

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – OCTOBER 8, 2019
VETERAN'S MEMORIAL HALL – 5:30 P.M.

AGENDA NO: A-2
MEETING DATE: December 10, 2019

PRESENT: John Headding Mayor
Dawn Addis Council Member
Robert Davis Council Member
Jeff Heller Council Member
Marlys McPherson Council Member

ABSENT: None

STAFF: Scott Collins City Manager
Chris Neumeyer City Attorney
Dana Swanson City Clerk
Jennifer Callaway Finance Director
Rob Livick Public Works Director
Scot Graham Community Development Director
Steve Knuckles Fire Chief
Jody Cox Police Chief
Eric Endersby Harbor Director

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Headding called the meeting to order at 5:30 p.m., with all members present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION – None

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

<https://youtu.be/5X-FGM7n9Lo?t=86>

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

<https://youtu.be/5X-FGM7n9Lo?t=1653>

CLOSED SESSION REPORT – No closed session meeting was held.

PRESENTATIONS

- Intimate Partner Violence Awareness Month Proclamation presented to Stand Strong representatives, Karen Borges and Gabrielle Rivera.
<https://youtu.be/5X-FGM7n9Lo?t=1722>

PUBLIC COMMENT

<https://youtu.be/5X-FGM7n9Lo?t=2198>

Julie Phillips, owner of Going Coastal located at 315 Morro Bay Blvd., provided the business spot. For more information, call (805) 459-4545.

Jon Elliott announced the 6th Annual Trick or Treat event to be held October 31st from 3:00 – 5:30 p.m.

Nancy Weber, Morro Bay, opposed a bus stop at City Park.

Linda Winters, Morro Bay, spoke regarding mobile home park living as an affordable housing alternative.

Barbara Doerr, Morro Bay, commented on Item C-4 and expressed concern regarding the public comment period at the October 8th Special Meeting.

Patricia Newton, President of Morro Bay Art Association, spoke in support of staff recommendation for Item C-5.

John Weiss, Morro Bay resident and business owner, expressed concern about proposed Water Reclamation Facility (“WRF”) pipeline routing and urged the Council to not purchase property for the site until the outcome of the referendum is known.

Betty Winholtz, Morro Bay, announced the El Chorro Regional Dog Park annual celebration on Saturday, October 12, and addressed comments by the Mayor regarding the WRF project.

Lee Johnson, Morro Bay, spoke in favor of moving forward with the WRF project.

Bob Keller, Morro Bay, agreed with comments by Mr. Johnson.

Jen Ford, Morro Bay, echoed Mr. Johnson’s comments and urged the Council to move forward with the wastewater treatment facility.

Nicole Dorfman, Morro Bay, spoke in support of moving the WRF project forward.

Lynda Merrill, Morro Bay, urged the Council to continue its support for the proposed WRF.

Mayor Headding closed public comment.

At the request of the Mayor, staff responded to issues raised during public comment.

A. CONSENT AGENDA
<https://youtu.be/5X-FGM7n9Lo?t=4592>

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 FOR THE SEPTEMBER 24, 2019, CITY COUNCIL SPECIAL CLOSED SESSION MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 PROCLAMATION DECLARING OCTOBER 2019 AS INTIMATE PARTNER VIOLENCE AWARENESS MONTH; (ADMINISTRATION)

RECOMMENDATION: Approved as submitted.

A-3 ADOPTION OF RESOLUTION NO. 81-19 APPROVING A REVISED UTILITY LEAK REVIEW POLICY; (FINANCE)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 81-19 rescinding Resolution No. 62-19 approving a revised Leak Review Policy, and re-adopting Utility Payment Arrangement, Approved Payment Types and Change of Primary Account Holder Policies.

- A-4 ADOPTION OF RESOLUTION NO. 82-19 AUTHORIZING APPLICATION SUBMITTALS FOR CALIFORNIA'S DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) GRANTS FOR RUBBERIZED PAVING (PUBLIC WORKS)

RECOMMENDATION: Staff recommends the City Council to adopt Resolution No. 82-19 authorizing the Public Works Director to:

1. Execute and submit the application to CalRecycle for any and all CalRecycle Rubberized Pavement or Tire-Derived Aggregate grants for which the City of Morro Bay is eligible for a period of five (5) years from the date of adoption of Resolution No. 82-19, and
2. To act as the City's representative in administration of the grant, including but not limited to, applications, agreements, and amendments that are necessary to implement and secure payment of CalRecycle grants to the City; if the application is successful.

- A-5 ADOPT RESOLUTION NO. 85-19 APPROVING FISCAL YEAR 2018/19 FOURTH QUARTER YEAR-END BUDGET ADJUSTMENTS; (FINANCE)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 85-19 approving Fiscal Year 2018/19 Fourth Quarter Year-End Budget Adjustments.

- A-6 APPROVAL OF CITIZENS OVERSIGHT / CITIZENS FINANCE ADVISORY COMMITTEE MEMBER'S REQUEST FOR AN EXCUSED ABSENCE; (CITY CLERK)

RECOMMENDATION: Staff recommends the City Council consider and approve the request submitted by Citizens Oversight / Citizens Finance Advisory Committee (CFAC) Member, Lois Johnson, to excuse her absence from the October 2019, Regular Citizens Oversight / Citizens Finance Advisory Committee meeting.

- A-7 CONCEPTUAL APPROVAL OF A PILOT BUILDING LEASE AGREEMENT WITH THE PADDLEBOARD COMPANY (KEN AND SANDI TWIST) AT LEASE SITE 69-70/69W-70W, LOCATED AT 595 EMBARCADERO ROAD (THE OLD MORRO BAY AQUARIUM SITE); (HARBOR)

RECOMMENDATION: Staff recommends the City Council conceptually approve a pilot, short-term lease agreement arrangement with the Paddleboard Company at Lease Site 69-70/69W-70W as outlined herein, and direct staff to bring back a proposed lease agreement for final approval (substantively consistent with the conceptual approval).

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

Council Member Heller pulled Item A-6.

MOTION: Council Member Davis moved approval of Items A-1 through A-5 and A-7 on the Consent Agenda. The motion was seconded by Council Member McPherson and carried 5-0 by roll call vote.

- A-6 APPROVAL OF CITIZENS OVERSIGHT / CITIZENS FINANCE ADVISORY COMMITTEE MEMBER'S REQUEST FOR AN EXCUSED ABSENCE; (CITY CLERK)
<https://youtu.be/5X-FGM7n9Lo?t=4655>

Council Member Heller asked if Council subcommittee reviewing advisory board policies planned to review the requirement for Council to approve member absences. Mayor Headding stated it would be reviewed by the sub-committee.

MOTION: Council Member Heller moved for approval of Item A-6. The motion was seconded by Council Member Addis and carried 5-0 by roll call vote.

B. PUBLIC HEARINGS - NONE

C. BUSINESS ITEMS

With Council concurrence, Item C-3 was heard next.

C-3 CONSIDERATION OF VISIT SAN LUIS OBISPO COUNTY TOURISM MARKETING DISTRICT (SLOCTMD) RENEWAL WITH RECOMMENDATION; (CITY MANAGER/TOURISM MANAGER)
<https://youtu.be/5X-FGM7n9Lo?t=4750>

City Manager Collins introduced Chuck Davison, Visit SLO CAL, who provided the report and responded to Council inquires.

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

Toni LeGras spoke in support of SLOCTMD.

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

MOTION: Mayor Headding moved to adopt Resolution No. 84-19 granting consent to the San Luis Obispo County Board of Supervisors to renew the SLOCTMD for lodging establishments in Morro Bay for a 10-year period with a 1.5% assessment and authorizing the Mayor to send an accompanying letter to the County and Visit SLO CAL Boards, making recommendations for improving collaborative performance going forward. The motion was seconded by Council Member Davis for discussion.

Following discussion, the motion carried 5-0 by roll call vote.

C-1 REVIEW OF OPTIONS RELATED TO LOCAL TOBACCO AND VAPING REGULATIONS; (CITY MANAGER)
<https://youtu.be/5X-FGM7n9Lo?t=6859>

City Manager Collins provided the report and responded to Council questions.

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

Inger Appanaitis, Tobacco Control Program Manager for San Luis Obispo County Public Health Department, applauded the City for its efforts and suggested the Council also consider restricting online distribution.

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

Following discussion, there was Council consensus to move forward with changes to the City's secondhand smoke ordinance, including restrictions on multi-family units, a local tobacco retail license program, ban on all vaping/e-cigarette products with no sunset clause, and suggested "bonus point" regulations to address emerging issues.

The Council took a brief recess at 8:09 p.m. The meeting reconvened at 8:17 p.m. with all but Council Member Addis present. Ms. Addis rejoined the meeting at 8:19 p.m.

- C-2 REVIEW PROGRESS UPDATE FROM CENTRAL COAST AQUARIUM FOR POTENTIAL FUTURE MORRO BAY AQUARIUM; (CITY MANAGER)
<https://youtu.be/5X-FGM7n9Lo?t=9540>

Harbor Director Endersby introduced the item and turned to Christine Johnson, Central Coast Aquarium Executive Director, who provided the report and responded to Council questions.

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

The Council did not take any formal action on this item.

- C-4 CONSIDERATION OF THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) SUPPLEMENTAL ANNUAL REPORT WITH THE INCLUSION OF VACATION RENTALS (VR'S) IN THE EXISTING 3% ANNUAL ASSESSMENT AND CONTINUATION OF THE EXISTING TBID ASSESSMENT FOR FISCAL YEAR 2019/20; ADOPTION OF RESOLUTION NO. 83-19 DECLARING THE INTENT TO CONTINUE THE PROGRAM AND LEVY ASSESSMENTS FOR THE REMAINDER OF FISCAL YEAR 2019/20; AND, SCHEDULING BOTH A PUBLIC MEETING TO CONSIDER LEVYING THE ASSESSMENTS AS WELL AS A PUBLIC HEARING TO CONSIDER PROTESTS TO THE LEVYING OF THE ASSESSMENTS; (CITY MANAGER/TOURISM MANAGER)
<https://youtu.be/5X-FGM7n9Lo?t=10603>

City Manager Collins provided the report and responded to Council questions.

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

MOTION: Council Member Davis moved the Council to adopt Resolution No. 83-19 approving the Supplemental Fiscal Year 2019/20 Annual Report for expenditure of funds to be derived from the addition of Vacation Rentals and declaring the intent to continue the program and levy assessments for the remainder of Fiscal Year 2019/20, and schedule both a Public Meeting to consider levying the assessments as well as a Public Hearing to consider protests to the levying of the assessments; and approve moving \$10,000 from the accumulation fund to the TBID FY 2019-20 Budget for visiting journalists and grants expenses; and honor vacation rental contracts put in place prior to VRs being added to the TBID for stays in Morro Bay through June 30, 2020, with all stays thereafter being assessed the 3% TBID assessment regardless of contract execution date. The motion was seconded by Council Member Addis and carried 4-1 by roll call vote with Council Member Heller opposed.

- C-5 REVIEW OF CITY PARK TRANSIT HUB IMPROVEMENTS STUDY; (PUBLIC WORKS)
<https://youtu.be/5X-FGM7n9Lo?t=11613>

Public Works Director Livick provided the report and responded to Council questions.

The public comment period for Item C-5 was opened.

Linda Winters, Morro Bay, asked if there was any form of security at the bus stops.

The public comment period was closed.

MOTION: Council Member Davis moved to accept the Morro Bay City Park Transit Hub Improvements Study and select the existing site option for vehicle pull in/pull out and passenger shelter area improvements; and direct staff to pursue transportation grants to fully fund the improvements. The motion was seconded by Council Member McPherson and carried 5-0 by roll call vote.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

<https://youtu.be/5X-FGM7n9Lo?t=12296>

Council Member Heller requested staff come back to Council with list of potential actions to reduce General Fund expenses as a way of eliminating the structural deficit. Council Member McPherson noted the City had made several cuts and may have to do that in the future but not at this time. Council Member Addis stated she would like to remain focused on increasing revenues. There was no Council support for the request.

E. ADJOURNMENT

The meeting adjourned at 9:07 p.m.

Recorded by:

Dana Swanson
City Clerk