

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – SEPTEMBER 8, 2020
TELECONFERENCE – 5:30 P.M.

AGENDA NO: A-1
MEETING DATE: October 13, 2020

City Council conducted this meeting in accordance with Section 3 of California Governor Newsom's Executive Order N-29-20 issued on March 17, 2020 in response to the present State of Emergency in existence due to the threat of COVID-19. This meeting was held via teleconference for all participants.

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/Interim Public Works Director
 Scot Graham Community Development Director
 Steve Knuckles Fire Chief
 Jody Cox Police Chief
 Eric Endersby Harbor Director
 Damaris Hanson Environmental Programs Manager

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

CLOSED SESSION REPORT – City Attorney Neumeyer stated no reportable action was taken by the City Council in accordance with the Brown Act.

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

<https://youtu.be/f0Muhj63DHw?t=160>

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

<https://youtu.be/f0Muhj63DHw?t=547>

PRESENTATIONS

<https://youtu.be/f0Muhj63DHw?t=867>

- o Presentation of Business Heroes Awards to the following Morro Bay businesses:
 - The Avocado Shack
 - Fitness Works
 - Top Dog Coffee
 - The Galley Restaurant

PUBLIC COMMENT

<https://youtu.be/f0Muhj63DHw?t=1561>

Peter Williamson, SLOCOG, presented Pavement to Parks, an effort to celebrate the transformation of underutilized public space around the County into parklets and outdoor dining areas.

Don Maruska, Morro Bay business owner, spoke regarding the City's finances and stated his support for the one-cent sales tax measure.

John Weiss, Morro Bay, respectfully disagreed with Mr. Maruska regarding the sales tax measure, suggesting the City can live within its means; agreed with recommendations by the Planning Commission and TBID to reduce the number of vacation rentals; and expressed concern regarding zoning and affordable housing, noting 745 Harbor is zoned G-O/S.4 (office and housing), which precluded development of that property.

Betty Winholtz, Morro Bay, spoke regarding Item C-2, stating the price paid of \$350,000 should be noted in the recitals, not \$265,000; commented the Harbor Advisory Board was not in favor of RV parking along the waterfront; asked what funds were used for placards and t-shirts; and stated her opposition to the sales tax measure.

Dan Sedley, Morro Bay, spoke in opposition to the sales tax measure and disputes statements 70% of sales tax is paid for by tourists; He also objected to the overnight RV parking program.

Mayor Headding closed public comment.

The Council and staff responded to issues raised during public comment.

A. CONSENT AGENDA
<https://youtu.be/f0Muhj63DHw?t=3187>

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 AUGUST 11, 2020, CITY COUNCIL MEETING;
(ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE AUGUST 25, 2020, CITY COUNCIL SPECIAL
CLOSED SESSION MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 DESIGNATION OF VOTING DELEGATE AND ALTERNATE AT LEAGUE OF
CALIFORNIA CITIES 2020 ANNUAL CONFERENCE BUSINESS MEETING; AND,
AUTHORIZE THE VOTING DELEGATES TO APPROVE PROPOSED RESOLUTION AT
THE ANNUAL MEETING CALLING FOR AN AMENDMENT TO SECTION 230 OF THE
COMMUNICATIONS DEGENCY ACT OF 1996 TO REQUIRE SOCIAL MEDIA
COMPANIES TO REMOVE MATERIALS WHICH PROMOTE CRIMINAL ACTIVITIES;
(ADMINISTRATION)

RECOMMENDATION: Staff recommends the City Council:

1) Select Mayor Headding, as the voting delegate, and Council Member Heller, as the alternate voting delegate, for the upcoming annual business meeting to be held at the League of California Cities Annual Conference; and 2) Authorize City Clerk to sign the League of California Cities' form affirming the selection of the voting

delegate and the alternate voting delegate; and 3) Authorize the selected voting delegate (or selected alternate as needed) to approve the proposed Resolution.

- A-4 ADOPTION OF ORDINANCE NO. 638 TO AMEND SECTION 8.20.030 OF THE MORRO BAY MUNICIPAL CODE TO INCREASE PENALTIES FOR UNAUTHORIZED RV AND VEHICLE CAMPING WITHIN THE CITY OF MORRO BAY; (CITY ATTORNEY)

RECOMMENDATION: Staff recommends Council consider adopting, by second reading and by title only with further reading waived, Ordinance No. 638 entitled “An Ordinance of the City Council of the City of Morro Bay, California, amending section 8.20.030 of the Morro Bay Municipal Code to Increase Penalties for Unauthorized RV and Vehicle Camping within the City of Morro Bay.”

Mayor Headding opened public comment for the Consent Agenda.

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

MOTION: Council Member Davis moved approval of all items on the Consent Agenda. The motion was seconded by Council Member McPherson and carried 5-0 by roll call vote.

B. PUBLIC HEARINGS - NONE

C. BUSINESS ITEMS

- C-1 TOURISM STAKEHOLDER GROUP REPORT AND RECOMMENDATIONS REGARDING DIRECTION AND MANAGEMENT OF THE TOURISM MARKETING FUNCTION IN MORRO BAY; (CITY MANAGER)
<https://youtu.be/f0Muhj63DHw?t=3236>

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

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

Maggie Juren clarified the transient occupancy tax rate is set by the City, while the TBID assessment can be raised or lowered at the renewal point. As a member of the Tourism Stakeholder Group, she supported the recommendations and agreed it was an opportunity to expand marketing to higher spending clients.

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

MOTION: Council Member Davis moved the Council support tourism stakeholders to initiate the process to move from the 1989 TBID law to the 1994 TBID law; that we convene a transition team of community stakeholders to design a new tourism management model, with the City of Morro Bay in a supporting role rather than the leading role; and, that we work to diversify the visitor profile by creating a new identity for Morro Bay, moving it away from a primarily budget destination to one that attracts a wider spectrum of visitors in terms of income. The motion was seconded by Council Member McPherson and carried 5-0 by roll call vote.

- C-2 AMENDMENT NO. 2 TO MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN MORRO BAY OPEN SPACE ALLIANCE (MBOSA) AND CITY TO PROTECT EAGLE

ROCK/CERRITO PEAK IN PERPETUITY AS UNDEVELOPED PUBLIC OPEN SPACE THROUGH CONSERVATION EASEMENT; AMENDMENT NO. 1 TO MOU FOR PAYMENT FROM MBOSA TO CITY OF \$265,000 BY OCTOBER 31, 2020; (CITY ATTORNEY)

<https://youtu.be/f0Muhj63DHw?t=6420>

City Attorney Neumeyer provided the report and responded to Council inquires.

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

Glenn Silloway, Morro Bay, speaking on behalf of the MBOSA Board of Directors, thanked the individuals, families, businesses, and foundations who supported this effort to maintain Eagle Rock as open space.

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

MOTION: Council Member McPherson moved to approve Amendment No. 2 to Memorandum of Understanding between Morro Bay Open Space Alliance and the City to protect Eagle Rock, also known as Cerrito Peak, in perpetuity as undeveloped public open space through conservation easement; and, ratify Amendment No. 1 to the MOU; and accept the \$265,000 that they have so generously raised. The motion was seconded by Council Member Davis and carried 4-1 by roll call vote with Council Member Heller opposed.

C-3 AUTHORIZE SUBMITTAL OF A LETTER OF SUPPORT TO THE OCEAN PROTECTION COUNCIL SOLICITATION OF GRANT PROPOSALS FOR UPGRADES TO MORRO ROCK PARKING LOT TO REDUCE POLLUTED STORMWATER RUNOFF TO OCEAN AND CERTAIN CITY COMMITMENTS FOR PROJECT; (PUBLIC WORKS)

<https://youtu.be/f0Muhj63DHw?t=7482>

Acting Public Works Director Callaway introduced the item and handed it over to Environmental Programs Manager Hanson and Daniel Apt, President of Olanu, who provided the report and responded to Council inquires.

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

MOTION: Council Member Davis moved to Council authorize staff to submit a letter of support for the Ocean Protection Council solicitation of grant proposals for upgrades to Morro Rock parking lot to reduce polluted stormwater runoff to the ocean and to make certain City commitments for the project. The motion was seconded by Mayor Heading and carried 5-0 by roll call vote.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

<https://youtu.be/f0Muhj63DHw?t=9408>

Council Member Heller requested discussion of future plans for the existing Wastewater Treatment Plant and Corp Yard. The Council agreed this was an important topic for future discussion, likely in 2021.

E. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

Recorded by:

Dana Swanson
City Clerk