

MINUTES - MORRO BAY CITY COUNCIL
SPECIAL MEETING & CLOSED SESSION
NOVEMBER 29, 2018
VETERAN'S MEMORIAL HALL – 4:30 P.M.

AGENDA NO: A-3
MEETING DATE: January 8, 2019

PRESENT:	Jamie Irons	Mayor
	Robert Davis	Council Member
	John Headding	Council Member
	Matt Makowetski	Council Member
	Marlys McPherson	Council Member
STAFF:	Scott Collins	City Manager
	Joseph Pannone	City Attorney
	Jennifer Callaway	Finance Director
	Eric Endersby	Harbor Director
	Rob Livick	Public Works Director
	Lori Kudzma	Deputy City Clerk

ESTABLISH QUORUM AND CALL TO ORDER

<https://youtu.be/vbGqohM6cbA?t=15>

Mayor Irons called the meeting to order at 4:30 p.m. with all members present.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

<https://youtu.be/vbGqohM6cbA?t=47>

Mayor Irons opened public comment for items on the agenda.

John Weiss congratulated John Headding and applauded the item to count the 218 protest votes and is hopeful it will bring closure.

Aaron Ochs, Save Morro Bay, spoke regarding Item V on the agenda. Mr. Ochs believes the votes should all be validated.

Carole Truesdale invited all to join the Caroling Cops. Ms. Truesdale read a statement regarding transparency and concerns not being heard about the WRF project.

Barbara Doerr spoke regarding Item IV and urged the Council not to approve the Community Benefit Agreement, or to make edits to the agreement, including eliminating the exclusivity clause.

Mayor Irons closed public comment.

SPECIAL MEETING AGENDA ITEMS:

- I. ADOPTION OF RESOLUTION NO. 94-18 TERMINATING THE CENTRAL COAST COMMUNITY ENERGY JOINT POWERS AGREEMENT AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE RELATED TERMINATION AGREEMENT;
(CITY MANAGER)
<https://youtu.be/vbGqohM6cbA?t=726>

City Manager Collins gave the report and answered questions from the Council.

MOTION: Council Member McPherson moved to adopt Resolution No. 94-18 terminating the Central Coast Community Energy (CCCE) Joint Powers Agreement (JPA) and approving and authorizing the Mayor to execute related termination agreement. The motion was seconded by Council Member Makowetski and carried 5-0.

II. FISCAL YEAR 2018/19 FIRST QUARTER BUDGET PERFORMANCE AND STATUS REPORT – THREE MONTHS ENDING SEPTEMBER 30, 2018 AND CONSIDERATION OF PROPOSED JOB RECLASSIFICATIONS AND UTILITY DIVISION REORGANIZATION; (FINANCE)
<https://youtu.be/vbGqohM6cbA?t=1017>

City Manager Collins introduced the item. Finance Director Callaway gave the budget performance and status report and answered questions from the Council.

City Manager Collins went over the proposed reclassifications presented in the report and answered questions from the Council.

There was Council discussion regarding the Fire Admin Tech position and whether it needs to be a separate classification. City Manager Collins agreed to more analysis and to bring back during the budget process.

MOTION: Council Member Headding moved to authorize budget adjustments as recommended in the attached first quarter budget performance report of the staff report by adopting Resolution No. 95-18 authorizing staff to proceed with the first quarter budget adjustments and approve proposed job descriptions and adopt Resolution No. 96-18 amending the fiscal year 2018/19 salary schedule, excluding the fire position and for staff to re-look at that and bring that back at a later date. (Mayor Irons clarified that was the Fire Admin Tech position.) The motion was seconded by Council Member McPherson and carried 5-0.

III. FIRST QUARTER INVESTMENT REPORT (PERIOD ENDING SEPTEMBER 30, 2018) FOR FISCAL YEAR 2018/19; (FINANCE)
<https://youtu.be/vbGqohM6cbA?t=5040>

Finance Director Callaway gave the report and answered questions from the Council.

The report was received and filed.

IV. APPROVAL OF COMMUNITY BENEFIT AGREEMENT BETWEEN CITY OF MORRO BAY AND CASTLE WIND, LLC AND AUTHORIZE RESCISSION OF THE MEMORANDUM OF COOPERATION WITH TRIDENT WINDS, LLC; (HARBOR)
<https://youtu.be/vbGqohM6cbA?t=5216>

City Manager Collins introduced the item. Harbor Director Endersby gave the report and answered questions from the Council.

Alla Weinstein, CEO Castle Wind LLC, spoke regarding the project and the lengthy process. Ms. Weinstein encouraged City input during the process.

MOTION: Council Member Headding moved approval of the Community Benefit Agreement between the City of Morro Bay and Castle Wind, LLC, and authorize rescission of memorandum of cooperation with Trident Winds, LLC. The motion was seconded by Mayor Irons and carried 5-0.

Council Member Headding reminded all that the BOEM meeting would be held in the San Luis Obispo County Chambers December 13th from 5:00 - 8:00 p.m.

V. DISCUSSION AND DIRECTION REGARDING VERIFICATION AND TABULATION OF ALL PURPORTED PROPOSITION 218 WRITTEN PROTESTS RELATED TO 2018 WRF WATER AND SEWER SURCHARGE; (ADMINISTRATION)
<https://youtu.be/vbGqohM6cbA?t=7692>

City Manager Collins gave the report and answered questions from the Council.

City Attorney Pannone was asked to clarify the difference between 'verify and tabulate' versus 'validate'.

City Attorney explained the process has been completed, this would not be a validation. We would only be checking the documents to see if they would have met requirements.

There was Council discussion regarding the need to go through the verification process to give the community closure and initiate the healing process.

MOTION: Council Member Headding moved approval of the staff report as presented. Council Member McPherson asked if the intent was to approve the recommendations in the staff report and Council Member Headding confirmed. The motion was seconded by Council Member McPherson and carried 5-0.

The Council made closing remarks.

Mayor Irons read the title of the closed session items and announced the Council would recess and then reconvene for Closed Session at 595 Harbor Street.

<https://youtu.be/vbGqohM6cbA?t=9356>

The Council recessed at 7:08 p.m.

The Council reconvened at 595 Harbor Street at 7:25 p.m., with all members present.

Mayor Irons read the closed session items.

Mayor Irons opened public comment for items on the agenda; seeing none, the public comment period was closed.

CS-1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One Matter

CS-2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.: One Matter

RECONVENE IN OPEN SESSION

The City Council reconvened in Open Session. The Council did not take any reportable action pursuant to the Brown Act.

ADJOURN

The meeting adjourned at 7:53 p.m.

Recorded by:

Lori M. Kudzma
Deputy City Clerk