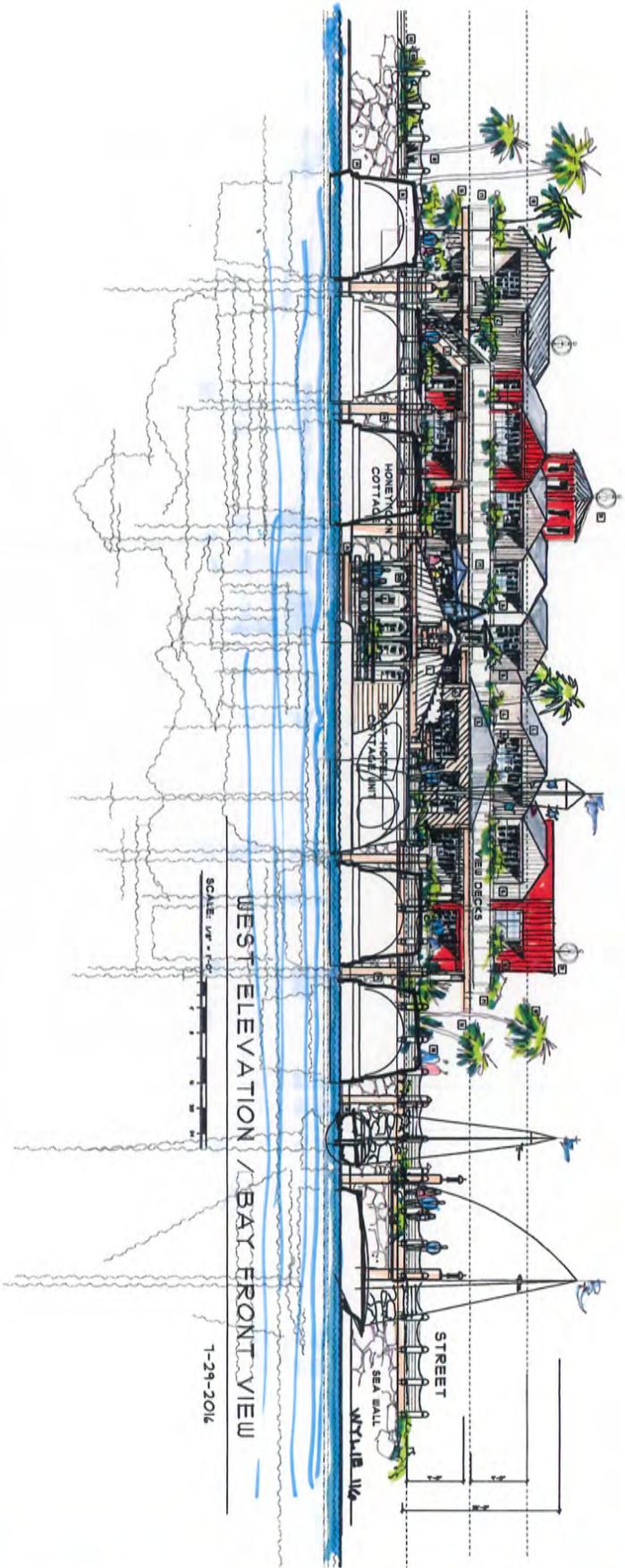
NORTH ELEVATION / SITE SECTION

1-28-2016

1/4" = 1'-0" SCALE

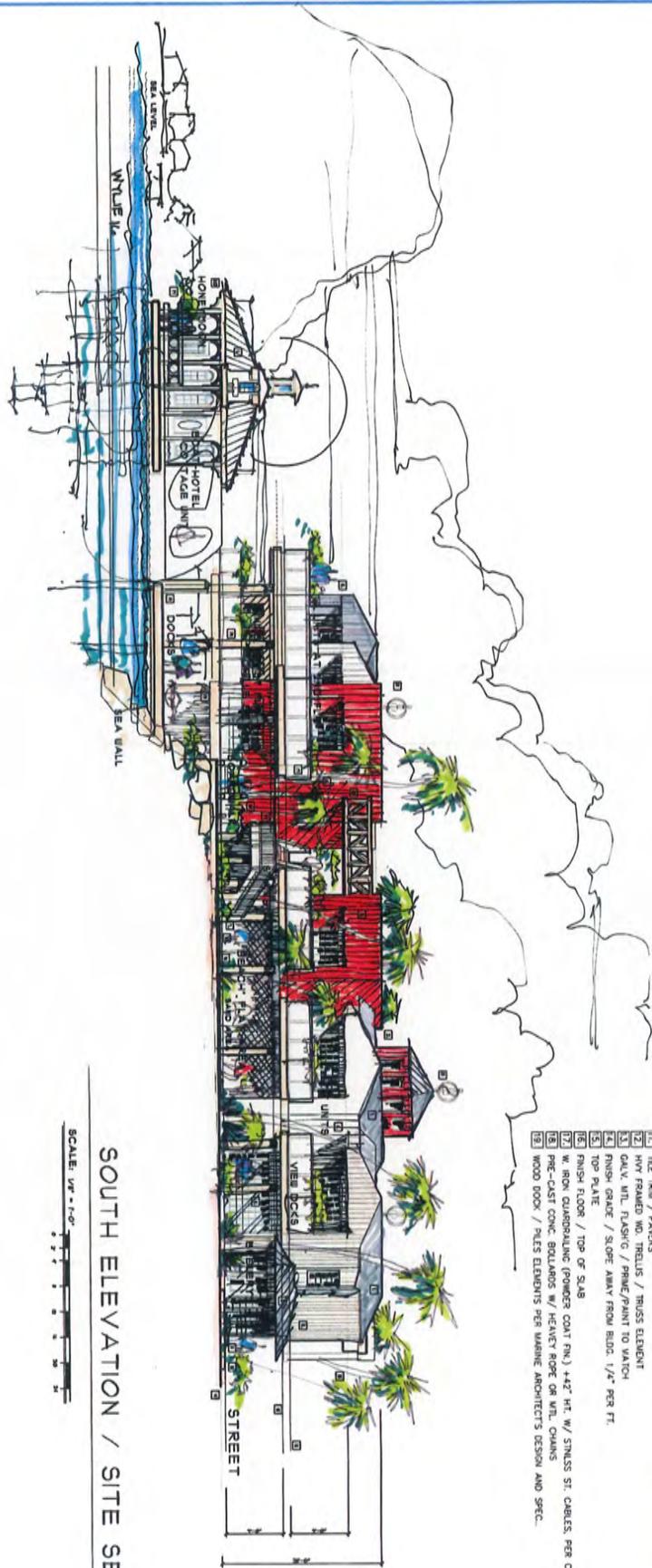


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ELEVATION "KEY NOTES"

- 1 GLASS "X" ARCHITECTURAL GRADE ASPHALT COMP. SINGLE ROOF
- 2 GALV. WTL. PARAPET CAP / DRIP EDGE. GALVANNEP PRIME AND PAINT TO ARCHITECT'S SPEC.
- 3 HDL. 1" EXT. MASONRY FINISH COLOR PER ARCHITECT
- 4 WTL. FRAME T. GLAZING / ENTRY DOORS WITH DIVIDED LIGHTS
- 5 GALV. CORRUGATED METAL SOUNG MATERIAL. COLOR PER ARCHITECT
- 6 R.S. PLUMB / BOARD AND BATT WOOD SOUND.
- 7 TEXTD PER-CAST CONC. STAIRS, WALLS, RET. WALLS PER PLAN
- 8 1/2" RND. METAL GUTTERS, W/ ROUND D.S. PER ARCHITECT SELECTION
- 9 FIBERGLASS / WNTL. CLAD WINDOWS - FRENCH DOORS
- 10 CAST IN PLACE TEXTURED CONC. WALKWAYS / PAVEN MATERIALS PER OWNER / ARCH.
- 11 TIE TRAIL / PAYERS
- 12 HWY FRAMED WD. TRUSS ELEMENT
- 13 GALV. WTL. FLASHING / PRIME/PAINT TO MATCH
- 14 FRESH GRADE / SLOPE AWAY FROM BLDG. 1/4" PER FT.
- 15 TOP PLATE
- 16 FRESH FLOOR / TOP OF SLAB
- 17 W. IRON GALVANNEP (PONDUR COAT FIN.) 4x4" HT. W/ STAINSS ST. CABLES PER CODE REQMENTS. PER DET.
- 18 PRE-CAST CONC. BOLLARDS W/ HEAVY ROPE OR WTL. CHAINS
- 19 WOOD DOCK / PILES ELEMENTS PER URBAN ARCHITECT'S DESIGN AND SPEC.
- 20 DEC. WOOD TRIM AND ARCH. DETAIL, PRIME AND PAINT
- 21 ROOF MOUNTED ELECT. WIND TURBINE GENERATOR



ELEVATION "KEY NOTES"

- 01 CLASS "X" ARCHITECTURAL GRADE ASPHALT COLE, SINGLE ROOF
- 02 GALV. WTL. PARAPET CAP / DEEP EROD. CALVARIO PRIME AND PAINT TO ARCHITECT'S SPEC.
- 03 NOM. 1" EXT. MASTUDO FINISH COLOR PER ARCHITECT
- 04 WTL. FRAME T. GLAZING / ENTRY DOORS WITH DIVIDED LIGHTS
- 05 GALV. CORRUGATED METAL SIDING MATERIAL... COLOR PER ARCHITECT
- 06 R.S. PLYNG / BOARD AND BATT WOOD SIDING
- 07 TEXTD. PER-CAST CONC. STAIRS, WALLS, RETI. WALLS PER PLAN
- 08 1/2" RND. METAL CUTTERS, W/ ROUND D.S. PER ARCHITECT SELECTION
- 09 FIBROGLASS / VINYL CLAD WINDOWS - FRENCH DOORS
- 10 CAST IN PLACE TEXTURED CONC. WALKWAYS / PAVEN MATERIALS PER OWNER / ARCH.
- 11 TILE TRAV / PAVORS
- 12 HYV FRAMED WD. TRELLIS / TRUSS ELEMENT
- 13 GALV. WTL. FLASHG / PRIME/PAINT TO MATCH
- 14 FINISH GRADE / SLOPE AWAY FROM BLDG. 1/4" PER FT. TOP FLAKE
- 15 FINISH FLOOR / TOP OF SLAB
- 16 W. RION QUADRANTALINE (POWDER COAT FN.) +42" HT. W/ STAIRS ST. CABLES PER CODE REQUINTS. PER DET.
- 17 PRE-CAST CONC. BOLLARDS W/ HEAVY ROPE OR WTL. CHAINS
- 18 WOOD DOOR / PILES ELEMENTS PER MARINE ARCHITECT'S DESIGN AND SPEC.

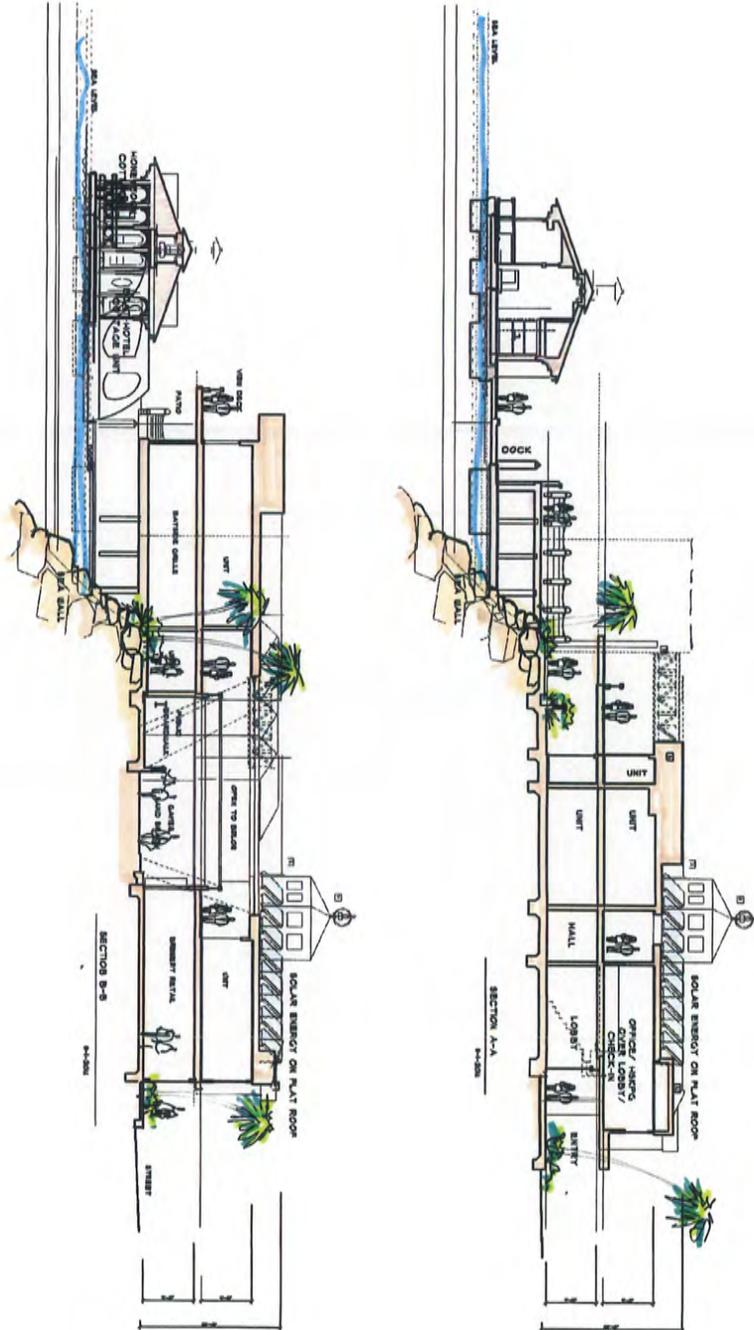
SOUTH ELEVATION / SITE SECTION

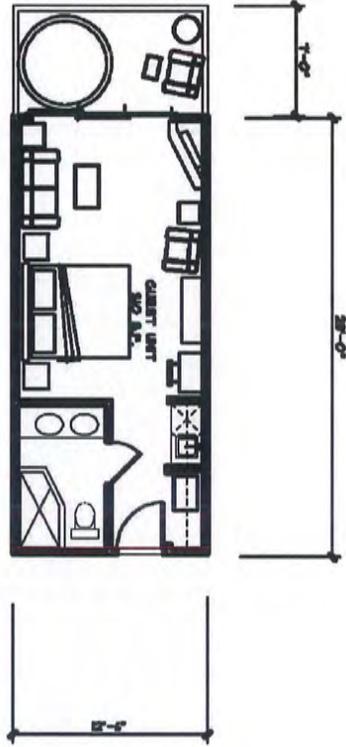
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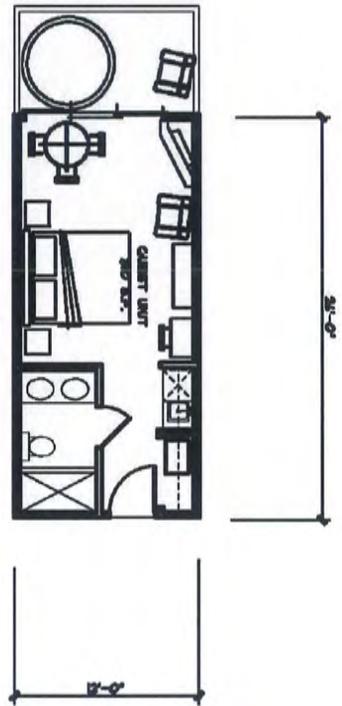
T-29-2016

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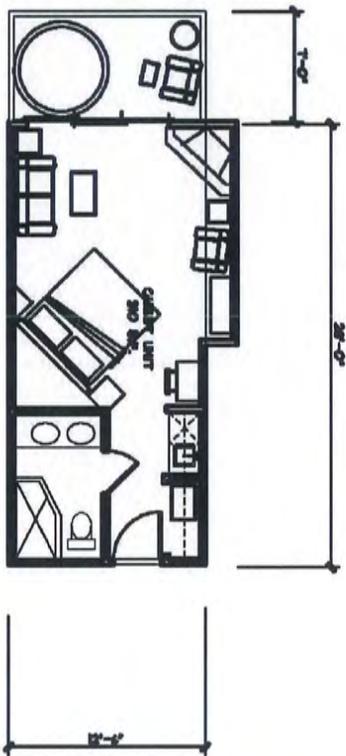


SCHEME 2
350 S.F.



SCHEME 1
310 S.F.

Typical Room Plans



SCHEME 3
315 S.F.

24. All drawings shall be submitted to the appropriate authority for review and approval. The architect shall be responsible for obtaining all necessary permits and approvals. The architect shall be responsible for obtaining all necessary permits and approvals. The architect shall be responsible for obtaining all necessary permits and approvals.

SEA COTTAGES

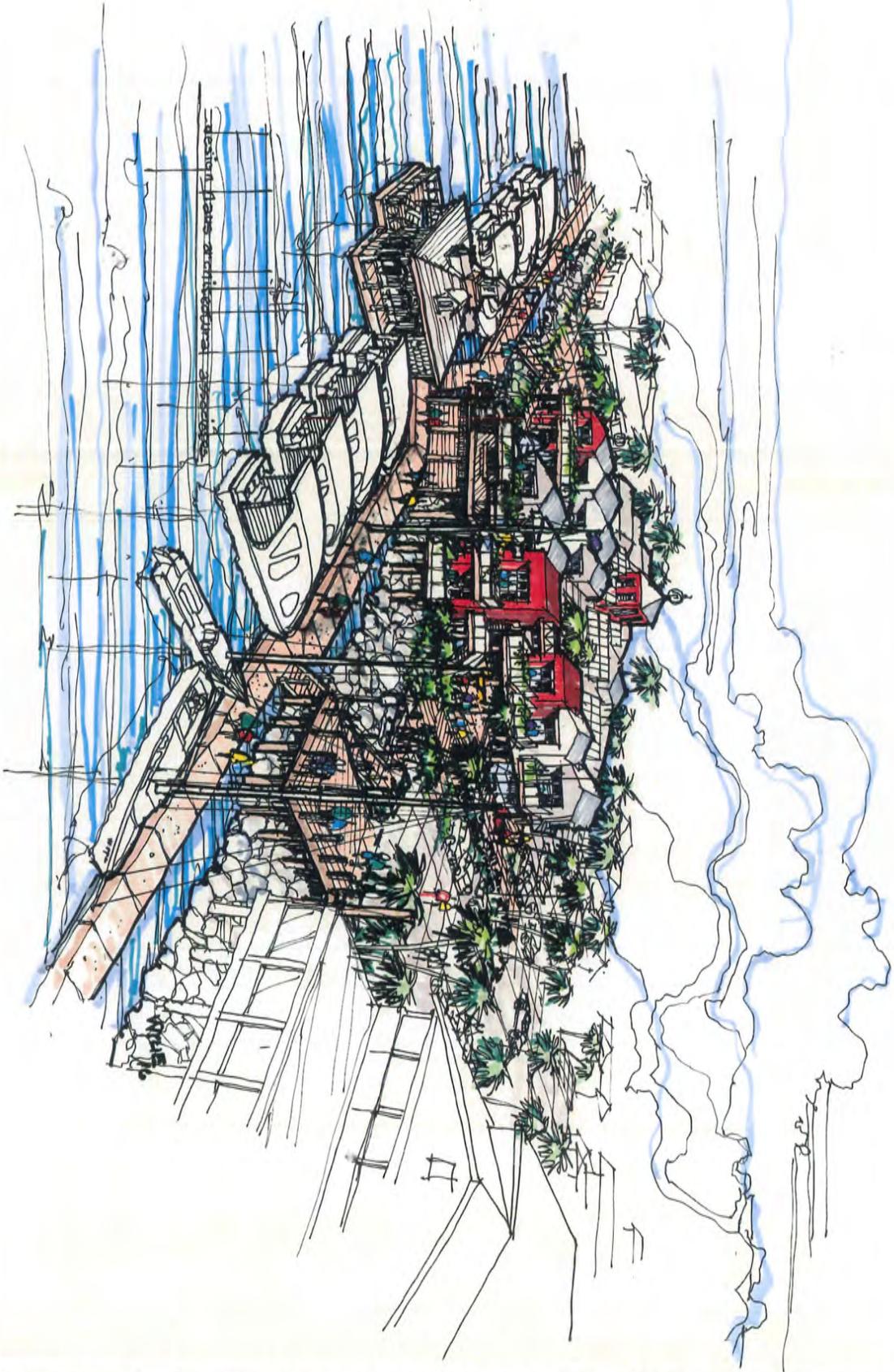
The unique fiberglass floating units are finely detailed and offer a truly unusual experience. In addition to a front and rear deck, the roof has incorporated a small sun deck. A variety of options are available, however these Sea Cottages are custom built to our specifications, which include the following furniture and fixtures similar to the hotel units:

Fireplace, 60" TVs, Wet Bar, Lanai Deck with Lounges, Soaking Tub, King Size Bed in Suite

The opportunity to stay on the bay with an uninterrupted view of the Rock will be a special treat and have great appeal to the public and travel writers who will significantly enhance the marketing.



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SK-1

design haus architectural associates, inc.
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(760) 778-6287

Morro Bay Redevelopment
833 Embarcadero, Morro Bay CA

9/1/2016

sheet 1 of 1



SK-2

S. Q. O.



SK-3

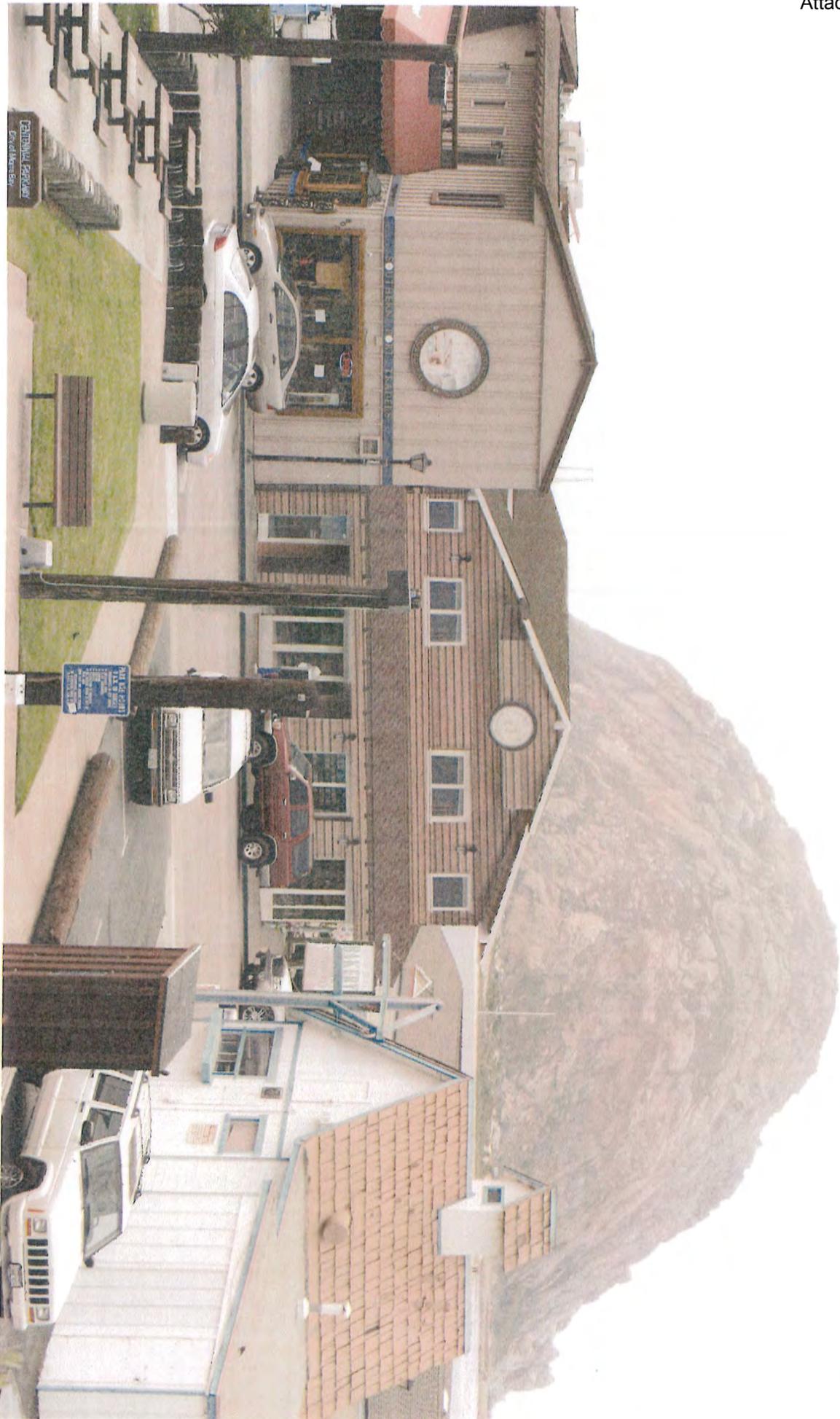
Proposal "B"
TLC Family Enterprises, Inc.



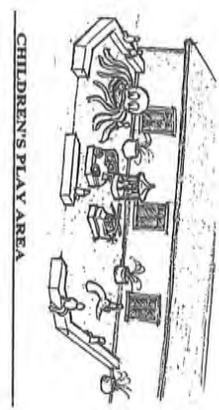
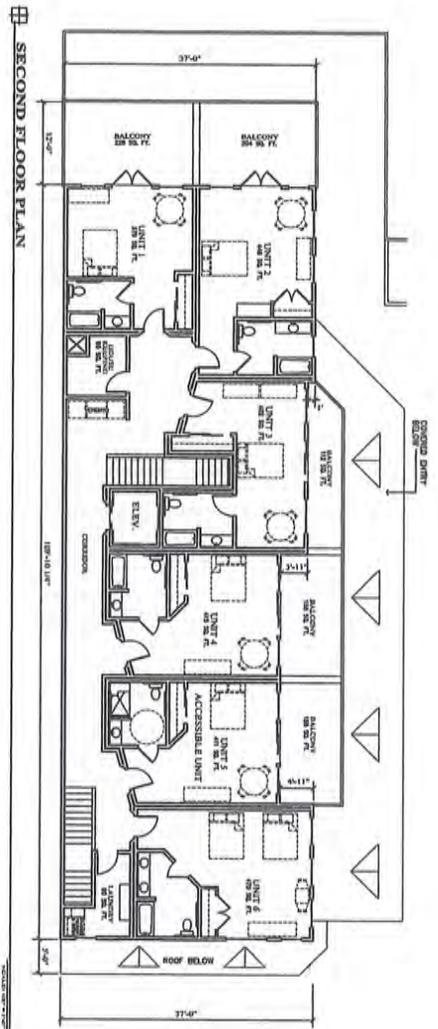
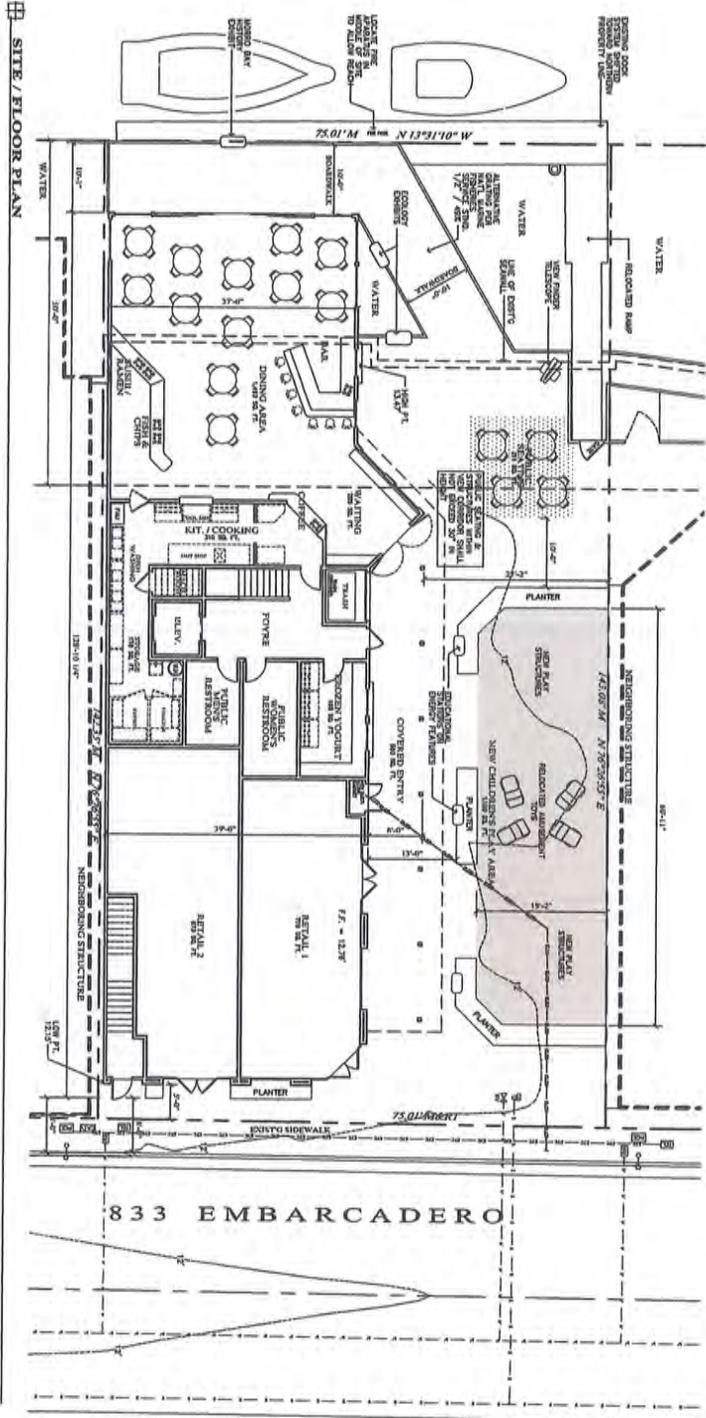
C.P. PARKER
ARCHITECT

833 EMBARCADERO
MORRO BAY, CALIF.

C.P. PARKER
ARCHITECT



833 EMBARCADERO
MORRO BAY, CALIF.



CHILDREN'S PLAY AREA

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C. P. PARKER
 ARCHITECT

CHILDREN'S PLAY AREA
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 4400 RICHMOND STREET, SUITE 200
 SAN FRANCISCO, CA 94133
 415.774.2222 FAX 415.774.2220
 WWW.CPPARKER.COM



CONSULTANTS

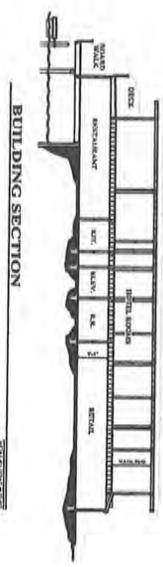
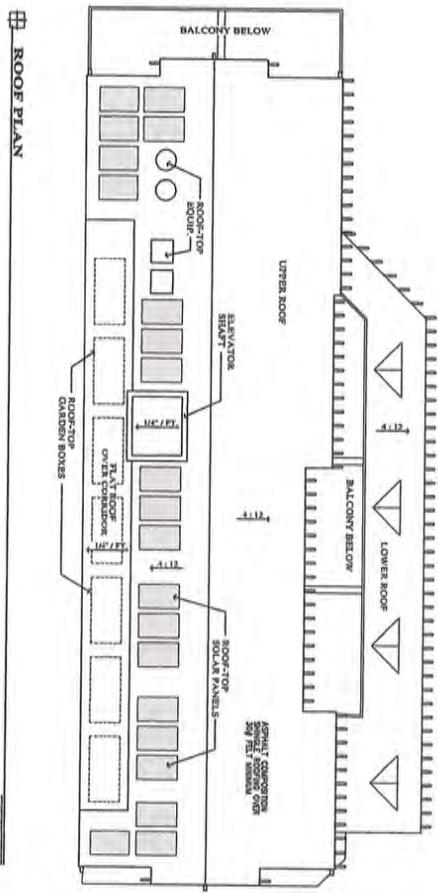
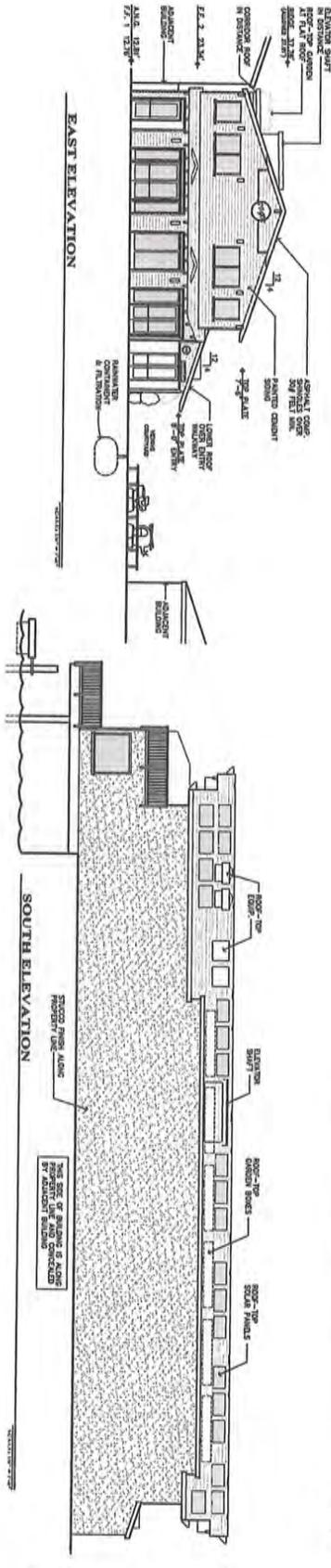
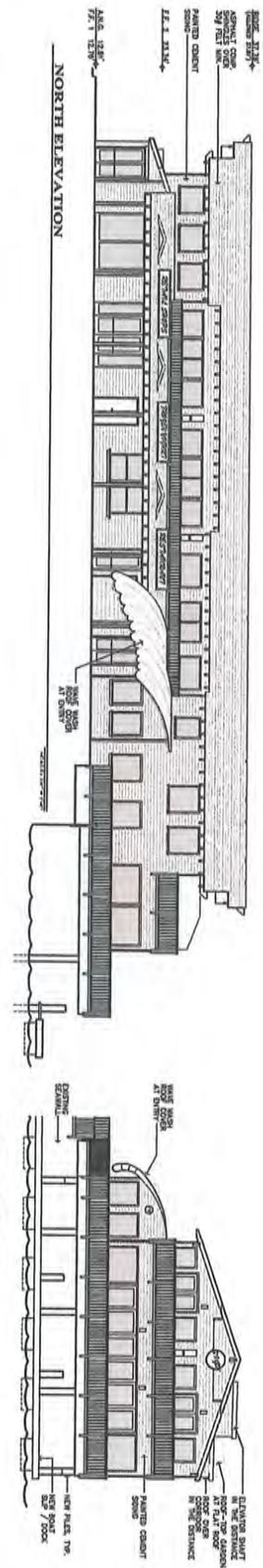
PROJECT
 RESTAURANT,
 RETAIL, &
 HOTEL
 PROPOSAL
 FOR
 LEASE SITE
 87-88 / 87W-88W

T.L. ENTERPRISES, INC.
 CHAIRS LEASES &
 INVESTMENT PRINTER

REQUEST FOR
 PROPOSALS

Project No.	06-111
Drawn By	CP
Check Date	07/21/16
Scale	AS NOTED
REVISIONS	

SHEET PRICE
 FLOOR PLANS



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 C. P. PARKER ARCHITECT
 400 SOUTH MAIN STREET, SUITE 200
 CHARLOTTE, NC 28202
 TEL: 704.375.1234
 FAX: 704.375.1235
 WWW.CPPARKERARCHITECT.COM

PROJECT:
 RESTAURANT,
 RETAIL, &
 HOTEL
 PROPOSAL

FOR
 LEASE SITE
 87-48 / 87W-68W

T.L.C. ENTERPRISES, INC.
 TRAVIS LEASE & CO.
 CHESTER HANSON

DATE/TITLE:
 06.11.16
 07/21/16

SCALE:
 AS NOTED

REVISIONS:

DATE/TITLE:
 06.11.16
 07/21/16

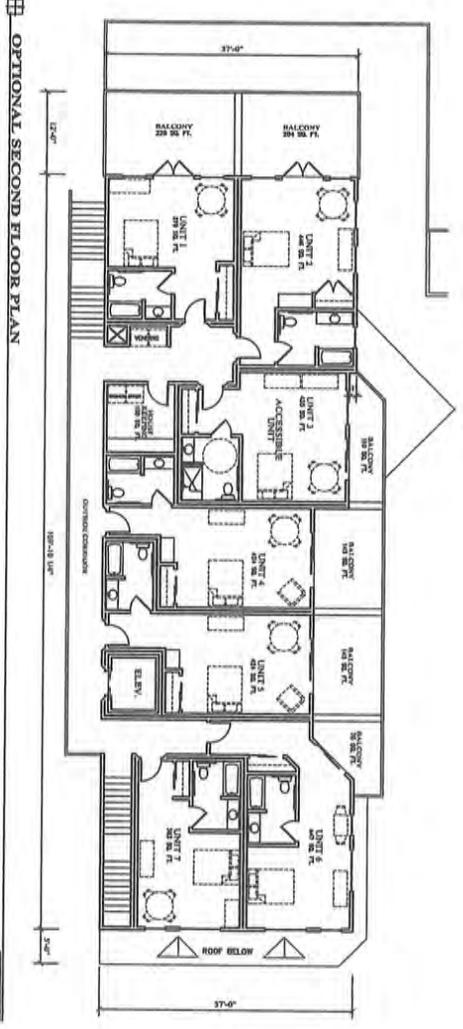
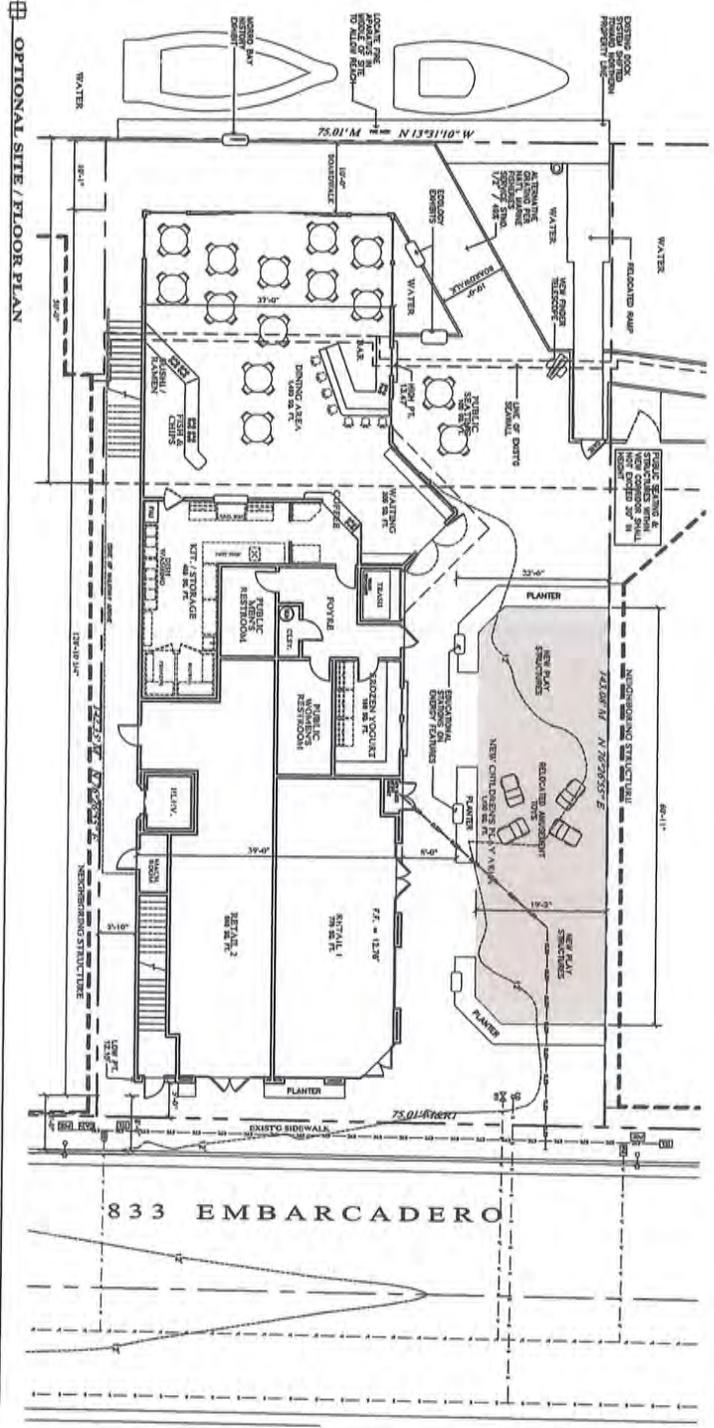
SCALE:
 AS NOTED

REVISIONS:

DATE/TITLE:
 06.11.16
 07/21/16

SCALE:
 AS NOTED

REVISIONS:



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C. P. PARKER ARCHITECT
 CHRISTOPHER R. PARKER
 438 JOURNAL SQUARE, SUITE 400
 SAN FRANCISCO, CALIFORNIA 94102
 415.774.3333

STATUS: _____

CONSULTANTS: _____

PROJECT:
 RESTAURANT,
 RETAIL, &
 HOTEL
 PROPOSAL

FOR
 LEASE SITE
 87-88 / 87W-88W

T.L.C. ENTERPRISES, INC.
 TRAVIS LEJES &
 CHRISTINE HANSEN

DESIGNING FIRM:
 REQUEST FOR
 PROPOSALS

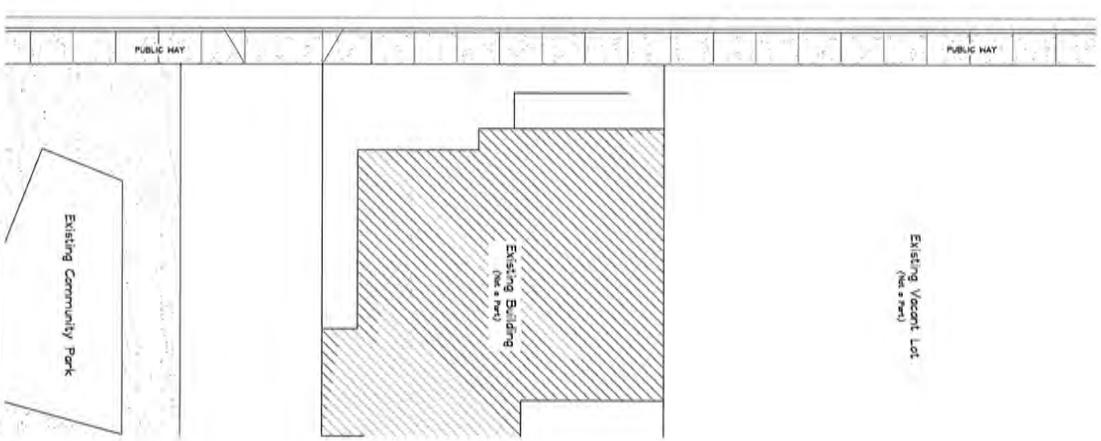
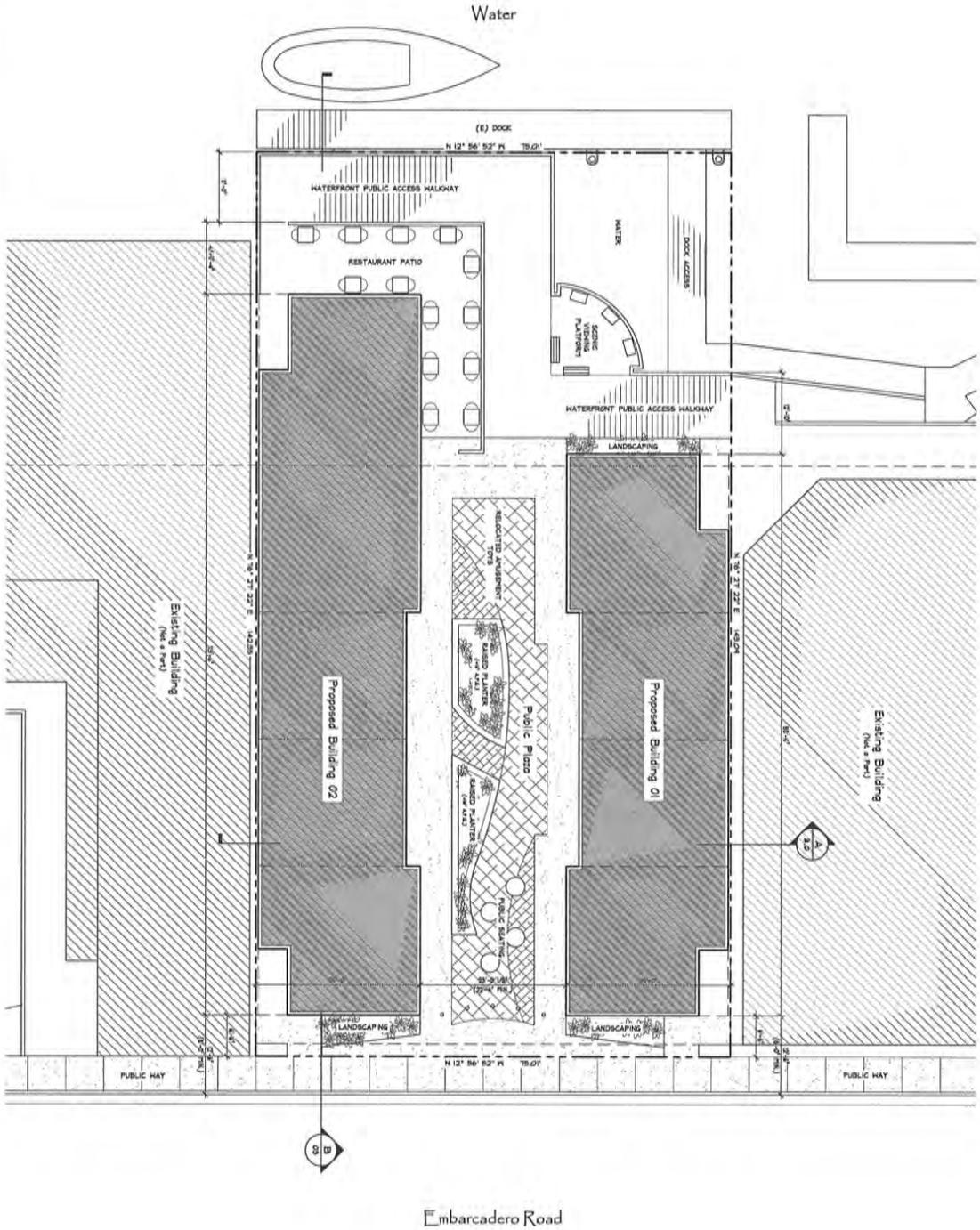
PROJECT NO.: 16-0000000000
 SHEET NO.: 5.1
 DRAWN BY: CJP
 DATE: 07/14/16
 CHECKED BY: AS NOTED

REVISIONS:

SHEET TITLE:
 OPTIONAL
 FLOOR PLAN

SHEET NO.: _____

Proposal "C"
Central Coast Investments, Inc.



Redevelopment of Lease Site 87-88/87w-88w

Conceptual Site Plan

833 Embarcadero Rd.
 Morro Bay, CA 93442

PRODUCT DESCRIPTION	AREA	ORIGIN FLOOR (ASSEMBLY) AREA
BUILDING FOOTPRINT	4,144 SQ. FT. (145)	4,144 SQ. FT.
LANDSCAPE AREA	447 SQ. FT. (16)	5,198 SQ. FT.
LANDSCAPE AREA	5,394 SQ. FT. (193)	5,394 SQ. FT.
LANDSCAPE AREA	791 SQ. FT. (28 PERMISSIBLE PARKING)	428 SQ. FT.
PROPOSED USE	RESTAURANT	1,148 SQ. FT.
PROPOSED USE	RESTAURANT	2,996 SQ. FT.
PROPOSED USE	RETAIL	428 SQ. FT.
PROPOSED USE	RETAIL	428 SQ. FT.

Scale: 1/8"=1'-0"

PAV Architects

 Project: 2023-001

Sheet - 01

Original User:

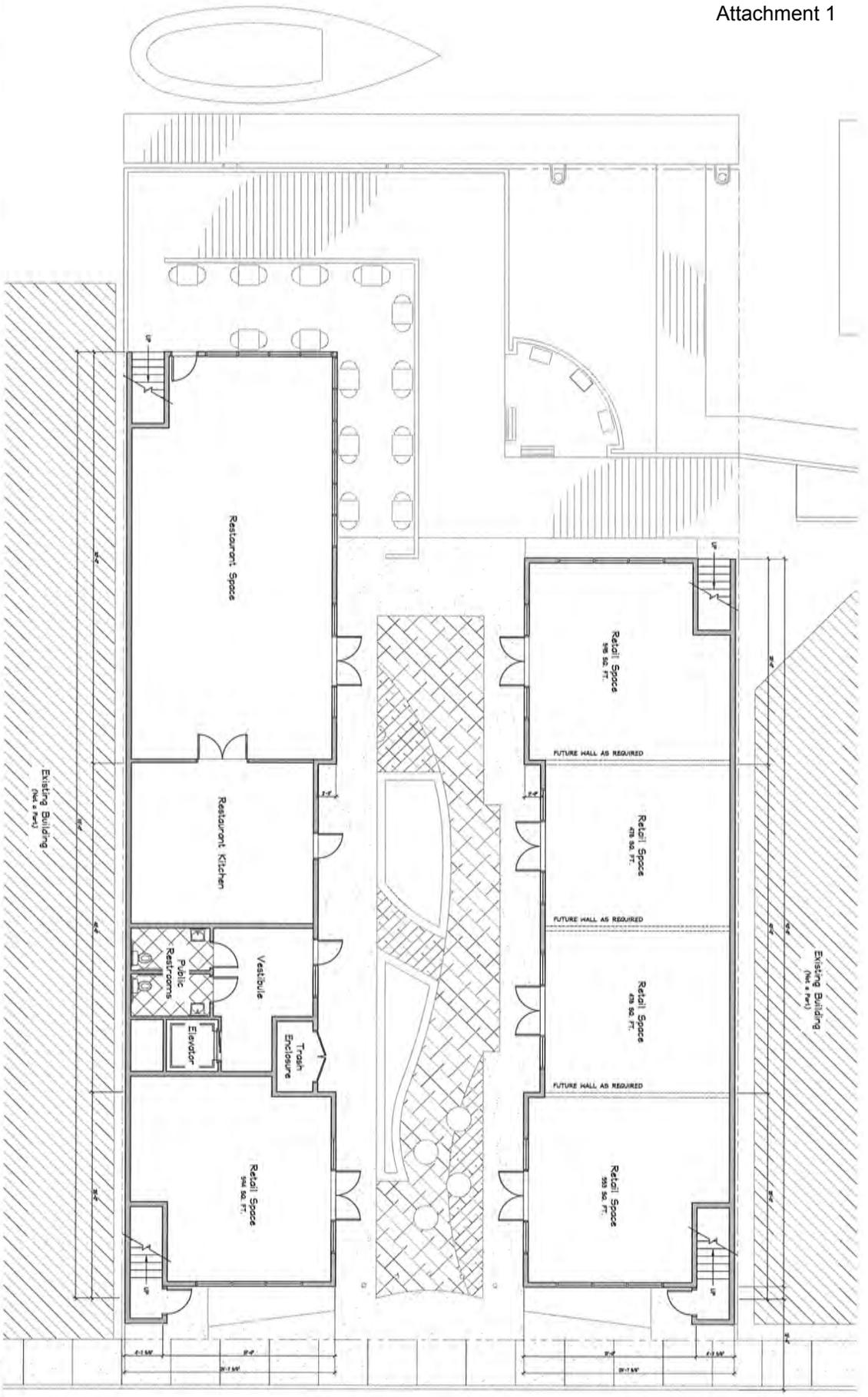
 Date: 10/24/2023

Redevelopment of Lease Site 87-88/87W-88W

833 E. mbaradero Rd.
Morro Bay, CA 93442

Conceptual First Floor Plan

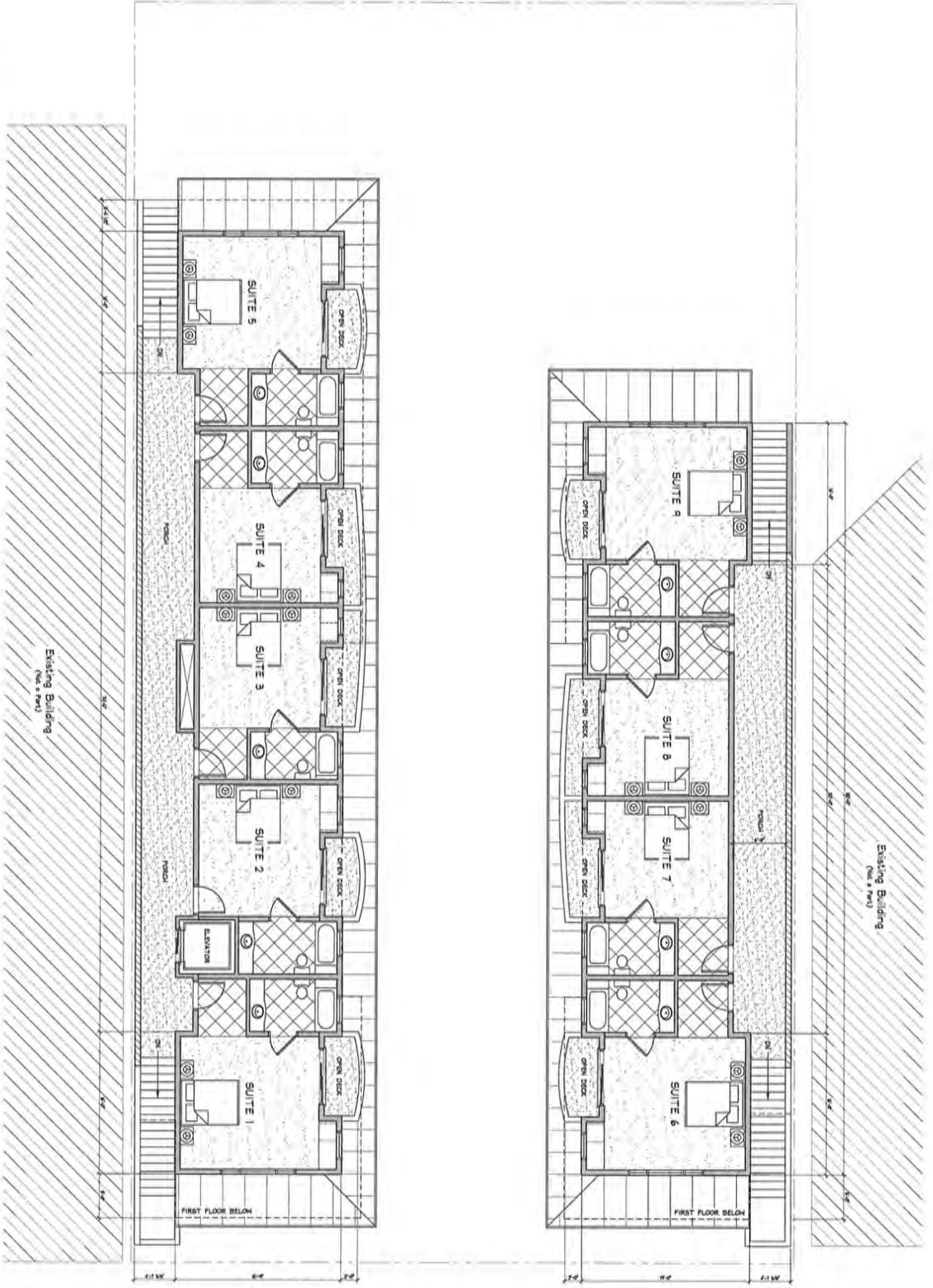
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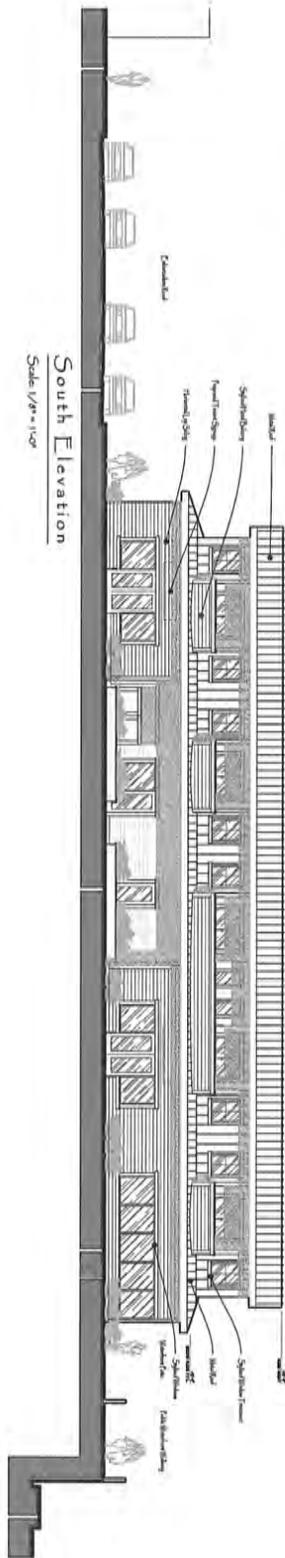
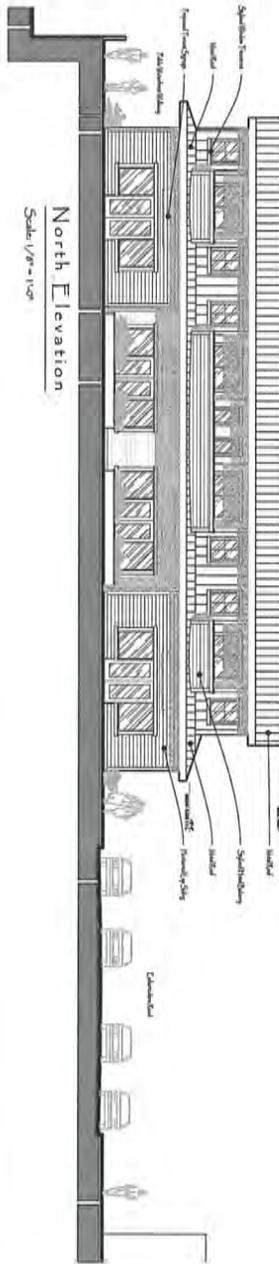
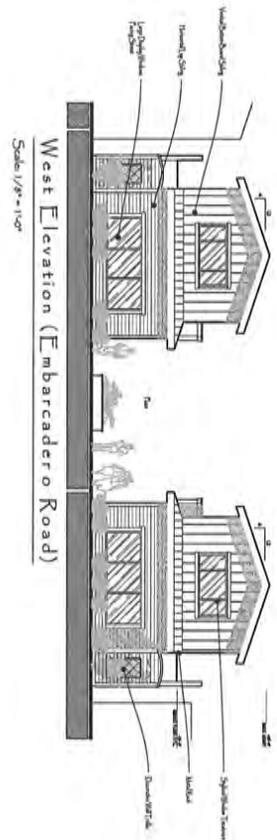
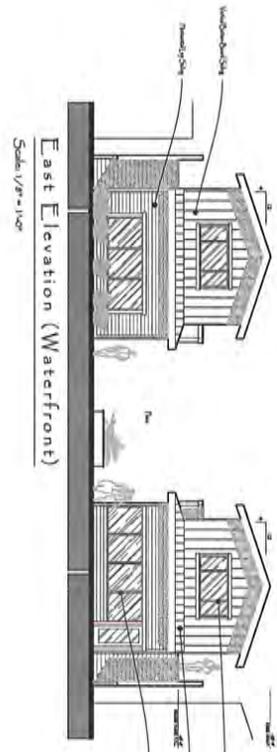
Sheet - 02

Redevelopment of Lease Site 87-88/87w-88w
833 Embarcadero Rd.
Morro Bay, CA 93442

Conceptual Second Floor Plan
Scale: 3/16"=1'-0"



Sheet - 03



Redevelopment of Lease Site 87-88/87W-88W

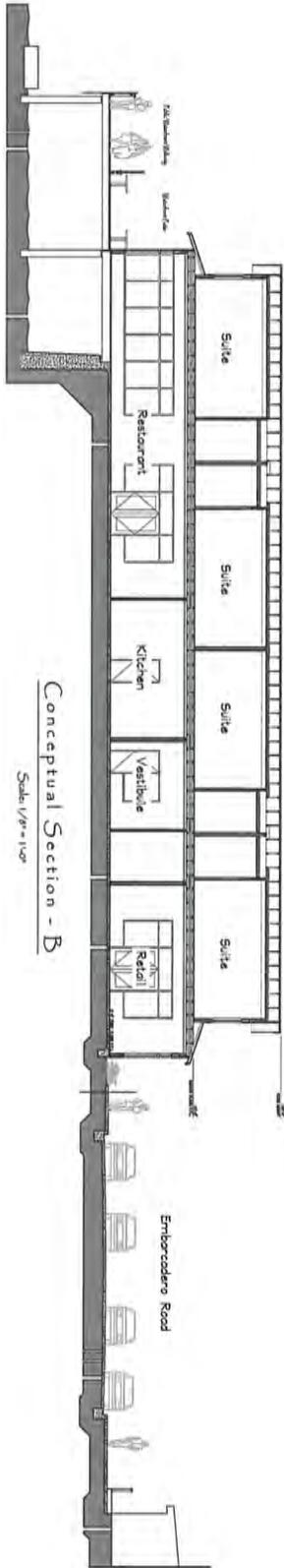
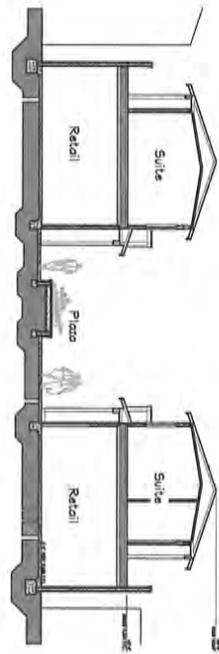
Conceptual Building Elevations

833 Embarcadero Rd.
Morro Bay, CA 93442

Scale: 1/8" = 1'-0"



Sheet - 04



Redevelopment of Lease Site 87-88/87W-88W

833 Embrocadero Rd.

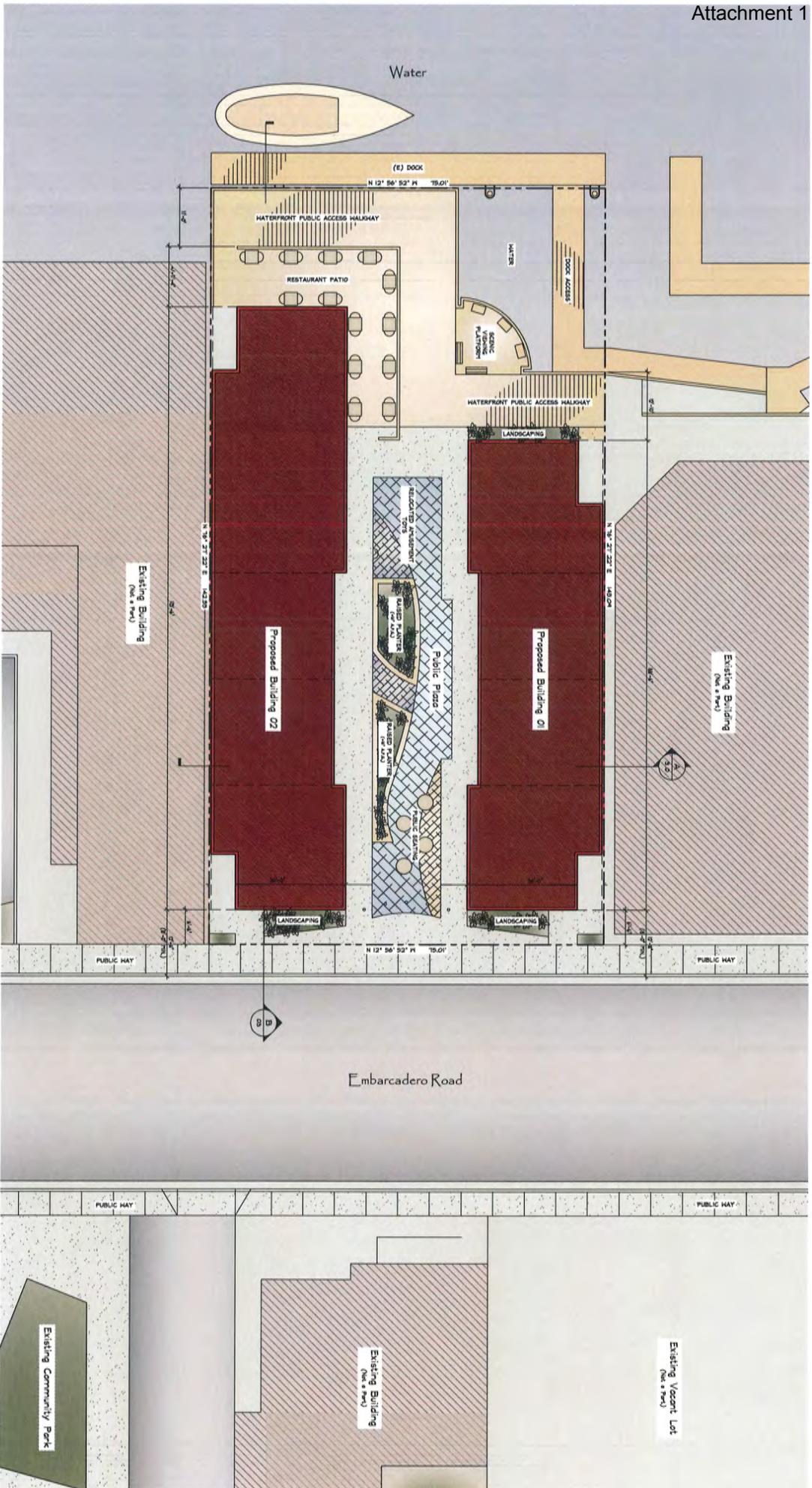
Morro Bay, CA 93942

Conceptual Building Sections

Scale: 1" = 40'-0"



Sheet - 05



Redevelopment of Lease Site 87-88/87w-88w

Conceptual Site Plan Rendering

Scale: 1/8"=1'-0"

833 Embarcadero Rd.
Morro Bay, CA 93442

PROJECT EXTENT	PROPOSED USE
BUILDING FOOTPRINT: 4,844 SQ. FT. (140)	PROPOSED USE: SECOND FLOOR
LANDSCAPE AREA: 442 SQ. FT. (14)	PROPOSED USE: PUBLIC PLAZA
WATERFRONT AREA: 2,344 SQ. FT. (234)	PROPOSED USE: RESTAURANT PATIO
WATERFRONT AREA: 2,344 SQ. FT. (234)	PROPOSED USE: DOCK ACCESS
WATERFRONT AREA: 2,344 SQ. FT. (234)	PROPOSED USE: DOCK ACCESS

EXISTING BUILDING	PROPOSED USE
EXISTING BUILDING (Not a Part): 1,844 SQ. FT.	PROPOSED USE: SECOND FLOOR
EXISTING BUILDING (Not a Part): 1,844 SQ. FT.	PROPOSED USE: PUBLIC PLAZA
EXISTING BUILDING (Not a Part): 1,844 SQ. FT.	PROPOSED USE: RESTAURANT PATIO
EXISTING BUILDING (Not a Part): 1,844 SQ. FT.	PROPOSED USE: DOCK ACCESS
EXISTING BUILDING (Not a Part): 1,844 SQ. FT.	PROPOSED USE: DOCK ACCESS

PARKING (EXISTING TO REMAIN)	PARKING (EXISTING TO REMAIN)
59 PARKING SPACES	59 PARKING SPACES

PALARCHITECTS

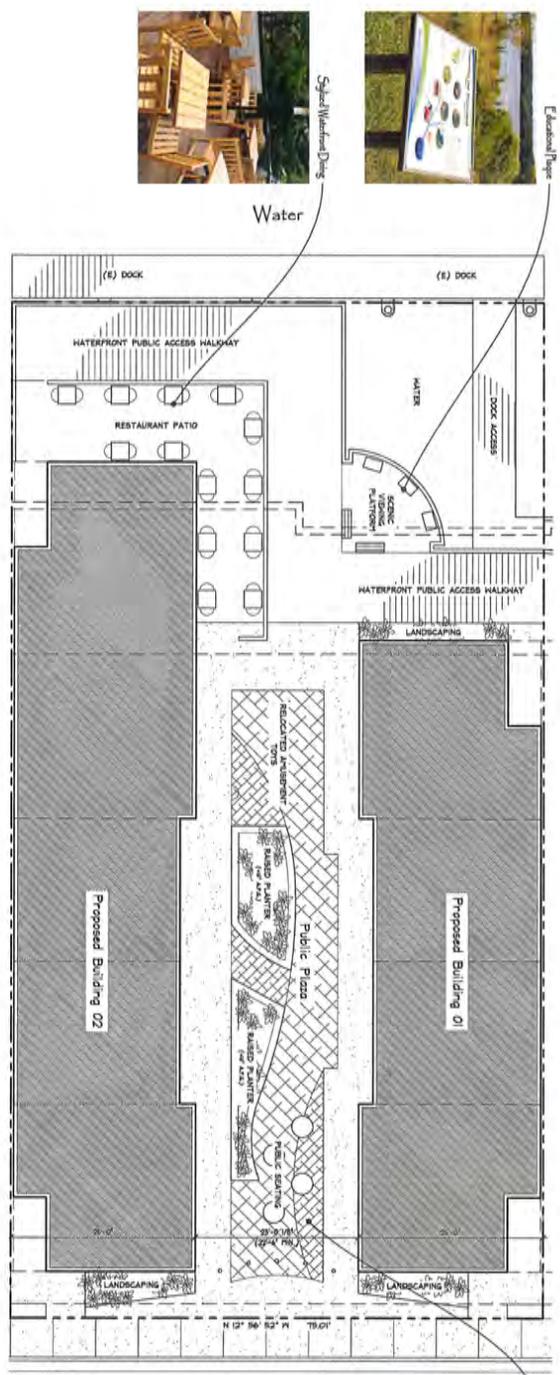
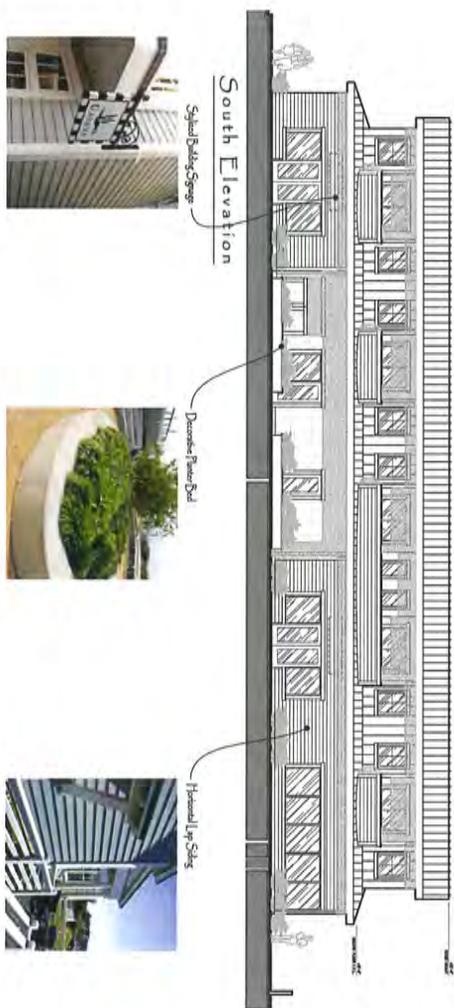
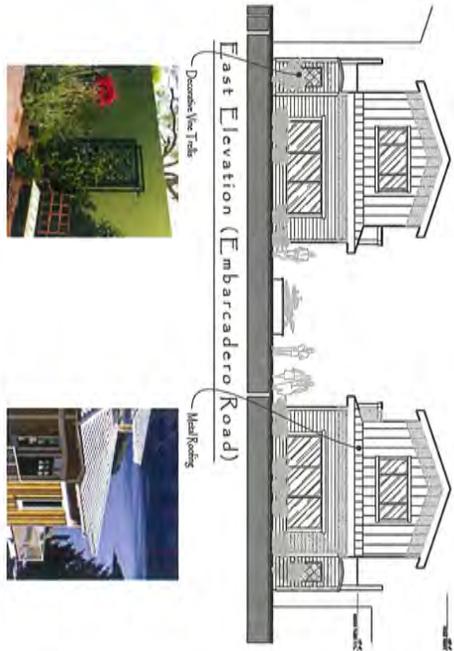
 2201 Church Business Center, Morro Bay, CA 93442

 Phone: 805.834.4444 Fax: 805.834.4444

 Page: 1444

 Date: 12/15/2018

 Sheet - 06



Sustainable Building Features:

- OUR CONCEPT FOR THIS DEVELOPMENT IS TO "EMBRACE THE SUSTAINABLE VIBES OF THE AREA AND PROVIDE THE PROJECT WITH A HIGH LEVEL OF SUSTAINABLE PRACTICES."
- BUILDING SCALE - THE SMALLER SCALE BUILDING SYSTEMS ALLOW FOR MORE NATURAL LIGHT TO ENTER WITH THE SPACES WHICH REDUCES THE NEED FOR ELECTRICAL LIGHTING.
- SUSTAINABLE BUILDING MATERIALS
- BUILDING'S DESIGN IN RELATION TO SOLAR ORIENTATION
- WATER-CATCHMENT SYSTEM FOR LANDSCAPE IRRIGATION
- HIGH PERFORMANCE GLAZING
- REDUCTION OF NATURAL BUILDING VENTILATION
- HIGH EFFICIENT AND VARIABLE SPEED PROXIMITY UNITS (HEAT RECOVERY)
- HIGH EFFICIENT LIGHTING
- REVERSIBLE FINISHING MATERIAL THROUGHOUT
- SENSITIVE TO EXISTING LANDSCAPING

Redevelopment of Lease Site 87-88/87w-88w

Conceptual Context Features

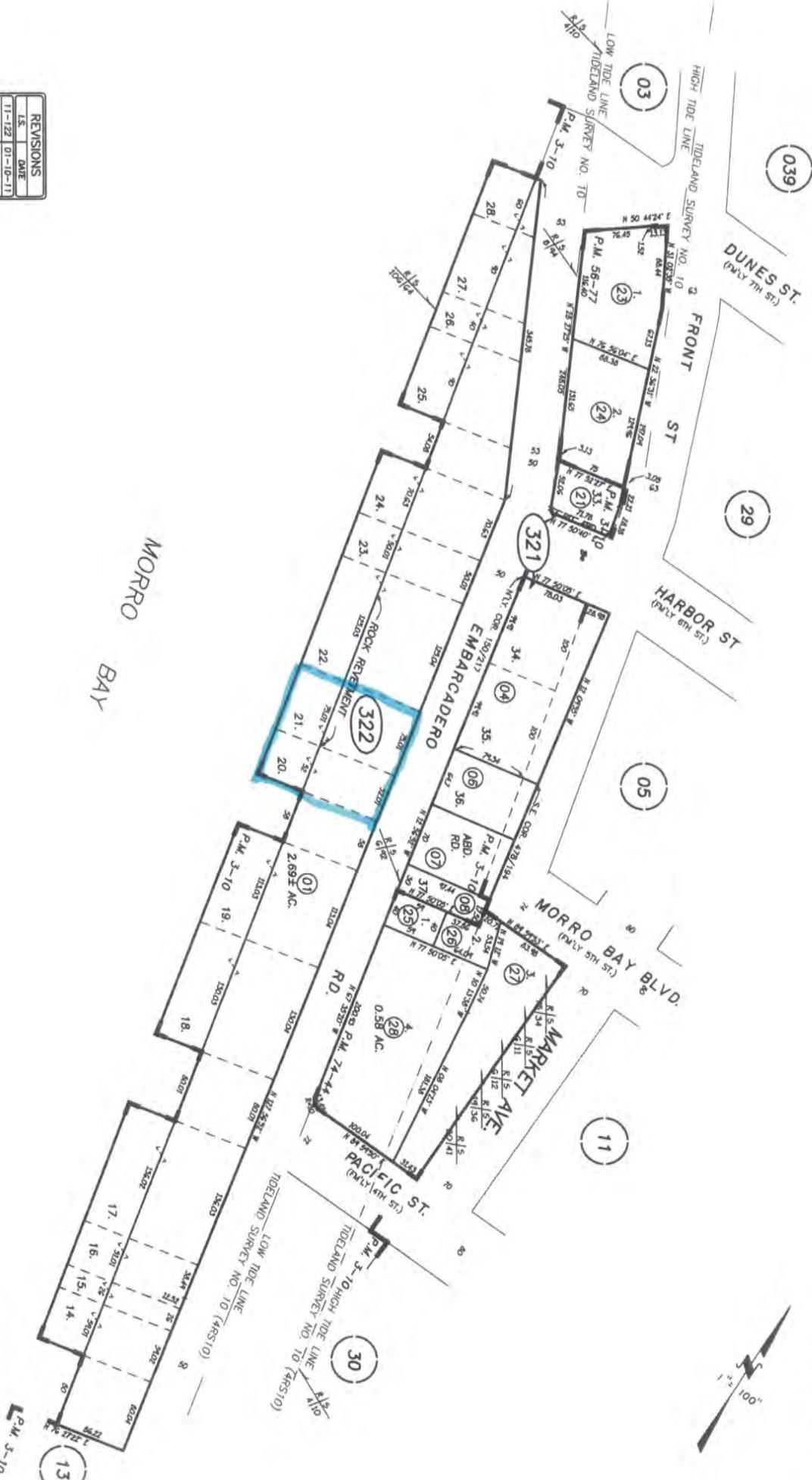
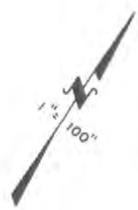
833 Embarcadero Rd.
Morro Bay, CA 93442

Scale: 1/8" = 1'-0"

Sheet - 07







REVISIONS	
LS	DATE
11-122	01-16-11

50' 0 100' 200'

THIS MAP IS PREPARED FOR
ASSESSMENT PURPOSES ONLY.

LANDS OF MARCH AND MCALLISTER IN TOWN OF MORRO, R.M. BK. A, Pg. 159.

CITY OF MORRO BAY
ASSESSOR'S MAP
SAN LUIS OBISPO, CA
BOOK 066 PAGE 32

PROPOSER EXPERIENCE – Company Profile

John E. King, Founding Principal

John King has been involved in development projects since the 1960's. Continually responding to changing development priorities, he has been successful in guiding his projects and partnerships through design, permitting and construction stages of major commercial and residential developments.

Upon completion of his formal engineering education at California Polytechnic San Luis Obispo, Mr. King worked for the State of California as a Surveyor/Civil engineer. He began his development career by investing in small creekside properties in the San Luis Obispo area. By creating imaginative architectural solutions, those projects have become a credit to his community.

Mr. King also created several major business entities. These include **Warehouse Sound Company** (sold to CBS in 1975), **California Cooperage** and **American Tank & Mill** (both sold to Coleman Industries in 1985). From 1969 to 1989 Mr. King designed, constructed and owned 10 restaurant/cocktail operations from Old Sacramento to Newport Beach, CA and as far away as St. Croix, U.S. Virgin Islands. These businesses were sold to his restaurant partners when he began developing the hotel properties.

In 1982, along with Rob Rossi, Mr. King formed **Rossi King Organization (RKO)** which specialized in commercial and residential developments. Although RKO's development activities retired in 1989, the firm continues to manage its retained real estate interests in over 500,000 SF of downtown San Luis Obispo commercial properties.

In 1989, Mr. King formed **King Ventures**, along with his son, JG King, primarily to concentrate on the development of boutique hotels and destination resorts. In addition to several residential subdivisions, King Ventures designed and built timeshare projects in Palm Springs, Pismo Beach and Marina, CA as well as Lake Tahoe Nevada.

The Kings formed **Boutique Hotel Collection** in 2001 in order to manage their portfolio of expanding hotel properties.

BHC currently retains 5 full service resort properties, where families and conference attendees alike can enjoy on-site amenities such as meeting and convention space, health spas and recreational activities, unique dining and lounge facilities and first class resort/hotel accommodations.

BOUTIQUE HOTEL COLLECTION – The Team

John G. King, Chief Executive Officer

JG King began his career working in his father's restaurants. It wasn't long before he became a successful restaurateur in his own right, building and operating his own chain of 6 upscale steakhouse restaurants from Monterey County to Ventura County, California.

JG's formal education includes an undergraduate degree from Cal Poly, San Luis Obispo and a Master's Degree from Pepperdine University. He also attended the University of London as well as Sorbonne University in Paris, France.

JG, along with his father, has been involved in the development of restaurants, hotels, and housing throughout California. JG sold his restaurants in 2006 and since then has worked alongside his father developing the assets of the Boutique Hotel Collection and working with the team on daily operations.

JG's other business interests include being the Food & Beverage Director at Vina Robles Amphitheater for 30 shows each season.

Michael R. Casola, Chief Operating Officer

In his 25 year career in hospitality, Mike has held senior executive positions within hotels managed by Hyatt, Fairmont and Ritz-Carlton in New York, San Francisco, Boston, Palm Beach, Kansas City and Charleston, S.C. Mike holds a Bachelor of Science Degree in Accounting from Fairleigh Dickinson University in Teaneck New Jersey.

Mike has been on the Central Coast since 2002, working with Boutique Hotel Collection. As its Chief Operating Officer, Mike oversees BHC's 5 hotel properties representing over 385 rooms with annual sales in excess of \$43 million and a seasonal staff of 400.

Chris Biggers, Chief Information Officer

With over 20 years' experience, Chris brings a steady and down to earth approach to IT for the Boutique Hotel Collection. Having worked with the Cities of Pismo Beach and Guadalupe, Los Osos and Cambria Community Services Districts and several local school districts, his experience in the enterprise and public sector forums brings a new level of IT compliance and security to BHC.

Chris holds multiple active certifications from industry leaders such as Microsoft, Cisco and HP. Chris is a member of the ISACA and has taught IT and Networking Design at the university level. In his spare time, Chris is a member of the Foundation for the Performing Arts Center at Cal Poly University and is on the advisory committee for technology education at Cuesta College.

Jona Liebrecht, Director of Health & Wellness

Jona has parlayed his passions for people, politics, history and the arts into a spectacular 45 year international career in the hospitality industry. Early on, his travels took him to Austria and Israel working for Hilton International, Sheraton and Hyatt. In 1990, Jona, along with Dr. Andrew Weil, took over the century old Murietta Hot Springs. From there he went on to Canyon Ranch Health Resort in Tucson, AZ as the General Manager. Jona joined BHC in 2003 when he was persuaded to create the Health & Wellness Division for the Collection.

Terri Reay, Corporate Controller, Director of Human Resources

Terri is a seasoned hospitality professional, having been a Hotel General Manager for 10 years and then the Director of Operations for National Hospitality for another 10 years. Terri was responsible for the purchase and disposition of assets in the NH portfolio as well as running the day to day operations. Terri holds a Bachelor of Science Degree in Accounting from Cal Poly, San Luis Obispo and a certificate in Human Resources.

Terri has been with the Boutique Hotel Collection since 2007. She is responsible for cash management, consolidated and individual company P&Ls, forecasting and budgeting. As BHC's human resources liaison, Terri oversees a staff of 5 HR Professionals as well as employment practices and payroll for over 600 employees.

Charles Crellin, Vice President Marketing

Charles has an extensive 25 year career in marketing having been VP of Marketing & Operations for Los Angeles/San Luis Obispo based Avacus Corporation, Director of Marketing & Public Relations for the International Mozart Festival and VP of Hi Esprit Public Relations.

Charles has served as the Vice President of Marketing at the Boutique Hotel Collection since 2006. He is responsible for marketing, public relations and events for BHC with a special focus on health & wellness and international travel trade. Additionally, Charles is the General Manager at our Sycamore Mineral Springs Resort and Spa.

Lee McGregor, Corporate Director of Sales

Lee has been with BHC since 2001. Lee holds a Bachelor of Science Degree from Cal Poly in Art and Graphic Design. Lee is responsible for booking group business in all five of the BHC properties. Total group sales exceed \$9 million. Lee is also responsible for all website design.

Bill Echo, Corporate Director of Engineering

Bill has been with BHC since 2004. Prior to that, Bill worked for Marriott, Four Seasons and Hotel Bel-Air. While at the Bel-Air, he supervised a \$100 million renovation. Currently Bill supervises a staff of 70 with facilities budgets in excess of \$3 million. Bill is a certified Marriott Facilities Engineer and holds Electrician and Boilermaker licenses.

HOTEL MANAGEMENT – Boutique Hotel Collection

Skilled management of hotel operations is the most critical element in maximizing profitability and value in full-service hotels. Boutique Hotel Collection's (BHC) management tools and corporate infrastructure produces above average hotel revenue growth and profitability. Main operating objectives include providing hotel guests with high quality service and value while generating higher RevPAR and Net Operating Income. BHC strives to achieve these objectives by creating a specifically tailored management plan for each individual hotel rather than maintaining a uniform corporate image or brand.

BHC maintains a group of highly skilled executives to carry out financing and acquisition activities and to support all management programs. These executives include Corporate Finance, Project Finance, Development, Human Resources and Marketing.

BHC supports and monitors decentralized decision-making by hotel operating executives, providing accounting, budgeting, property management and other resources that cannot be economically maintained at the individual hotels.

Key elements of BHC's management programs include:

- Budget Planning & Monitoring
- Computerized Reporting Systems
- Targeted Sales & Marketing
- Strategic Use of Multiple Brand Names
- Emphasis on Food & Beverage
- Strategic Capital Improvements
- Commitment to Reinvestment
- Commitment to Service & Value
- Distinct Management Culture

FOOD & BEVERAGE OPERATIONS – Boutique Hotel Collection

BHC understands the opportunities restaurants, bars and banquet operations present in successfully positioning a hotel property to maximize its financial potential.

BHC's philosophy is to develop a concept unique to the market and/or specific hotel property location. In order to be successful, a restaurant must penetrate the market quickly and gain instant recognition for its outstanding quality of food and service.

Within the Boutique Hotel Collection, each F&B operation is distinctive and different based on the current market conditions in its location. All F&B operations benefit from a common process for developing the concept and program, implementing it and documenting standards to ensure that the concept, quality and cost standards are maintained, while providing a positive contribution to cash flow.

BHC's success in maintaining quality standards at profitable levels within its restaurants and hotels is possible because of its commitment to adhere to precise details set forth in documented standards that are constantly updated and monitored by BHC's Development Team

BHC believes that popular F&B concepts are critical components to the overall success of a hotel. BHC is committed to competing for consumers by offering high quality food and beverage offerings that garner positive reviews and strong local/national reputations.

RESORTS/HOTELS CURRENTLY OWNED/OPERATED

Apple Farm

San Luis Obispo, CA

104 Rooms

Restaurant/Gift Shop/Pool

Cliffs Resort

On the Bluffs in Shell Beach, CA

165 Rooms

Restaurant/Bar/Conference Facilities/Gift Shop/Pool

Sycamore Mineral Springs

Avila Beach, CA

74 Rooms

Spa/Restaurant/Lounge/Mineral Spring/Hot Tubs

SeaVenture Beach Hotel

On the Ocean in Pismo Beach, CA

52 Rooms

Restaurant/Lounge

Campground Properties Currently Owned/Operated

Avila Hot Springs

Avila Beach, CA

32 Cabins, 25 Campsites

Olympic Size Swimming Pool

Fernwood Resort

Big Sur, CA

On the Big Sur River

13 Motel Units, 6 Cabins, 62 Campsites plus Tent Cabins

Restaurant/Bar/General Store/Gift Shop

RESTAURANT OPERATIONS – Current

Apple Farm Inn – San Luis Obispo, CA

240 Seats, Bakery

Merisol – Pismo Beach, CA

300 Seats, Cocktail Lounge, Banquet Facilities

Gardens of Avila – Avila Beach, CA

100 Seats, Cocktail Lounge, Banquet Facilities

SeaVenture – Pismo Beach, CA

200 Seats, Cocktail Lounge

RESTAURANT OPERATIONS - Past

Charte House – US Virgin Islands

150 Seats, Cocktail Lounge

This Old House – San Luis Obispo, CA

280 Seats, Cocktail Lounge, Banquet Facilities

Joshua’s Restaurant – Paso Robles, CA

350 Seats, Cocktail Lounge, Banquet Facilities

Spyglass Restaurant – Shell Beach, CA

140 Seats, Cocktail Lounge

Rose’s Landing – Morro Bay, CA

220 Seats, Cocktail Lounge

AJ Spurs – Steakhouse Chain/Cocktails

Templeton, CA – 210 Seats, Buellton, CA – 220 Seats,
Marina, CA – 240 Seats, Grover Beach, CA - 225 Seats,
Oxnard, CA – 200 Seats

Paradise Restaurant – Morro Bay, CA

200 Seats, Cocktail Lounge

Royal Scandinavian – Solvang, CA

100 Seats, Cocktail Lounge, Banquet Facilities

RESORTS/HOTELS OWNED & OPERATED (Sold)

Inn at Morro Bay

Morro Bay, CA

96 Rooms

Restaurant/Lounge

Marina Dunes Resort

Marina, CA

60 Rooms

Inn at Oyster Point

South San Francisco, CA

30 Rooms

Restaurant/Lounge

Royal Scandinavian Inn

Solvang, CA

133 Rooms

Restaurant/Lounge

Two Bunch Palms

Palm Springs, CA

75 Rooms

Restaurant/Lounge/Spa

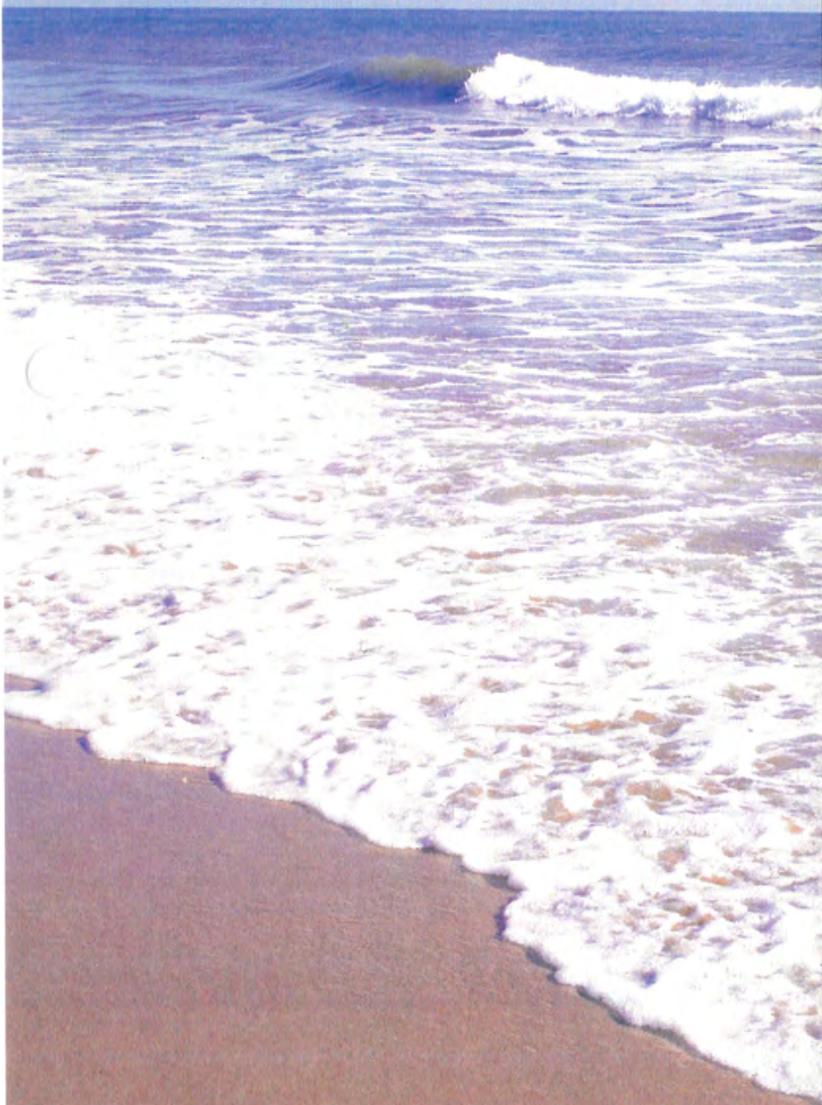
Costanoa Lodge & Camp

Pescadero, CA

40 Rooms, 85 Tent Bungalows + RV sites

Restaurant/Lodge/Lounge/Campground

• nine ways to relax



BOUTIQUE HOTEL COLLECTION

www.BoutiqueHotelCollection.com

800.928.9970



Atterbury Crystal Point

425 Marina Blvd.
South San Francisco
(800) 642-2720
www.InnatOysterPoint.com



Costanoa Lodge & Camp

2001 Rossi Road
Pescadero
(877) 262-7848
www.Costanoa.com



Marina Dunes Resort

3295 Dunes Drive
Marina, on Monterey Bay
(877) 944-3863
www.MarinaDunes.com



Inn at Morro Bay

60 State Park Road
Morro Bay
(800) 321-9566
www.InnatMorroBay.com



Apple Farm Inn

2015 Monterey Street
San Luis Obispo
(800) 255-2040
www.AppleFarm.com



Sycamore Mineral Springs

1215 Avila Beach Drive
Avila Beach
(800) 234-5831
www.SycamoreSprings.com



Cliffs Resort

2757 Shell Beach Road
Shell Beach
(800) 826-7827
www.CliffsResort.com



Sea Venture Resort

100 Ocean View Avenue
Pismo Beach
(800) 662-5545
www.SeaVenture.com



Royal Scandinavian Inn

400 Alisal Road
Solvang
(800) 624-5572
www.SolvangRSI.com

PROJECTS – Hotel & Vacation Club - Completed

SeaVenture Beach Hotel

Designed/Built/Own/Operated

Pismo Beach, CA

52 Rooms

Restaurant/Lounge/Massage

Marina Dunes Resort

Designed/Built/Owned/Operated (Sold)

Marina, CA

60 Rooms

Restaurant/Lounge/Pool

WorldMark Timeshare – Marina Dunes

Designed/Built/Managed/Sold

Marina, CA

30 Units

WorldMark Timeshare – Beachcomber

Remodeled/Currently Manage

Pismo Beach, CA

20 Units

WorldMark Timeshare – Palm Springs

Remodeled

Palm Springs, CA

65 Units

PROJECTS – Design/Build Commercial - Past**CBS Plaza, Costco, Home Base – Santa Maria, CA**

Retail, Offices, Parking - 265,000 SF

California Cooperage, American Tank & Mill – San Luis Obispo, CA

Offices, Manufacturing - 170,000 SF

Blake Printery – San Luis Obispo, CA

Manufacturing - 50,000 SF

The Promontory – San Luis Obispo, CA

Professional Offices - 45,000 SF

Charter Communications – San Luis Obispo, CA

Communications Center - 10,000 SF

Corbett Canyon Winery – San Luis Obispo, CA

Winery & Visitor Center - 70,000 SF

Digital Sound Headquarters – Carpinteria, CA

Professional Offices - 78,600 SF

Meta Tools, Inc. – Carpinteria, CA

Professional Offices - 96,000 SF

PlanMember Services – Carpinteria, CA

Professional Offices - 40,000 SF

Ross Stores World Headquarters – Newark, CA

Professional Offices - 1,000,000 SF

PLANNED**Bank of America Block & Fremont Square – San Luis Obispo, CA**

Retail, Bank, Parking, Entertainment Center – 51,000 SF

PROJECTS – Design/Build – Residential Past

Stoneridge I & II

San Luis Obispo, CA
100 Single Family Residences

Donnington Sorority House

San Luis Obispo, CA
Student Housing for 200
(Currently Day's Inn)

Ventana Del Mar

Pismo Beach, CA
100 Single Family Residences

Victoria Square & Serrano Circle

San Luis Obispo, CA
36 Single Family Residences

Nipomo Village

Nipomo, CA
100 Units – A mix of Single Family Residences and Townhouses

Oak Bay Condominiums

Paso Robles, CA
16 Condominium Units

PLANNED

Spanish Springs

Pismo Beach, CA
400 Single Family Residences

DESIGN PROJECTS – COMMERCIAL - Past

Princess Palms Resort

St. Croix, US Virgin Islands
80 Rooms/Restaurant/Lounge

Chart House Hotel

St. Croix, US Virgin Islands
60 Rooms, 2 Restaurants/Lounges

Napa River Inn

Napa, CA
120 Rooms, Gym/Spa, 25 Vacation Club Units

Clarendon House

Old Sacramento, CA
59 Suites, 40 Vacation Club Units, Spa, Restaurant/Lounge

PLANNED

Rincon Bluffs - Planned

Carpinteria, CA
80 Rooms, Restaurant, Conference Facilities, Spa

Collection on Monterey Bay - Planned

Sand City, CA
250 Rooms, 2 Restaurants, Spa, 100 Timeshare Units

Tree Cubes – a Family Resort - Planned

Avila Beach, CA
44 Two-bedroom Units, Water Park

DEVELOPMENT TEAM

Core consultants for all development projects include:

Ronald E. Wylie, Architect
Design Haus Architectural Associates, Inc.
40373 Sandia Creek Drive
Fallbrook, CA 92028
760.728.6287

Michael Smith, P.E.
Smith Structural Group LLP
811 El Capitan Way
Suite 240
San Luis Obispo, CA 93401
805.439.2110
www.smithstructural.com

Richard Pfof, CEG1281
Principal Engineering Geologist
GeoSolutions, Inc.
220 High Street
San Luis Obispo, CA 93401
805.543.8539
www.geosolutions.net

City of Morro Bay
Tidelands Trust Grant Properties
Consent of Landowner Agreement Form

Consent For:

Redevelopment of Lease Site 87-88/87W-88W, 833 Embarcadero, commonly known as Off the Hook Restaurant, by K&C Development / Boutique Hotel Collection as proposed in Request for Proposals MB-2016-HFRP1 submission, and negotiation of new lease.

Site Location: Lease Site 87-88/87W-88W, 833 Embarcadero, Morro Bay, CA 93442

Property Owner: City of Morro Bay Telephone: 805-772-6254

Address: 595 Harbor St. City: Morro Bay State: CA Zip: 93442

Applicant: K&C Development / Boutique Hotel Collection Telephone: 805-441-1867

Address: 285 Bridge Street City: San Luis Obispo State: CA Zip: 93401

I, as representative of the City of Morro Bay, the owner of record of the fee interest in the above noted land for which an application for a Conditional Use Permit is being requested by the Applicant, do certify Consent of Landowner is given for the preliminary site plans presented to the City in response to Request for Proposals MB-2016-HRFP1 and to the City Council on September 13, 2016, and to be submitted to the City of Morro Bay Community Development Department for processing.

The Applicant shall be required to submit to the Planning Commission for a "Preliminary Conceptual Review," plans, drawings and materials in sufficient detail to determine overall architecture and Waterfront Master Plan compliance. That review shall be a noticed Planning Commission hearing and take place prior to review of the Concept Plan for recommendation to the City Council.

The Applicant must file a complete application for a Conditional Use Permit for the project as-proposed, per the City Planned Development Overlay Zone and Concept Plan Submittal Requirements, with the Community Development Department by March 31, 2017 at 4:00 p.m. or this Consent of Landowner Agreement will automatically expire on April 1, 2017. Also, if due to any reason within the control of Applicant, as reasonably determined by the City Manager, a Concept Plan has not been approved by the Planning Commission on or before March 31, 2018, then this Consent of Landowner Agreement will automatically expire on April 1, 2018.

The City Manager shall have the right to withdraw this Consent of Landowner if, in his opinion, the Applicant refuses or fails to revise the Concept Plans to conform with the requirements of the Waterfront Master Plan.

In addition, unless sufficient financial and organizational capacity to fund and complete the project as proposed, as evidenced by either documentation from an established and accredited financial institution said institution's commitment to funding the applicant's proposed project, or proof of sufficient cash reserves are available to fund

the proposed project, is provided to the City Manager or his/her designee on or before May 31, 2018, at 4:00 p.m., the City Council may revoke this Consent of Landowner Agreement at its sole discretion.

One or more extensions to any or all of the compliance dates may be granted by the City Manager in his/her sole discretion. The City Manager will inform the City Council of each extension and the City Council may modify or overturn any extension; provided, that the Council considers the extension within 30 days after receiving notice from the City Manager.

David W. Buckingham, City Manager

Date



AGENDA NO: C-3

MEETING DATE: September 13, 2016

Staff Report

TO: Honorable Mayor and City Council **DATE:** August 31, 2016

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

SUBJECT: Introduction of Ordinance No. 608, which Amends Sections 3.08.100 and 3.08.110 of the Morro Bay Municipal Code Providing for Cooperative Purchasing Procedures (Piggybacking) and Adoption of Resolution No. 68-16, Rescinding Resolution 44-07

RECOMMENDATION

Staff recommends the Council discuss and introduce, for first reading by title only and with further reading waived, Ordinance No. 606: An Ordinance of the City Council of the City of Morro Bay, California, repealing and then replacing section 3.08.70 (Bidding) of Chapter 3.08 (Purchase and Sale of Supplier and Equipment) of Title 3 (Revenue and Finance) of the Morro Bay Municipal Code to provide for bidding procedures for purchase of supplies, equipment, materials and Public Works projects, while also providing for cooperative purchasing procedures. Furthermore, regardless of Council's action on the aforementioned ordinance, staff recommends Council adopt Resolution 68-16, that rescinds Resolution 44-07 and clarifies the City's purchasing procedures.

ALTERNATIVE

Do not adopt proposed ordinance, which will disallow the practice of cooperative (piggyback) purchase agreements.

FISCAL IMPACT

Cooperative purchasing can result in significant cost savings to the City by increasing the efficiency and flexibility of the City's purchasing process, allowing the City to benefit from the financial advantages of pooled purchasing agreements, providing the City with more leverage in its purchasing power, and reducing City staff time involved in making purchases.

BACKGROUND/DISCUSSION

In September 2007, the City Council adopted Resolution 44-07 that authorized the use of cooperative purchase agreements (piggybacking). The City has utilized piggyback contracts, especially with the State of California, for the purchase of vehicles and other supplies. Unfortunately, the California Government Code sections 54202 and 54203 require a city to adopt that policy by ordinance; and, therefore, the resolution is not adequate.

Morro Bay Municipal Code ("MBMC") Chapter 3.08 established efficient procedures for the purchase of supplies and equipment, to secure for the City supplies and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function and to assure the quality of purchases. Furthermore, MBMC section 3.08.70 provides the purchase of supplies, equipment, materials, and public works projects shall be by bid procedures pursuant to MBMC sections 3.08.100 and 3.08.110, unless one of

Prepared By: <u>RL</u>	Dept Review: <u>RL</u>
City Manager Review: _____	City Attorney Review: <u>JWP</u>

the listed exceptions apply. The list of exceptions in MBMC section 3.08.70 does not provide for cooperative purchasing, meaning participation in a pool of government agencies that competitively bid for supplies and equipment, or the use of a winning bid or proposal (i.e., “piggybacking”) from another agency’s competitive process

CONCLUSION

Staff recommends the City Council adopt, Ordinance No. 606: An Ordinance of the City Council of the City of Morro Bay, California, repealing and then replacing section 3.08.70 (Bidding) of Chapter 3.08 (Purchase and Sale of Supplier and Equipment) of Title 3 (Revenue and Finance) of the Morro Bay Municipal Code to provide for bidding procedures for purchase of supplies, equipment, materials and Public Works projects, while also providing for cooperative purchasing procedures and adopt Resolution 68-16 rescinding Resolution 44-07.

ORDINANCE NO. 608

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
REPEALING AND THEN REPLACING SECTION 3.08.70 (BIDDING) OF
CHAPTER 3.08 (PURCHASE AND SALE OF SUPPLIES AND EQUIPMENT) OF TITLE 3
(REVENUE AND FINANCE) OF THE MORRO BAY MUNICIPAL CODE, TO PROVIDE
FOR BIDDING PROCEDURES FOR PURCHASE OF SUPPLIES, EQUIPMENT,
MATERIALS AND PUBLIC WORKS PROJECTS, WHILE ALSO PROVIDING FOR
COOPERATIVE PURCHASING PROCEDURES**

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

WHEREAS, California Government Code sections 54202 and 54203 require and authorize California cities to adopt, by ordinance, policies and procedures governing the purchase of supplies and equipment by a city; and

WHEREAS, the City of Morro Bay has adopted Chapter 3.08 (Purchase and Sale of Supplies and Equipment) of Title 3 (Revenue and Finance), to establish efficient procedures for the purchase of supplies and equipment, to secure for the city supplies and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function and to assure the quality of purchases; and

WHEREAS, Morro Bay Municipal Code (“MBMC”) section 3.08.70 (Bidding) provides that the purchase of supplies, equipment, materials, and public works projects shall be by bid procedures pursuant to MBMC sections 3.08.100 and 3.08.110, unless one of the listed exceptions apply; and

WHEREAS, the list of exceptions in MBMC section 3.08.70 does not provide for cooperative purchasing, meaning participation in a pool of government agencies that competitively bid for supplies and equipment, or the use of a winning bid or proposal (i.e., “piggybacking”) from another agency’s competitive process; and

WHEREAS, cooperative purchasing can result in significant cost savings to the City by increasing the efficiency and flexibility of the City’s purchasing process, allowing the City to benefit from the financial advantages of pooled purchasing agreements, provide the City with more leverage in its purchasing power, and reduce City staff time involved in making purchases; and

WHEREAS, the City Council finds specifying cooperative purchasing as an exception to bidding procedure requirements for the purchase of supplies, equipment, materials, or public works projects would substantially benefit the City, and thus the City Council desires to amend the MBMC to provide for cooperative purchasing;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Morro Bay Municipal Code Section 3.08.70 is hereby repealed in its entirety, to be replaced in its entirety as follows:

“3.08.070 – Bidding.

A. Except as otherwise provided in subsection B of this section, by this Chapter, or pursuant to applicable law, the purchase of supplies, equipment, materials and public works projects, shall be by bid procedures pursuant to Sections 3.08.100 and 3.08.110.

B. Bidding or open market procedure may be dispensed with only when:

1. An emergency requires that an order be placed with the nearest available source of supply;

2. The amount involved is less than five hundred dollars;

3. The commodity can be obtained from only one vendor; or

4. Competitive bidding or proposal procedures, substantially similar to the competitive bidding or proposal procedures in this Code, have already been utilized either by a federal, state, county, city or special district government agency, or by a legitimate cooperative purchasing agency; and, that the supplies, equipment, materials or public works project provided to the City are at the same or better price, terms and conditions, as was obtained through such prior competitive bidding or proposal procedures.”

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Morro Bay hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 3. This Ordinance shall be effective thirty (30) days after its second reading and adoption.

SECTION 4. The City Clerk shall attest to the passage and adoption of this Ordinance by the City Council of the City of Morro Bay and shall cause a copy of the same to be published and posted in the manner prescribed by law.

INTRODUCED at a regular meeting of the City Council of Morro Bay, held on the 13th day of September, 2016, by motion of _____ and seconded by _____.

PASSED AND ADOPTED this ___ day of ___ 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

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 13th day of September, 2016, and hereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the _____ day of _____, 2016, 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 _____, 2016.

City Clerk of the City of Morro Bay

RESOLUTION NO. 68-16

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
RESCINDING RESOLUTION NO. 44-07 AUTHORIZING
COOPERATIVE PURCHASING AGREEMENTS
(PIGGYBACK PURCHASING)**

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

WHEREAS, cooperative purchasing agreements (piggyback purchasing) can result in significant cost savings to the City of Morro Bay by increasing the efficiency and flexibility of the City's purchasing process, allowing the City to benefit from the financial advantages of pooled purchasing agreements, providing the City with more leverage in its purchasing power, and reducing City staff time involved in making purchases; and

WHEREAS, on September 10, 2007, in response to the City of Morro Bay's need to purchase items through a Request for Proposal (RFP) process, which restricted the City from purchasing items through cooperative purchasing agreements, the City adopted Resolution No. 44-07 to allow the City to engage in cooperative purchasing agreements where it was beneficial to the City; and

WHEREAS, in adopting Resolution 44-07, the City of Morro Bay's City Council designated Finance Director/Treasurer/Purchasing Agent to act on the City's behalf; and

WHEREAS, California Government Code sections 54202 and 54203 require and authorize California cities to adopt, by ordinance, policies and procedures governing the purchase of supplies and equipment by a city; and

WHEREAS, in complying with California Government Code sections 54202 and 54203, the City Council is adopting Ordinance No. 608 repealing and replacing section 3.08.70 of the Morro Bay Municipal Code to readopt bidding procedures for purchase of supplies, equipment, materials and public works projects, while also providing for cooperative purchasing procedures; and

WHEREAS, Ordinance No.608 codifies powers granted in Resolution 44-07; and, therefore, the City Council finds Resolution 44-07 is no longer necessary and, if it continues to be effective, may cause confusion.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Morro Bay, California, hereby does find, determine, and declare as follows:

Section 1. The City Council finds the above recitals are true and correct.

Section 2. The City Council hereby rescinds Resolution No. 44-07 in its entirety.

Section 3. This Resolution shall take effect upon the effective date of Ordinance No. 608.

PASSED AND ADOPTED by the City Council of the City of Morro Bay, California at a regular meeting thereof held on this 13th day of September, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JAMIE L. IRONS, Mayor

ATTEST:

DANA SWANSON, City Clerk

APPROVED AS TO FORM:

JOSEPH W. PANNONE, City Attorney



AGENDA NO: C-4

MEETING DATE: September 13, 2016

Staff Report

TO: MAYOR AND CITY COUNCIL **DATE: SEPTEMBER 1, 2016**

FROM: DAVE BUCKINGHAM, CITY MANAGER

SUBJECT: REVIEW OF RESOLUTIONS TO BE CONSIDERED AT THE ANNUAL LEAGUE OF CALIFORNIA CITIES CONFERENCE

RECOMMENDATION

Staff recommends that Council provide direction to the City's voting delegate and alternate regarding the annual League of California Cities Annual Conference resolution.

ALTERNATIVES

No alternatives are being recommended.

FISCAL IMPACT

There is no fiscal impact associated with taking action on this item.

BACKGROUND/DISCUSSION

During the League of California Cities meeting to be held in Long Beach, California, the League's Annual Business Meeting and General Assembly will take place on Friday, October 7, 2016. The delegates in attendance at the General Assembly will be asked to vote on resolutions developed for the Assembly's consideration. This year, one resolution is being submitted to the Assembly for review and action. Information regarding the resolution is included in the Annual Resolution Packet (Attachment 1). Mayor Irons has been selected as the City's delegate to attend the Business Meeting / General Assembly and Council Member Heading is the City's alternate. The purpose of this item is for the Council to provide direction / input to the City's voting delegate regarding the resolution.

Annually, resolutions are submitted from a member for consideration at the League's General Assembly. Once adopted, the resolutions are used to set League policy or to provide direction for the League's work effort in the coming year. This year one resolution is being offered for membership consideration. The resolution is detailed in the attached Annual Resolution Packet and listed below according to Committee assignment, title, and source.

Resolution No. 1:

RESOLUTION COMMITTING THE LEAGUE OF CALIFORNIA CITIES TO SUPPORTING VISION ZERO, TOWARD ZERO DEATHS, AND OTHER PROGRAMS OR INITIATIVES TO MAKE SAFETY A TOP PRIORITY FOR TRANSPORTATION PROJECTS AND POLICY FORMULATION, WHILE ENCOURAGING CITIES TO PURSUE SIMILAR INITIATIVES

Source: City of San Jose

Referred to: Transportation, Communication and Public Works Policy Committee

Prepared By: DS

Dept Review: DWB

City Manager Review: DWB

City Attorney Review: JWP

CONCLUSION

Staff recommends that Council review the enclosed materials and provide direction to the City's voting delegate and alternate regarding the annual League of California Cities conference resolution.

ATTACHMENT

2016 Annual Conference Resolutions Packet



*Annual Conference
Resolutions Packet*

2016 Annual Conference Resolutions



Long Beach, California

October 5 – 7, 2016

INFORMATION AND PROCEDURES

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

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

POLICY COMMITTEES: One policy committee will meet at the Annual Conference to consider and take action on the resolution referred to them. The committee is Transportation, Communication and Public Works. The committee will meet 9:00 – 10:30 a.m. on Wednesday, October 5, 2016, at the Hyatt Regency. The sponsor of the resolution has been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, October 6, at the Hyatt Regency in Long Beach, to consider the report of the policy committee regarding the resolution. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:00 p.m. on Friday, October 7, at the Long Beach Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, October 6. Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

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

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

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

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

Guidelines for Annual Conference Resolutions

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

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, October 5

Hyatt Regency Long Beach

200 South Pine Street, Long Beach

9:00 – 10:30 a.m.: Transportation, Communication & Public Works

General Resolutions Committee

Thursday, October 6, 1:00 p.m.

Hyatt Regency Long Beach

200 South Pine Street, Long Beach

Annual Business Meeting and General Assembly Luncheon

Friday, October 7, 12:00 p.m.

Long Beach Convention Center

300 East Ocean Boulevard, Long Beach

KEY TO ACTIONS TAKEN ON RESOLUTIONS

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

Number	Key Word Index	Reviewing Body Action		
		1	2	3

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

TRANSPORTATION, COMMUNICATION, AND PUBLIC WORKS POLICY COMMITTEE

		1	2	3
1	Vision Zero			

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

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

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

KEY TO REVIEWING BODIES

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

KEY TO ACTIONS TAKEN

- | | |
|-----|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |
| a | Amend+ |
| Aa | Approve as amended+ |
| Aaa | Approve with additional amendment(s)+ |
| Ra | Refer as amended to appropriate policy committee for study+ |
| Raa | Additional amendments and refer+ |
| Da | Amend (for clarity or brevity) and Disapprove+ |
| Na | Amend (for clarity or brevity) and take No Action+ |
| W | Withdrawn by Sponsor |

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

1. RESOLUTION COMMITTING THE LEAGUE OF CALIFORNIA CITIES TO SUPPORTING VISION ZERO, TOWARD ZERO DEATHS, AND OTHER PROGRAMS OR INITIATIVES TO MAKE SAFETY A TOP PRIORITY FOR TRANSPORTATION PROJECTS AND POLICY FORMULATION, WHILE ENCOURAGING CITIES TO PURSUE SIMILAR INITIATIVES

Source: City of San Jose

Concurrence of five or more cities/city officials: Cities: Fremont; Los Angeles; Sacramento; San Diego; San Francisco; Santa Monica; and West Hollywood

Referred to: Transportation, Communication and Public Works Policy Committees

Recommendation to General Resolution Committee:

WHEREAS, each year more than 30,000 people are killed on streets in the United States in traffic collisions; and

WHEREAS, traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people; with pedestrians and cyclists accounting for a disproportionate share; and

WHEREAS the Centers for Disease Control recently indicated that America's traffic death rate per person was about double the average of peer nations; and

WHEREAS Vision Zero and Toward Zero Deaths are comprehensive strategies to eliminate all traffic fatalities and severe injuries using a multi-disciplinary approach, including education, enforcement and engineering measures; and

WHEREAS a core principal of Vision Zero and Toward Zero Deaths is that traffic deaths are preventable and unacceptable; and

WHEREAS cities across the world have adopted and implemented Vision Zero and Toward Zero Deaths strategies and successfully reduced traffic fatalities and severe injuries occurring on streets and highways; and

WHEREAS safe, reliable and efficient transportation systems are essential foundations for thriving cities.

RESOLVED that the League of California Cities commits to supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety;

AND encourage cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways;

AND encourage the State of California to consider adopting safety as a top priority for both transportation projects and policy formulation.

////////

Background Information on Resolution to Support Transportation Safety Programs

Each year more than 30,000 people are killed on streets in the United States in traffic collisions. Traffic fatalities in America hit a seven-year high in 2015 and are estimated to have exceeded 35,000 people, with children, seniors, people of color, low-income and persons with disabilities accounting for a disproportionate share. The Centers for Disease Control recently reported that the traffic death rate per

person in the United States was about double the average of peer nations, with close to 10% of these deaths occurring in California (3,074 in 2014). California's largest city, Los Angeles, has *the* highest rate of traffic death among large U.S. cities, at 6.27 per 100,000 people.

Cities around the world have adopted traffic safety projects and policies that underscore that traffic deaths are both unacceptable and preventable. In 1997, Sweden initiated a program called Vision Zero that focused on the idea that "Life and health can never be exchanged for other benefits within the society." The World Health Organization has officially endorsed Vision Zero laying out traffic safety as an international public health crisis and the United Nations General Assembly introduced the Decade of Action for Road Safety 2011-2020 and set the goal for the decade: "to stabilize and then reduce the forecast level of road traffic fatalities around the world" by 50% by 2020.

As of this writing, 18 U.S. cities have adopted Vision Zero programs (including New York City, Boston, Ft. Lauderdale, Austin, San Antonio, Washington DC, and Seattle) to reduce the numbers of fatal crashes occurring on their roads (<http://visionzeronetwork.org/map-of-vision-zero-cities/>). California cities lead the way, with the cities of San Jose, San Francisco, San Mateo, San Diego, Los Angeles, Long Beach and Fremont having adopted Vision Zero strategies and many others are actively considering adoption.

In 2009 a national group of traffic safety stakeholders launched an effort called "Toward Zero Deaths: A National Strategy on Highway Safety". This initiative has been supported by the Federal Highway Administration (FHWA) (<http://safety.fhwa.dot.gov/tzd/>) and states throughout the United States, including California (http://www.ots.ca.gov/OTS_and_Traffic_Safety/About_OTs.asp).

This past January the U.S. Department of Transportation launched its "Mayors' Challenge for Safer People and Safer Streets." This effort calls on elected officials to partner with the USDOT and raise the bar for safety for people bicycling and walking by sharing resources, competing for awards, and taking action. The California cities of Beverly Hills, Davis, Maywood, Cupertino, Culver City, Rialto, Santa Monica, Porterville, Los Angeles, San Jose, Monterey, Glendale, Irvine, Oakland, Palo Alto, Alameda, West Hollywood and Fullerton signed on to this effort. Additionally, the Institute of Transportation Engineers (ITE), a leading organization for transportation professionals, recently launched a new initiative to aggressively advance the Vision Zero and Towards Zero Deaths movements (<http://library.ite.org/pub/ed59a040-caf4-5300-8ffc-35deb33ce03d>).

Ultimately all of these programs share the fundamental belief that a data-driven, systems-level, interdisciplinary approach can prevent severe and fatal injuries on our nation's roadways. They employ proven strategies, actions, and countermeasures across education, enforcement and engineering. Support for many of these life-saving programs extends far beyond government agencies, and includes National Association of City Transportation Officials (NACTO), American Association of State Highway and Transportation Officials (AASHTO), Kaiser Permanente, AARP, the National Safe Routes to School Partnership, and the International Association of Chiefs of Police, among many others.

There is wide-spread recognition that cities and towns need safe, efficient transportation systems to be economically prosperous. A resolution by the League of California Cities to support transportation safety policies like Vision Zero and Toward Zero Deaths, and encourage implementation of projects and programs that prioritize safety will help California elevate the health and safety of its residents and position us as a leader in national efforts to promote a culture of safe mobility for all.

//////////

League of California Cities Staff Analysis on Resolution No. 1

Staff: Rony Berdugo
Committee: Transportation, Communication, and Public Works

Summary:

The resolved clauses in Resolution No. 1: commits the League of California Cities to:

- 1) Supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety;
- 2) Encouraging cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways; and
- 3) Encouraging the State to consider adopting transportation safety as a top priority for transportation projects and policy formulation.

Background:

The City of San Jose notes national and international efforts to reduce fatal and severe injury traffic collisions through systematic data driven approaches, such as Vision Zero and Toward Zero Deaths. According to the World Health Organization (WHO), "Vision Zero is a traffic safety policy, developed in Sweden in the late 1990s and based on four elements: ethics, responsibility, a philosophy of safety, and creating mechanisms for change."¹ Below is a summary of each Vision Zero element, according to WHO:

1. Ethics – Life and health trump all other transportation benefits, such as mobility.
2. Responsibility – Responsibility for crashes and injuries is shared between the providers of the system and the road users.
3. Safety Philosophy – Asserts that a transportation system should account for the unstable relationship of human error with fast/heavy machinery to avoid deaths/serious injury, but accept crashes/minor injuries.
4. Driving Mechanisms for Change – Asserts that road users and providers must both work to guaranteeing road safety, taking measures such as: improving levels of seat belt use, installing crash-protective barriers, wider use of speed camera technology, increasing random breathalyzer tests, and promoting safety in transportation project contracts.

A Vision Zero City meets the following minimum standards:

- Sets clear goal of eliminating traffic fatalities and severe injuries
- Mayor has publicly, officially committed to Vision Zero
- Vision Zero plan or strategy is in place, or Mayor has committed to doing so in clear time frame
- Key city departments (including police, transportation and public health) are engaged

List of cities that meet the minimum Vision Zero standards nationally include: Anchorage, AK; Austin, TX; Boston, MA; Cambridge, MA; Denver, CO; Eugene, OR; Fort Lauderdale, FL; Fremont, CA; Los Angeles, CA; New York, NY; Portland, OR; Sacramento, CA; San Antonio, TX; San Diego, CA; San Francisco, CA; San Jose, CA; Seattle, WA; Washington, DC

List of cities that are considering adoption of Vision Zero nationally include: Ann Arbor, MI; Bellevue, OR; Bethlehem, PA; Chicago, IL; Columbia, MO; Houston, TX; Long Beach, CA;

¹ http://who.int/violence_injury_prevention/publications/road_traffic/world_report/chapter1.pdf

New Orleans, CA; Philadelphia, PA; Pittsburgh, PA; San Mateo, CA; Santa Ana, CA; Santa Cruz, CA; Santa Monica, CA; St. Paul, MN; Tampa, FL²

Vision Zero – Samples:

1. San Francisco – In 2015, the City established a two-year action strategy that outlines the projects and policy changes to implement its Vision Zero goal of zero traffic deaths by 2024. The strategy adopts five core principles, such as: 1) traffic deaths are preventable and unacceptable; 2) safety for all road modes and users is the highest priority; 3) transportation system design should anticipate inevitable human error; 4) education, enforcement, and vehicle technology contribute to a safe system; and 5) transportation systems should be designed for speeds that protect human life.³ The strategy focuses on engineering, enforcement, education, evaluation, and policy changes that can be made to achieve their goals. The City is working on projects, such as:
 - a. Creating protected bike lanes
 - b. Building wider sidewalks
 - c. Reducing traffic speeds⁴

The City is also exploring policy changes to state law that will allow the City to place traffic cameras near schools and senior centers to cite speeding drivers through automated speed enforcement.⁵

2. Los Angeles – the City has established a commitment to eliminate all traffic deaths by 2025. They have identified a network of streets, known as the High Injury Network (HIN)⁶, which maps out their areas of concern where they plan on making strategic investments in reducing deaths/severe injury. According to the City, only 6% of their city streets account for 2/3 of all deaths/severe injury for pedestrians. The City highlights the three following projects as part of their Vision Zero efforts⁷:
 - a. Installation of 22 new Leading Pedestrian Intervals (LPIs) at signals throughout the city, which gives pedestrians a head start against right-turning vehicles when crossing
 - b. Installation of a pedestrian scramble at the intersection of Hollywood and Highland, which stops traffic in all four-directions during pedestrian crossing.
 - c. Installation of curb extensions along Cesar E. Chavez Avenue in their HIN, which reduces the crossing distance for pedestrians, narrows the intersections, and reduces speed for turning vehicles.

San Francisco’s Vision Zero Categories:

1. Engineering – implement treatments and redesign streets to reduce the frequency and severity of collisions (i.e. using/implementing: high injury network maps, signal timing, high visibility crosswalks, bus stop lengths, etc.)
2. Enforcement – use data driven approach to cite and focus on violations of the California Vehicular Code and S.F. Transportation Code that identify as causative in severe and fatal collisions (i.e. explore implementation of E-citation Pilot, reporting on traffic collision data, police training, etc.)

² <http://visionzeronet.org/wp-content/uploads/2016/02/VZ-map-April-20-2016-4.jpg>

³ <http://www.joomag.com/magazine/vision-zero-san-francisco/0685197001423594455?short>

⁴ <http://visionzerosf.org/vision-zero-in-action/engineering-streets-for-safety/>

⁵ <http://visionzerosf.org/vision-zero-in-action/public-policy-for-change/>

⁶ <http://ladot.maps.arcgis.com/apps/MapJournal/index.html?appid=488062f00db44ef0a29bf481aa337cb3>

⁷ <http://visionzero.lacity.org/actions/>

3. Education – coordinate among city departments to create citywide strategy for outreach and safety programs, such as Safe Routes to Schools. (i.e. education campaign includes – Safe Streets SF, large vehicle safe driving for municipal vehicles, etc.)
4. Evaluation – evaluate the impact of engineering, enforcement, education and policy efforts to provide recommendations for refinement (i.e. use of web-based data sharing and tracking systems for transparency and accountability).
5. Policy – support and mobilize local and state policy initiatives that advance Vision Zero (i.e. Advance Automated Safety Enforcement initiative at the state level, in-vehicle technology usage, partnering with state and federal agencies on administrative and legal issues, etc.)

In its annual reporting, the City has established the following measures for successful benchmarks:

- Decreasing total severe and fatal injuries
- Decreasing the proportion of severe and fatal injuries in communities of concern to address social inequities
- Decreasing medical costs at SF General Hospital relating to collisions
- Increasing the number of engineering projects and miles of streets receiving safety improvements
- Decreasing the speeds on SF streets
- Increasing investigation and prosecution of vehicular manslaughter
- Increasing public awareness of Vision Zero and traffic safety laws
- Increasing policy changes made at the state and local levels to advance Vision Zero

Toward Zero Deaths – The Federal Highway Administration (FHWA) within the United States Department of Transportation (USDOT) is committed to the vision of eliminating fatalities and serious injuries on national roadways. FHWA has a strategic goal of ensuring the “nation’s highway system provides safe, reliable, effective, and sustainable mobility for all users.”⁸ It is essentially the national version of Vision Zero administered primarily through the Highway Safety Improvement Program (HSIP).

At the state level, the California Office of Traffic Safety (OTS) has a mission to “effectively and efficiently administer traffic safety grant funds to reduce traffic deaths, injuries, and economic losses.”⁹ They make available grants to local and state public agencies for traffic law enforcement, public traffic safety education, and other programs aimed at reducing fatalities, injuries, and economic loss from collisions.

Support: City of Fremont, City of Los Angeles, City of Sacramento, City of San Francisco, City of San Jose, City of Santa Monica, and City of West Hollywood

Opposition: One individual

Fiscal Impact: Unknown. The costs to any particular city can vary tremendously depending on the level and scope of investment any particular city would seek to make. For example, the City of San Francisco has Vision Zero project costs ranging from \$30,000 for pedestrian safety treatments up to \$12,000,000 for a Streetscape project. The cost of any particular effort could be well below, above, and anywhere between those ranges for Vision Zero implementation.

⁸ <http://safety.fhwa.dot.gov/tzd/>

⁹ http://www.ots.ca.gov/OTS_and_Traffic_Safety/About_OTS.asp

Comment:

- 1) Policy committee members are encouraged to consider carefully how the adoption of the resolved clause in this resolution may affect the League's future policy when it comes to advocating for transportation funding and other existing priorities. While the clause "encouraging cities throughout California to join in these traffic safety initiatives to pursue the elimination of death and severe injury crashes on our roadways" provides an opportunity to highlight strategies that can be considered to improve transportation safety, two other aspects of the resolved appear to establish new policy for the organization in that it would "commit" the League to:
 - Supporting Vision Zero, Toward Zero Deaths, and other programs, policies, or initiatives that prioritize transportation safety.
 - Encouraging the State to consider adopting transportation safety as a top priority for transportation projects and policy formulation.
- 2) Effects of various strategies to improve transportation safety can vary. According to an article published in the San Francisco Chronicle on March 26, 2016, deaths in San Francisco traffic were not falling despite Vision Zero efforts.¹⁰ The article notes that there were seven deaths in 2016, while there was only one in the first 10 weeks of 2015 and seven in 2014 during the same period. The San Francisco Department of Public Health commented that despite these incidents, it's too early to make any conclusions about Vision Zero's effectiveness. In Los Angeles, however, the city has cited significant decreases in severe and fatal injuries with implementation of certain technologies, such as installation of pedestrian scrambles. The success of Vision Zero in any particular city will likely depend on the level of investment and scope of the project(s) as the projects can vary widely.
- 3) In the fifth "Whereas" clause from the top, the word "principal" should be "principle."

Existing League Policy: "The League supports additional funding for local transportation and other critical unmet infrastructure needs. One of the League's priorities is to support a consistent and continuous appropriation of new monies from various sources directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system. New and additional revenues should meet the following policies:

- System Preservation and Maintenance. Given the substantial needs for all modes of transportation, a significant portion of new revenues should be focused on system preservation. Once the system has been brought to a state of good repair, revenues for maintenance of the system would be reduced to a level that enables sufficient recurring maintenance.
- Commitment to Efficiency. Priority should be given to using and improving current systems. Recipients of revenues should incorporate operational improvements and new technology in projects.
- All Users Based System. New revenues should be borne by all users of the system from the traditional personal vehicle that relies solely on gasoline, to those with new hybrid or electric technology, to commercial vehicles moving goods in the state, and even transit, bicyclists, and pedestrians who also benefit from the use of an integrated transportation network.
- Alternative Funding Mechanisms. Given that new technologies continue to improve the efficiency of many types of transportation methods, transportation stakeholders must be open to new alternative funding mechanisms. Further, the goal of reducing greenhouse gases is also expected to affect vehicle miles traveled, thus further reduce gasoline consumption and revenue from the existing gas tax. The

¹⁰ <http://www.sfchronicle.com/bayarea/article/Deaths-in-S-F-traffic-not-falling-despite-Vision-7182486.php>

existing user based fee, such as the base \$0.18-cent gas tax is a declining revenue source.

Collectively, we must have the political will to push for sustainable transportation revenues.

- Unified Statewide Solution. For statewide revenues, all transportation stakeholders must stand united in the search for new revenues. Any new statewide revenues should address the needs of the entire statewide transportation network, focused in areas where there is defensible and documented need.
- Equity. New revenues should be distributed in an equitable manner, benefiting both the north and south and urban, suburban, and rural areas as well as being equally split between state and local projects.
- Flexibility. Needs vary from region to region and city to city. New revenues and revenue authority should provide the flexibility for the appropriate level of government to meet the goals of the constituents.
- Accountability. All tax dollars should be spent properly, and recipients of new revenues should be held accountable to the taxpayers, whether at the state or local level.”¹¹

Additionally, the League adopted to “Increase Funding for Critical Transportation and Water Infrastructure” as its number one strategic goal for 2016. It reads, “Provide additional state and federal financial assistance and new local financing tools to help meet the critical transportation (streets, bridges, active transportation, and transit) and water (supply, sewer, storm water, flood control, etc.) infrastructure maintenance and construction needs throughout California’s cities.”¹²

¹¹ <http://www.cacities.org/Resources-Documents/Policy-Advocacy-Section/Policy-Development/2016-Summary-of-Existing-Policy-and-Guiding-Princi.aspx>

¹² <http://www.cacities.org/Secondary/About-Us/Strategic-Priorities>

LETTERS OF CONCURRENCE

Resolution No. 1

VISION ZERO



Office of the Mayor

3300 Capitol Avenue, Building A | P.O. Box 5006, Fremont, CA 94537-5006

510 284-4011 *ph* | 510 284-4001 *fax* | www.fremont.gov

July 21, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA

Dear President Michael,

The City of Fremont enthusiastically endorses the proposed resolution to support the implementation of initiatives to eliminate traffic deaths and severe injuries on our roadways. Fremont is among the early adopters of the Vision Zero traffic safety strategy. With City Council's approval of our Fremont Vision Zero 2020 action plan in March 2016, we are already seeing the benefits of building a safety first culture in our community.

I strongly encourage other California cities to join a growing coalition of support for Vision Zero. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Fremont has embraced Vision Zero and we are in strong support of expanded transportation safety in California cities and support the proposed Resolution.

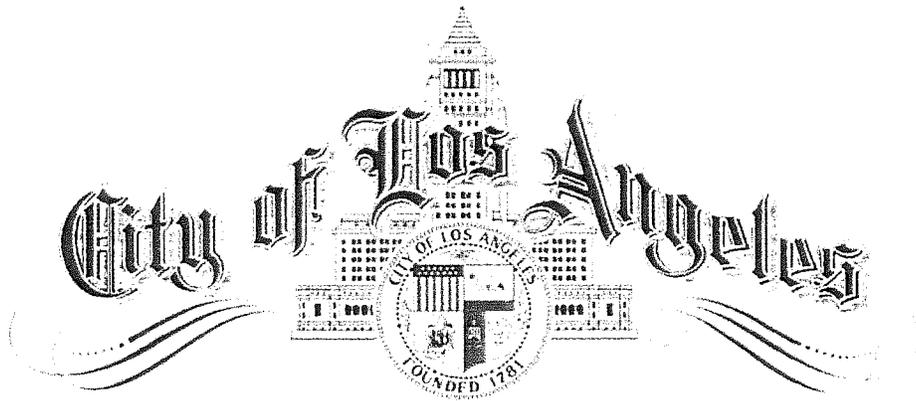
Sincerely,

A handwritten signature in black ink that reads "Bill Harrison".

Bill Harrison

Mayor





CITY HALL
LOS ANGELES, CALIFORNIA 90012

August 2, 2016

The Honorable Dennis Michael
President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: League of California Cities Resolution Supporting Initiatives to Prioritize Traffic Safety

Dear President Michael:

We write in support of the proposed resolution to support the adoption and implementation of Vision Zero initiatives throughout California to eliminate traffic fatalities and injuries. Vision Zero and Towards Zero Deaths strategies have been adopted in cities throughout California, including the City of Los Angeles. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Every year, more than 200 people are killed while trying to move around Los Angeles. Nearly half of the people who die on Los Angeles streets are people walking and bicycling, and an alarming number of them are children and older adults. The safety of our residents and visitors is paramount. If we can realize Vision Zero throughout California, children will be safer walking to school, families will be safer going to the park, and commuters will be safer getting to work.

The City of Los Angeles adopted Vision Zero as part of its Transportation Strategic Plan, and an executive directive was issued in 2015 directing its implementation. We are in strong support of Vision Zero in California, and we support the proposed Resolution.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Garcetti'.

ERIC GARCETTI
Mayor

A handwritten signature in black ink, appearing to read 'Joe Buscaino'.

JOE BUSCAINO
Councilmember, 15th District
League of California Cities Representative



OFFICE OF THE
CITY COUNCIL

CITY OF SACRAMENTO
CALIFORNIA

JAY SCHENIRER

COUNCILMEMBER
DISTRICT FIVE

July 27, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION
AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY
THROUGHOUT CALIFORNIA

Dear President Michael,

The City of Sacramento supports the proposed resolution to support the adoption and implementation of initiatives to prioritize transportation safety toward eliminating death and severe injuries on our roadways. **Vision Zero** and **Towards Zero Deaths** strategies have been adopted in many cities and Sacramento is currently developing its own **Vision Zero Action Plan**.

Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and are estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on roads and streets of our cities. We must put safety as a top priority for all users of our streets. It is fundamental for prosperity of California cities as safety, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Sacramento is in strong support of prioritized and expanded transportation safety in California cities and supports the proposed Resolution.

Sincerely,

Jay Schenirer, Council Member
Chair, Law & Legislation Committee



THE CITY OF SAN DIEGO

August 9, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, CA 95814

Dear President Michael:

RE: A resolution of the league of California Cities Supporting the Adoption and Implementation of Initiatives to Prioritize Traffic Safety throughout California

The City of San Diego Transportation & Storm Water Department supports the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California, including the City of San Diego (Attachment 1). Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of San Diego Transportation & Storm Water Department has embraced Vision Zero/Towards Zero Death and I am in strong support of expanded transportation safety in California cities and support the proposed Resolution.

Sincerely,

Kris McFadden
Director

Attachment: A Resolution of the Council of the City of San Diego Adopting a Vision Zero Plan to Eliminate Traffic Fatalities and Serious Injuries in the Next Ten Years

cc: Katherine Johnston, Director of Infrastructure and Budget Policy, Office of the Mayor
Kristin Tillquist, Director of State Government Affairs, Office of the Mayor
Vic BIANES, Assistant Director, Transportation & Storm Water Department
Linda Marabian, Deputy Director, Traffic Engineering Operations



Transportation & Storm Water Department

202 C Street, 9th Floor, MS 9A • San Diego, CA 92101

Tel (619) 236-6594 Fax (619) 236-6570

RESOLUTION NUMBER R- 310042

DATE OF FINAL PASSAGE NOV 03 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING A VISION ZERO PLAN TO ELIMINATE TRAFFIC FATALITIES AND SERIOUS INJURIES IN THE NEXT TEN YEARS.

WHEREAS, on average one person each day is seriously injured or killed on the road while walking, bicycling, or driving the streets of San Diego; and,

WHEREAS, the City has adopted numerous studies and plans that outline design concepts to improve safety for people walking and biking in the City including a Pedestrian Master Plan and Bicycle Master Plan; and,

WHEREAS, the City of San Diego's draft Climate Action Plan proposes to achieve 50 percent of commuter mode share for walking, biking and transit use in transit priority areas by 2050 and safer conditions for walking and biking can help implement this Plan; and,

WHEREAS, the City will increase in population by approximately 30 percent by 2050 and the majority of growth will result from infill development thereby increasing demand for safe walking and bicycling; and,

WHEREAS, communities in San Diego have prioritized infrastructure projects that improve walking and biking safety among other project types as represented by the Community Planning Committee report to Infrastructure Committee in November 2013; and,

WHEREAS, the City incurs costs to respond to lawsuits alleging the City's failure to provide safer streets; and,

WHEREAS, restoring infrastructure in the City is a priority of the Council and Mayor; and,

WHEREAS, Vision Zero provides a framework for reducing traffic deaths to zero through a combination of safe engineering measures, education, and enforcement practices; and,

WHEREAS, Vision Zero has been adopted in many cities throughout the country, most notably in New York City which has seen the lowest number of pedestrian fatalities in its first year of implementation since documentation began in 1910; and,

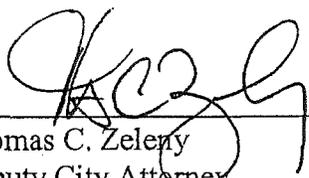
WHEREAS, Circulate San Diego is convening an Advisory Committee to advance Vision Zero Goals; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it hereby adopts a goal of eliminating traffic deaths and serious injuries by 2025; and

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it urges City staff from the Mayor's office, Transportation and Stormwater Department, San Diego Police Department, and a representative of the City's Bicycle Advisory Committee to attend meetings of Circulate San Diego's Vision Zero Advisory Committee for a limited time to develop a traffic safety plan that will help the City reach the goal of zero traffic deaths and serious injuries; and

BE IT FURTHER RESOLVED, that the traffic safety plan will be guided by innovative engineering solutions to improve road safety for all users, especially the most vulnerable; will measure and evaluate performance annually; and will include enforcement and education strategies to prevent the most dangerous behaviors that cause public harm, especially along the corridors where collisions are most frequent.

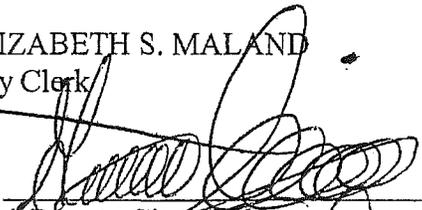
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

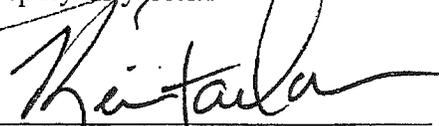
TCZ:cfq
September 24, 2015
Or.Dept:Envir. Comm.
Doc. No.: 1116742

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 27 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/2/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 27 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 03 2015

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

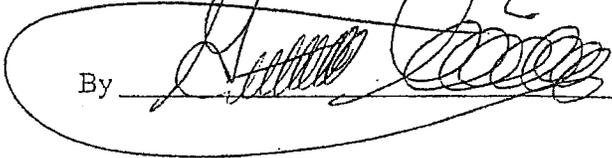
KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310042



August 1, 2016

The Honorable Dennis Michael
President, League of California Cities
1400 K Street
Sacramento, CA 95814

Re: Resolution of the League of California Cities Supporting the Adoption and Implementation of Initiatives to Prioritize Traffic Safety Throughout California

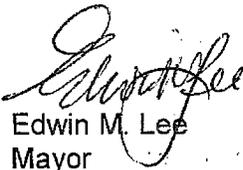
Dear President Michael,

On behalf of the City and County of San Francisco, I am writing to express my support for the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California including San Francisco, San Jose, San Mateo, San Diego, Los Angeles, Santa Barbara, and Santa Monica. Accordingly, I encourage the submission of the resolution to support Vision Zero, Toward Zero Deaths, and other initiatives that make traffic safety a priority, which will be considered by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Every year in San Francisco, approximately 30 people lose their lives and over 200 more are seriously injured while traveling on our streets. These deaths and injuries are unacceptable and preventable, and the City is strongly committed to stopping further loss of life. San Francisco adopted Vision Zero as a policy in 2014, committing to build better and safer streets, educate the public on traffic safety, enforce traffic laws, and adopt policy changes that save lives. Our goal is to create a culture that prioritizes traffic safety and to ensure that mistakes on our roadways do not result in serious injuries or deaths. The safety of our residents and the over 18 million visitors that use our streets each year is paramount, and the same holds true for cities across the California, which need safe, efficient, and organized transportation systems to support economically vibrant and sustainable communities.

The City and County of San Francisco has embraced Vision Zero, and I am in strong support of expanded transportation safety in California cities and, in turn, the proposed Resolution.

Sincerely,


Edwin M. Lee
Mayor



City of
Santa Monica®

Mayor Tony Vazquez
Mayor Pro Tempore Ted Winterer

Councilmembers

Gleam Davis
Sue Himmelrich
Kevin McKeown
Pam O'Connor
Terry O'Day

July 21, 2016

The Honorable Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: THE LEAGUE OF CALIFORNIA CITIES CONSIDERATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA

Dear President Michael:

The City of Santa Monica supports initiatives to eliminate death and severe injuries on our roadways. Vision Zero and Towards Zero Deaths strategies have been adopted in numerous cities throughout California, leading to the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

The City of Santa Monica embraced Secretary Anthony Foxx's Mayor's Challenge for *Safer People, Safer Streets* in March 2015. Simultaneously, the Council directed staff to initiate work on Vision Zero and 8-80 cities – a movement created by Gil Penalosa, to make cities that work for people aged 8 to 80. Combined, these two efforts aim to create streets that are safe and comfortable for people in all modes and of all abilities. In February 2016 the Santa Monica City Council adopted a Vision Zero target in our first Pedestrian Action Plan. We are now actively working to incorporate these visionary targets into City operations.

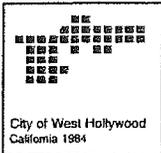
Our City cares deeply about the safety of our people, and their ability to access good, services, education, social networks and employment. Creating a New Model for Mobility is one of the Council's Five Strategic Goals, identified to organize and advance work on our top priorities. A safe mobility network supports our urgent need to provide transportation options that reduce greenhouse gas emissions, and provide equitable access to places and activities that support community Wellbeing. Reducing and ultimately eliminating severe injury and fatal crashes part of a resilient, safe and prosperous community.

Traffic fatalities in America hit a seven-year high in 2015 and is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of Santa Monica has embraced **Vision Zero/Towards Zero Deaths** and I am in strong support of expanded transportation safety in California cities.

Sincerely,


Tony Vazquez
Mayor



CITY OF WEST HOLLYWOOD

CITY HALL
3300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6460
FAX: (323) 848-6562

OFFICE OF THE CITY MANAGER

PAUL AREVALO
CITY MANAGER

July 21, 2016

The Honorable L. Dennis Michael, President
League of California Cities
1400 K Street
Sacramento, California 95814

RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING THE ADOPTION AND IMPLEMENTATION OF INITIATIVES TO PRIORITIZE TRAFFIC SAFETY THROUGHOUT CALIFORNIA - SUPPORT

Dear President Michael:

The City of West Hollywood supports the proposed resolution to support the adoption and implementation of initiatives to eliminate death and severe injuries on our roadways. *Vision Zero* and *Towards Zero Deaths* strategies have been adopted in numerous cities throughout California. Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on October 5, 2016.

Traffic fatalities in America hit a seven-year high in 2015, and it is estimated to have exceeded 35,000 people. This is about double the average of peer nations and must be addressed. Safety of our residents and visitors is paramount and this is especially true on the roads and streets of our cities. We must put safety as the top priority for all users of our streets. It is fundamental for the prosperity of California cities as safe, efficient, organized transportation systems are essential for economically vibrant and sustainable communities.

The City of West Hollywood is in strong support of expanded transportation safety in California cities and support the proposed Resolution.

Sincerely,

Paul Arevalo,
CITY MANAGER

c: Honorable Members of the West Hollywood City Council

