

AGENDA NO: A-1

MEETING DATE: 10/23/2012

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – OCTOBER 9, 2012
VETERAN’S MEMORIAL HALL – 6:00P.M.

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

PRESENT:	William Yates	Mayor
	Carla Borchard	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Jamie Boucher	City Clerk
	Rob Livick	Public Services Director
	Mike Lewis	Interim Police Chief
	Mike Pond	Fire Chief
	Susan Slayton	Administrative Services Director
	Eric Endersby	Harbor Director
	Joe Woods	Recreation & Parks Director
	Kyle Shaffer	Lifeguard Supervisor, Harbor Dept

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

MAYOR AND COUNCIL MEMBERS REPORTS, ANNOUNCEMENTS & PRESENTATIONS

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

PUBLIC COMMENT

Heather Koide, owner of Smoobage, a local company located at 898 Main St., Ste. C, presented the Morro Bay Business Report. She and her husband Adam started the business 2 months ago. Smoobage is an esoteric word for “something you love” and in that spirit, they feature unique art, gifts, jewelry and kid’s toys. Their hours are Monday thru Sunday from 10am-6pm and they would love it if people came by to take a look.

Kyle Shaffer, Lifeguard Supervisor for the City presented a recap of the activities of the Summer Beach Lifeguard program.

Craig Schmidt, Chamber of Commerce CEO, stressed that his office has both the talent and resources to make the City’s Economic Development Program successful. He recognizes that economic development was one of the City’s top goals in their strategic planning sessions. He is hoping that through a reduced rent agreement with the City to relocate the Chamber and

Economic Development in a City provided facility, that they can present a professional façade to their efforts and allow them the space to establish a partners office and a small incubator without spending additional dollars.

Mike Manchak of the Economic Vitality Corporation spoke in support of the Chamber of Commerce's efforts. They are very excited about the program that the Chamber is proposing and feels the incubator program is a perfect fit for our community.

Christine Rogers thanked the City Council for their position taken in promoting Economic Development. She also encouraged Council to support the Chamber's current proposal.

Anita Ayoob is a member of the Board of Directors of the Morro Bay Pups. She hoped that the enforcement component of the Aggressive Animal Ordinance includes the Jody Giannini Dog Park as well.

Sandy Tannler questioned the motives of those speaking on behalf of moving the plant. She wondered who the people were that wanted to move the plant so badly that they would give faulty information to the California Coastal Commission. She also wondered if we were being manipulated by the Surf Rider Organization.

Garry Johnson spoke on the importance of being trained in ocean awareness and safety. He also encouraged parents to enroll their children in the City's lifeguard training programs.

Commander Charles Adams is a new resident to Morro Bay and spoke just to introduce himself. He hopes we will consider him available for volunteer services. His background is in structural and seismic engineering.

Jennifer Redman spoke in support of the Chamber of Commerce. She feels that the economy can turn around with the City's support of small business. The City needs something to help the small business learn and the Chamber's Economic Development program can do that.

Israel Dominguez, Director of Cuesta's Business and Entrepreneurship Center, spoke in support of the Chamber in their efforts to create a Business Incubator Program. He feels that having an incubator program in Morro Bay can only be beneficial as well as create additional sales revenues for the City.

Susan Stewart has seen a lot of Morro Bay businesses come and go as entrepreneurship and light business has had a difficult time making it on the coast. She feels the Economic Development Program is another innovative way to invest in the community.

Bob Swain thanked the Eco-Rotary Club for their work at the Harbor Festival. He also spoke in support of the Chamber of Commerce, especially with their rent proposal. If they have to pay more to rent then they will have to pass those costs onto the members.

Mayor Yates closed the public comment period.

A. CONSENT CALENDAR

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

A-1 APPROVAL OF CITY COUNCIL MINUTES FOR THE REGULAR MEETING OF SEPTEMBER 25, 2012; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 DELAYED PROJECT STATUS REPORT; (ADMINISTRATION)

RECOMMENDATION: Informational item only.

A-3 ENTERING INTO A REVISED MEMORANDUM OF UNDERSTANDING WITH SAN LUIS OBISPO COUNTY FOR THE PREPARATION OF AN INTEGRATED REGIONAL WATER MANAGEMENT PLAN; (PUBLIC SERVICES)

RECOMMENDATION: Authorize the Public Services Director to enter into a Memorandum of Understanding (MOU) with San Luis Obispo County and to represent the City in preparing the Integrated Regional Water Management (IRWM) plan.

A-4 QUARTERLY FINANCIAL STATUS REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2012; (ADMINISTRATIVE SERVICES)

RECOMMENDATION: Accept the report as presented.

A-5 AUTHORIZATION TO FILL ONE RECREATION AND PARKS DEPARTMENT MAINTENANCE WORKER III POSITION – CONSOLIDATED MAINTENANCE; (RECREATION & PARKS)

RECOMMENDATION: Authorize staff to fill this essential Recreation and Parks Department Maintenance Worker III position.

A-6 AUTHORIZATION TO FILL ONE RECREATION AND PARKS DEPARTMENT ADMINISTRATIVE TECHNICIAN – ADMINISTRATION; (RECREATION & PARKS)

RECOMMENDATION: Authorize staff to fill this essential Recreation and Parks Department Administrative Technician position.

A-7 AUTHORIZATION TO CONDUCT A RECRUITMENT PROCESS TO FILL THE FIRE CHIEF POSITION; (ADMINISTRATION)

RECOMMENDATION: Authorize the City Manager to begin the recruitment process to fill the Fire Chief position.

Item A-7 was pulled from the Agenda.

MOTION: Councilmember Borchard moved the City Council approve Items A-1, A-2, A-3, A-4, A-5, and A-6 of the Consent Calendar as presented. The motion was seconded by Councilmember Johnson and carried unanimously 5-0.

B. PUBLIC HEARINGS, REPORTS & APPEARANCES

B-1 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 581 REPEALING, AMENDING, AND REENACTING CHAPTER 10.76 OF THE MORRO BAY MUNICIPAL CODE ENTITLED COASTERS, ROLLER SKATES, SKATEBOARDS, SCOOTERS, EPAMDS AND SIMILAR DEVICES; AND DISCUSSION OF DRAFT RESOLUTION PROHIBITING SUCH DEVICES ON COMMERCIAL DISTRICT SIDEWALKS WITHIN THE CITY; (CITY ATTORNEY)

City Attorney Rob Schultz presented the staff report.

Mayor Yates opened the hearing for public comment; seeing none, the public hearing was closed.

Councilmember Smukler is in support of this Ordinance. He feels this is an improved model and that it is important to designate the sidewalks in the business area as being prohibited to these devices. He also hopes that discretion would be applied when it comes to enforcement issues.

Mayor Yates and Councilmembers Leage, Borchard and Johnson are also in support of the Ordinance.

MOTION: Councilmember Johnson moved approval of the Introduction and First Reading of Ordinance No. 581 Repealing, Amending and Reenacting Chapter 10.76 of the MBMC entitled Coasters, Roller Skates, Skateboards, Scooters, EPAMDS and Similar Devices by number and title only as well as bringing back a Resolution prohibiting such devices on commercial sidewalks within the City. The motion was seconded by Councilmember Borchard and carried unanimously, 5-0.

B-2 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 580 ADDING SECTION 7.04.170 MENACING AND AGGRESSIVE ANIMAL ORDINANCE TO CHAPTER 7.04 OF THE MORRO BAY MUNICIPAL CODE; (ADMINISTRATION)

Interim Police Chief Mike Lewis presented the staff report.

Mayor Yates opened the hearing for public comment; seeing none, the public hearing was closed.

Mayor Yates stated that he would be voting no on principal as he is against added regulations.

All other Councilmembers were in support of the Ordinance.

MOTION: Councilmember Borchard moved for approval of the Introduction and First Reading of Ordinance 580 adding Section 7.04.170 Menacing and Aggressive

Animal Ordinance to Chapter 7.04 of the MBMC by number and title only. The motion was seconded by Councilmember Johnson and carried 4-1 with Mayor Yates voting no.

C. UNFINISHED BUSINESS

C-1 DISCUSSION AND APPROVAL OF THE AGREEMENT WITH THE MORRO BAY CHAMBER OF COMMERCE TO PROVIDE CERTAIN ECONOMIC SERVICES IN EXCHANGE FOR \$58,250, AND A LEASE AGREEMENT WITH THE CHAMBER FOR PROPERTY LOCATED AT 695 HARBOR STREET; (CITY ATTORNEY)

City Attorney Rob Schultz presented the staff report.

Councilmember Borchard is supportive of moving forward with the Economic Development Program however she does have a problem with a 3 year lease and is adamantly against free rent as she doesn't feel it is the City's responsibility to fund the Chamber's rent; she can support shared expenses.

Councilmember Johnson is also supportive of the program however she would like to see shorter lease terms and an agreement for reduced rent as opposed to free rent. She is also hopeful that Council will be receiving quarterly and annual reports. If Council provided the program a 1 year contract now, then at the end of the first year, if successful, they could then renegotiate a 3 year contract at that time.

Mayor Yates is supportive of the Chamber. He doesn't see the difference in giving them money or allowing them free rent. He likes the contract and he sees no need for any changes. He is looking forward to the incubator program starting.

Councilmember Leage would like to see a 1 year contract; he feels 3 years is too long. That would also give the Council the ability to look at the program in a year to see if it's working. He is also against the concept of free rent.

Councilmember Smukler is in full support of this program. He would like to add a couple of things to the contract. He sees the free rent as an investment; its money we can track directly back to economic development and he sees this as an excellent opportunity for us to help this program along. If they have to continue to come back each year to justify their program, that is time wasted that they could be focusing on providing a better program.

Rob Schultz informed Council that based on the funding agreement; the Council still has the control each year. If at any time the program isn't performing to Council's satisfaction as an economic development engine, then the contract can be terminated or renegotiated.

After some thought, Councilmember Borchard made the statement that she will support the 3 year agreement with free rent. It is her understanding that the new Council will more than likely bring this item back once they are seated and implement the 3 year lease and free rent so it would be in everybody's best interest to move forward now, as presented. Following that statement, there was consensus from Councilmembers Johnson and Leage to do the same.

MOTION: Mayor Yates moved for approval of both the agreement with the Morro Bay Chamber of Commerce to provide certain economic services as well as the lease agreement for the property located at 695 Harbor, as presented. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

D. NEW BUSINESS - None

E. DECLARATION OF FUTURE AGENDA ITEMS - None

ADJOURNMENT

The meeting adjourned at 7:58 p.m.

Recorded by:

Jamie Boucher
City Clerk