



AGENDA NO: All Agenda Items

MEETING DATE: November 17, 2020

**AGENDA CORRESPONDENCE RECEIVED
BY THE CITY COUNCIL FOLLOWING
POSTING OF THE AGENDA IS ATTACHED
FOR PUBLIC REVIEW PRIOR TO THE
MEETING**

Dana Swanson

From: betty winholtz [REDACTED]
Sent: Tuesday, November 17, 2020 9:11 AM
To: John Heading; Robert Davis; Marlys McPherson; Jeffrey Heller; Dawn Addis
Cc: Dana Swanson; Scott Collins
Subject: special meeting

Dear City Council:

I couldn't be more shocked and disappointed in your agenda for a special meeting in the middle of an afternoon with the topics you are deliberating. Are you scheduling public meetings for the convenience of staff rather than the public, who is paying the bills?

1. In particular, I am referencing close to a million dollars in change orders raising the price of the most expensive sewer plant option, once again.
2. In particular, I am referencing giving all the block grant money to one organization for one project when you have the option to receive the lion's share of the money to the one organization, while at the same time supporting programs the City said they counted on for supporting Morro Bay homeless in our newly adopted Housing Element.
3. In particular, expanding the Bayshore Condominiums HOA's right to haze and harass the seagulls. We don't allow hazing and harassment of humans! We are a Bird Sanctuary! If you live on the coast, you have seagulls.

I walk this City park many times a week. I rarely see a seagull since the implementation of removing nests and eggs started 10 years ago. When this item was before the City Council 5 years ago, there were 2 pieces of paper with hand written counts of nests taken over a limited period of time. In other words no documentation. Now, not even with thinly disguised evidence, the HOA wants to legally kill any seagull that comes within its property line. This is not acceptable! Remove the nests if there are any, but do not approve hazing and harassment.

4. In particular, accepting and potentially acting on a document from the Chamber of Commerce, not available to the public but for a few days of review, regarding changes to the City's planning review process.

With all due respect, your actions could not be more blatant to leave the public out of the process on deliberating sensitive topics, a process the State promises we have a right to be involved in.

Sincerely,
Betty Winholtz



AGENDA NO: II

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**AGENDA CORRESPONDENCE RECEIVED
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Heather Goodwin

Subject: FW: Thank you From PSHH to MB Council

From: Dana Swanson <dswanson@morrobayca.gov>

Sent: Tuesday, November 17, 2020 5:14 PM

To: Council <council@morrobayca.gov>

Cc: Cindy Jacinth <cjacinth@morrobayca.gov>; Scot Graham <sgraham@morrobayca.gov>

Subject: FW: Thank you From PSHH to MB Council

Mayor & Council,

Please see the note of thanks from Ms. Manning.

Sincerely,

Dana

From: Catherine Manning, LCSW 25561 <catherinem@pshhc.org>

Sent: Tuesday, November 17, 2020 4:56 PM

To: Dana Swanson <dswanson@morrobayca.gov>; Cindy Jacinth <cjacinth@morrobayca.gov>

Subject: Thank you From PSHH to MB Council

To MB Council,

I wanted to say thank you to the Mayor and Council for the recommendation to fund the Supportive Services of Peoples' Self Help Housing (PSHH).

I have worked 15 years in homeless services and have now begun my 8th year with PSHH. I fully believe that Housing is the solution to Homelessness and there is a great need for AFFORDABLE Housing for many of our families and community members.

With that said, in my role as a Social Worker with PSHH, Supportive Services not only keeps residents in housing through multiple coordination of benefit programs and collaboration with Community Service Providers, but more importantly keeps residents from falling out of housing and back into Homelessness.

Funding housing and supportive services is so complimentary to the success that any one of us can be affected by through job loss, unemployment, injury, and other life issues (Covid, death of a spouse). The social workers of PSHH help the residents to connect with in home support services, discounted utility programs, senior meals and food banks, rental assistance programs, apply for section 8, and disability programs etc. that will help a resident through a difficult time or adapt to a new season in their life. We also support socialization, growth and development through our educational program, vision for college, career development and moving from rental housing to building their own home.

Thanks Again for Your Support,

Catherine Manning, LCSW

Dana Swanson

From: Janna Nichols <janna.nichols@5chc.org>
Sent: Tuesday, November 17, 2020 12:58 PM
To: CityClerk
Subject: PUBLIC COMMENT - SPECIAL MEETING NOV. 17, AGENDA ITEM 2: CDBG RECOMMENDATIONS

Esteemed Council,

I apologize that I am unable to join you today for your meeting to consider the CDBG recommendations for the coming year, as the County is holding a hearing concurrent to yours and I am unable to attend both. This is the first time that 5Cities Homeless Coalition has applied to your city for these funds, and I would like to share some brief information with you regarding our request. While known as the 5Cities Homeless Coalition, our agency provides rental assistance and deposit assistance (through CDBG and other funds) countywide for those who are homeless and facing homelessness, including citizens of your community. Our request was based on a proportionate amount of those we have helped based on recent grants, per each jurisdiction. While a request of \$900 may seem insignificant, it was important for us that you know we are at work in your city as we are countywide.

I applaud your staff recommendation to facilitate the construction of new apartments with the San Luis Obispo Non-Profit Housing Corporation. It should be noted however that families moving into these housing units will be required to pay a deposit. Usually when these new units are ready for lease-up, it is our agency that is asked to pay that deposit on behalf of the new tenant, as they lack the savings necessary at the time of move-in. Housing, supportive case management, and move-in financial assistance are all needed to ensure that low-income families obtain and retain their housing. I would ask for your re-consideration of the staff recommendation based upon an understanding that housing, supportive services, and financial assistance are all needed together.

Thank you for your time and leadership.

Janna

Janna Nichols
Executive Director
5Cities Homeless Coalition
(805) 574-1638 Office
(805) 471-7404 Cell

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AGENDA NO: III

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**AGENDA CORRESPONDENCE RECEIVED
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Dana Swanson

From: Scott Collins
Sent: Tuesday, November 17, 2020 12:16 PM
To: Dana Swanson
Subject: FW: Seagull resolution

FYI.

From: Bill Albrecht [REDACTED]
Sent: Tuesday, November 17, 2020 12:16 PM
To: Scott Collins <scollins@morrobayca.gov>
Subject: Re: Seagull resolution

One correction, #4 We spent \$10,000 over the course of several years not all the last year.

From: Scott Collins <scollins@morrobayca.gov>
Sent: Tuesday, November 17, 2020 12:12 PM
To: Bill Albrecht [REDACTED]
Cc: Dana Swanson <dswanson@morrobayca.gov>
Subject: RE: Seagull resolution

Thanks, Bill. The second email included a photo of roofs and a letter from the board.

Thanks!
-Scott

From: Bill Albrecht [REDACTED]
Sent: Tuesday, November 17, 2020 12:12 PM
To: Scott Collins <scollins@morrobayca.gov>
Subject: Re: Seagull resolution

Hi Scot: Sending it again
Thanks, Bill

From: Scott Collins <scollins@morrobayca.gov>
Sent: Tuesday, November 17, 2020 12:08 PM
To: Bill Albrecht <[REDACTED]>
Cc: Dana Swanson <dswanson@morrobayca.gov>
Subject: RE: Seagull resolution

Hi Bill,

Good afternoon. Your email to City Council did not contain any information or attachments, just an FYI.

Thanks,
Scott

Scott Collins

City Manager
City of Morro Bay

From: Bill Albrecht [REDACTED]
Sent: Tuesday, November 17, 2020 12:07 PM
To: Council <council@morrobayca.gov>
Subject: Seagull resolution

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To the city of Morro Bay Board members:

1. Western Gull is the species causing the depredation problem with approximately ~~200~~¹⁵⁰ Gulls on our roofs.
2. The exact location where control activity will be conducted is 150-188 Bayshore Dr., 117-148 Sandpiper Cir., 154-190 Sandpiper Lane, Morro Bay, California, a total of 72 units.
3. Description of damage
 - (a) We have damage to our property, property values and Health Hazards. The property roofs are being damaged by the Gull nests and Guano hurting and damaging the shingles. The property values are lower to all our units due to the amount of Guano on the roofs. The Health Hazard comes from the Guano in the form of Parrot like flu, which is a hazard to all the homeowners.
 - (b) The problem has been occurring for the last 10+ years. Each year is getting worst.
 - (c) Our nesting problems occur between the months of April/May - August. The roosting problem lasts longer.
 - (d) The Human Health Hazard is from the amount of Guano on and around our complex causing Parrot flu like symptoms and contaminating our pool.
 - (e) As stated above, the damage is to our roofs/shingles and pool area due to the Gulls nesting and roosting. The Property values have had an adverse effect because of the same reason. The Human Health Hazard is obvious by the amount of Gulls and Guano we have on our roofs and the surrounding property which can cause Parrot like flu.
4. The damage to our property is on-going, the exact amount of loss is unknown. This year we spent over \$10,000 on control issues.
5. This year we incorporated the same non-lethal legal tactics as last year. We used Wind driven whirly birds, solar powered whirly birds, metal spiders, spikes, bird wire, mylar tape, coiled wires around the chimney and skylight areas, distress calls, plastic owls and green laser lights with limited success, and finally electric training tape.

6. Proposed actions.

- (a) As required by our last federal permit we plan on addling the eggs in 100% corn oil and returning the eggs to the nest. No harm to the Gulls.
- (b) We plan on addling approx. 75 Western Gull eggs.
- (c) We will addle the eggs in 100% corn oil and return them to the nest.
- (d) We will not trap any Western Gulls.

7. Our long term measures are the same as last year, keep addling the eggs and harass the birds to keep them off our roofs. The electrical training tape seems to be working better than other methods so will increase our use of the tape.

We contacted the local Audubon Society and the Pacific Bird Rescue for any help and suggestions also we are applying for a federal depredation permit for 2016.

In the past we have not had any adverse effect on the overall Western Gull population in the area, but have prevented a lot of damage to our property, not to mention eliminating the Health hazards..

The California Dept. of Fish and Game has said as long as we have a Federal Fish and Wildlife permit it is OK with the State.

Bayshore condo homeowners Assoc:
President Janet Gould
Vice President Bill Albrecht



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 - (b) The problem has been occurring for the last 10+ years. Each year is getting worst.
 - (c) Our nesting problems occur between the months of April/May - August. The roosting problem lasts longer.
 - (d) The Human Health Hazard is from the amount of Guano on and around our complex causing Parrot flu like symptoms and contaminating our pool.
 - (e) As stated above, the damage is to our roofs/shingles and pool area due to the Gulls nesting and roosting. The Property values have had an adverse effect because of the same reason. The Human Health Hazard is obvious by the amount of Gulls and Guano we have on our roofs and the surrounding property which can cause Parrot like flu.
4. The damage to our property is on-going, the exact amount of loss is unknown. This year we spent over \$10,000 on control issues.
5. This year we incorporated the same non-lethal legal tactics as last year. We used Wind driven whirly birds, solar powered whirly birds, metal spiders, spikes, bird wire, mylar tape, coiled wires around the chimney and skylight areas, distress calls, plastic owls and green laser lights with limited success, and finally electric training tape.

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- (b) We plan on addling approx. 75 Western Gull eggs.
- (c) We will addle the eggs in 100% corn oil and return them to the nest. These guidelines are contained in the "Humane Society's Canada Goose Egg Addling Protocol", which we will follow.
- (d) We will not trap any Western Gulls.

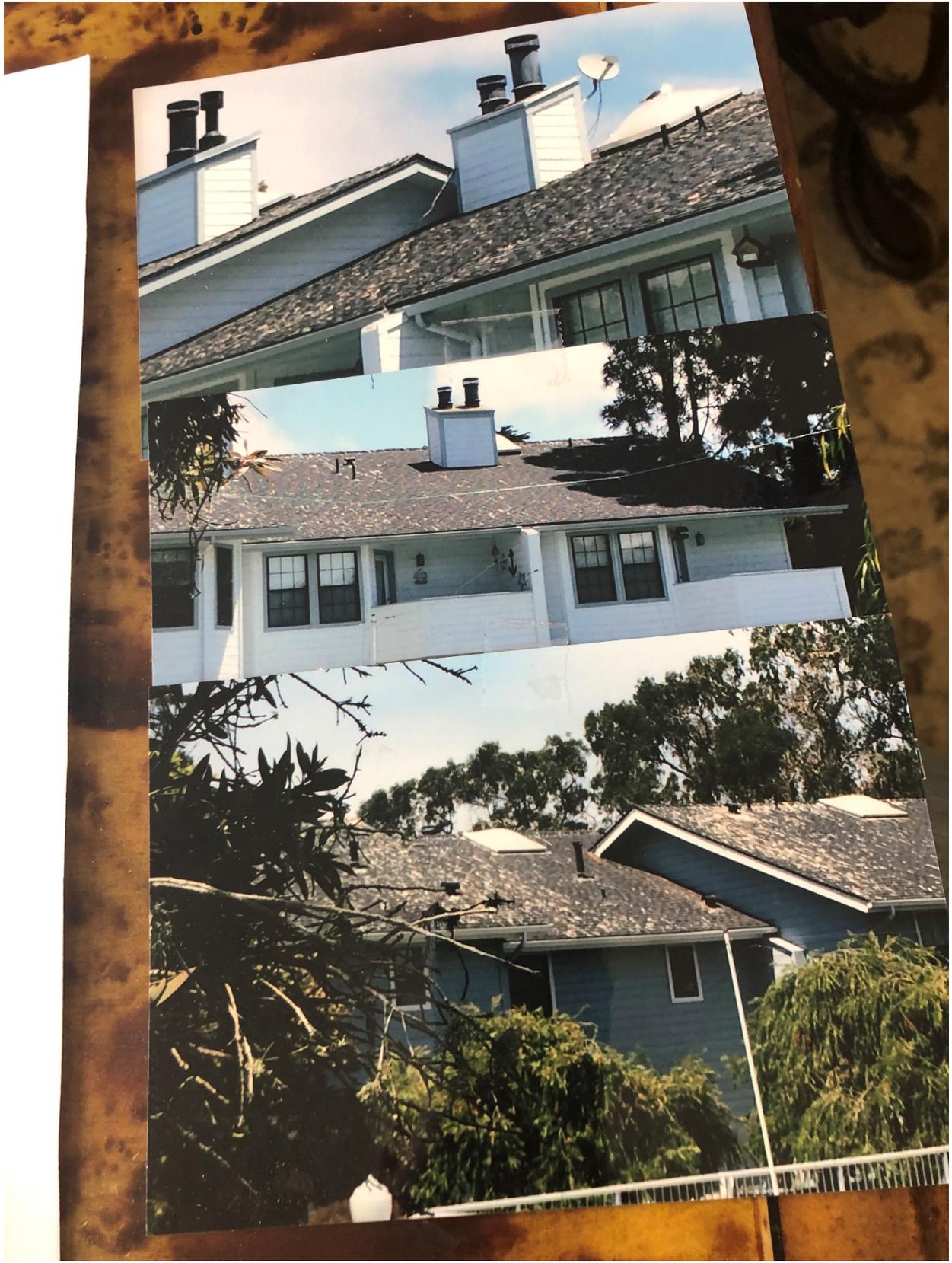
7. Our long term measures are the same as last year, keep addling the eggs and harass the birds to keep them off our roofs. The electrical training tape seems to be working better than other methods so will increase our use of the tape.

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The California Dept. of Fish and Game has said as long as we have a Federal Fish and Wildlife permit it is OK with the State.

Bayshore condo homeowners Assoc:
President Janet Gould
Vice President Bill Albrecht



Dana Swanson

From: Blake Frino [REDACTED]
Sent: Tuesday, November 17, 2020 9:50 PM
To: Council
Subject: Sea gulls

Dear Council,

I urge you to not, in any way, hurt seagulls. It is up to us to clean up our trash, clean areas they fly by or roam, and take part in sharing nature in only a humane way. We have a snowy plover habitat that we try our best to preserve and therefore need to also treat seagulls with the same respect as they are apart of the community just as much as we are. Sharp deferents of any kind on roof tops should be abolished and the community needs to learn to be compassionate to all beings.

Sincerely,

Blake Gerl
from my iPhone

Dana Swanson

From: Robby Lorber [REDACTED]
Sent: Tuesday, November 17, 2020 12:47 PM
To: Council

No killing seagulls please.

Dana Swanson

From: Lynda Merrill [REDACTED]
Sent: Friday, November 13, 2020 11:33 PM
To: Council
Subject: Special Meeting Nov. 17, Please approve this resolution No. 100 20

Dear Mayor and Councilmembers,

I understand the need for this Resolution and support the Condominium at Bayshore. This is an extreme situati

Thank you for your attention to this matter.

Sincerely, Lynda Merrill
[REDACTED]

ADOPTION OF RESOLUTION NO. 100-20 DECLARING GULLS AT BAYSHORE VILLAGE HAVE BECOME SO NUMEROUS OR DESTRUCTIVE AS TO CONSTITUTE A MENACE AND DANGER TO THE PUBLIC HEALTH, SAFETY OR PROPERTY, AND THEREFORE PROVIDING AN EXEMPTION FROM MORRO BAY MUNICIPAL CODE SECTION 7.16.025 AUTHORIZING THE HOMEOWNERS ASSOCIATION TO HAZE, AND HARASS GULLS, TO REMOVE GULL NESTS FROM THEIR PROPERTY AND TO CARRYOUT ADDLING OF GULL EGGS; (COMMUNITY DEVELOPMENT) RECOMMENDATION: Council review the report and adopt Resolution No. 100- 20 declaring the existence of Gulls at the Bayshore Village have become so numerous or destructive as to constitute a menace and danger to the public health, safety or property, authorizing an exemption from Morro Bay Municipal Code (MBMC) section 07.16.025 authorizing the Homeowner's Association to haze, and harass Gulls, to remove Gull nests from their property and carryout addling of Gull eggs.



AGENDA NO: IV

MEETING DATE: November 17, 2020

**AGENDA CORRESPONDENCE RECEIVED
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Dana Swanson

From: Sean Green [REDACTED]
Sent: Sunday, November 15, 2020 1:38 PM
To: Council
Cc: CityClerk
Subject: 11/17/20 Council Agenda Item IV

Council and staff,

On June 23rd, this council wisely and publicly voted 4-1 to close one lane of Embarcadero traffic (Councilmember Heller supported full closure) in order to protect our community from coronavirus and offer waterfront businesses a generous opportunity to create outside dining on public property. Days later, seemingly the result of private meetings between city management and a handful of powerful business owners, a city press release declared that Morro Bay leadership would not be following Council's unanimous directive after all and would instead bend to waterfront businesses, many of whom proceeded to block coastal access and privatize huge stretches of public sidewalk for the next four months (and counting), all while generally shirking mask mandates and social distancing protocol. So, to suggest that the city is never accommodating to the business community would be inaccurate.

That said, the business-unfriendly survey data presented by the Morro Bay Chamber should be considered useful, alarming, and a confirmation of hearsay amongst county builders and small businesses, albeit a little biased. Do I believe investors are chomping at the bit to develop here? No. Do I believe Council and Staff should do something about that? Yes, at least in the short term. What that something (or somethings) is should be significant and temporary. If things change for the better and a new round of survey data confirms a positive shift, Council can then reevaluate in a year or two, with input from stakeholders, whether or not to make these temporary changes permanent.

As I publicly commented on 4/28/20, when it was clear our business community would struggle for a while, I proposed the following development campaign, none of which seems to have been implemented or considered, but all of which I still stand by:

Here are my thoughts:

1. Morro Bay is (objectively) desperate for funding
2. Morro Bay is (subjectively) desperate for a boost of energy

Why not combine and spin these perceived truths into Morro Bay's very own version of The New Deal beginning July 1, 2020? I know, I know, our little city hasn't the ability to spend money we don't have (like the federal government can and has) to spur growth, but what our city CAN do is incentivize others to do it FOR us.

Let me explain:

1. Morro Bay is (objectively) hurting for commercial development
2. Morro Bay is (subjectively) considered an unwelcome place for commercial development

However, if City leadership were to publicly announce a FY 2020-21 "push" or "invitation" or "open call" for commercial development that was backed by temporary fee reductions, streamlined planning and approvals, and a genuinely business-friendly attitude from each and every City leader and staff member FOR ONE YEAR ONLY, then my honest-to-goodness feeling is that businesses would come, vacant lots would fill, and vibrancy not seen in some time would return to Morro Bay. No policy change would be permanent, I should add. Like many Covid-related programs, the one I'm proposing would be signed in May, publicized in June, begin in July, and expire on June 30, 2021.

If it is to succeed, Morro Bay's FY 2020-21 new commercial development offer cannot be underwhelming. A 10% reduction in plan check fees will not move the needle. I'm talking 50%. I'm talking 100% for items not requiring significant staff time. I'm talking Parking In Lieu Fee waivers of \$5k per space. I'm talking expedited Planning approvals even if it means minor details on smaller projects go unchecked. I'm talking explicit guidance to Planning Commission that stresses expediency and flexibility. I'm talking explicit guidance to ALL City departments and commissions to think "yes" instead of "no." I'm talking about scaling back every built-in barrier to commercial entry that currently exists in Morro Bay—and there are many—FOR ONE YEAR ONLY.

Yes, there will be resistance. Maybe from some of you. Certainly from residents. We hear it every single meeting of every single board. "We are a small beach community blah blah blah..." I know we are a small beach community. Everyone knows it. We have been for decades, and we will remain one for decades more. One year of inspired commercial development should not be looked at as threatening that fact, but as an opportunity to preserve it. I'll be the first to admit that widespread commercial incentives are, under normal conditions, generally unpopular here in Morro Bay. In fact, I myself regularly attend Planning and Council meetings for the specific purpose of preventing commercial developers and businesses from taking liberties in our City. But the current state of Morro Bay's budget as a direct result of the total collapse of our chief industry for what will likely be the majority of CY 2020 leaves you, me, our entire community with little room to remain saddled up on our ideological high horses.

Still, for doubters who feel threatened by a temporary burst of commercial development, perhaps folks would feel more comfortable if any fee reductions were to be made contingent upon developers meeting specifically targeted City needs. To me, doing so would render meaningful development much less likely, and, in turn, would push balanced budgets that much further into the future, but if you must, you must. Tie cost savings to job creation by reducing commercial development fees by 10% for each full-time employee added to the Morro Bay workforce. Tie cost savings for all newly opened retailers and restaurants to mandatory Chamber of Commerce membership or a new 1% BID assessment to fund visitor-facing infrastructure improvements like wayfinding signage and public bathrooms. Tie cost savings for mixed-use developments to the addition of affordable housing units somewhere on the property. Any of these suggestions, if implemented, would benefit both City and developer in ways few Morro Bay stakeholders could reasonably refute.

Further, if gaining support for this pro-business endeavor requires additional homeowner buy-in, which it might, why not reduce residential development costs by a lesser 25% during FY 2020-21 to show homeowners they, too, are part of Morro Bay's New Deal solution? At the very least, streamline and discount the development of much needed ADUs, embrace and fast-track more experimental housing projects like San Luis Obispo did with its 2018 tiny house ordinance, and reduce approval timelines for a wider range of low impact projects like small additions, decks, and encroachments. Without a doubt, homeowners would take this opportunity to build new affordable units, provide housing for dozens of new workforce participants, infuse energy into the community, pay much needed (albeit discounted) fees, and inspire confidence in this City's ability to remain solvent for years to come.

Simply announcing to the public and dictating to City staff that Morro Bay's New Deal is an opportunity for everyone—commercial and residential—would do wonders for citywide morale. And though "desperate times call for desperate measures" may seem like the tone of this letter, these suggestions should hardly be considered desperate. Even before Covid-19, staff and Council struggled to find ways for Morro Bay to remain a city that meets basic residential needs and expectations. Now with Covid-19 wreaking total havoc on the tourism industry—an industry we must attempt to diversify out of—finding creative ways for Morro Bay to remain a serviceable city is now more important than ever.

Please do what must be done, and what some Morro Bay residents will inevitably resist: release a public statement that openly invites outsiders and insiders alike to bring fresh ideas into a struggling town, and to bring their much needed energy and dollars with them.

Six months later, the need to implement such a plan has never been greater. It goes without saying that opening people's minds to change (whether councilmember, staff, resident, or business owner) is a

difficult thing, but a one-year trial program with set expiration may be the perfect opportunity for Council to test out a creative, well-meaning idea, just as one-lane closure of Embarcadero during a pandemic would've been. Please take the Chamber survey seriously and consider bold, sensible action today.

Respectfully submitted,

Sean Green
Morro Bay, CA

References:

1. "Morro Bay to close section of Embarcadero for pedestrians" (KSBY) <https://www.youtube.com/watch?v=MtByvu0E-hY>
2. 6/23/20 Council Minutes: <https://www.morro-bay.ca.us/ArchiveCenter/ViewFile/Item/5419>
3. 4/28/20 Council Agenda Correspondence: <https://www.morro-bay.ca.us/Archive/ViewFile/Item/5321>

Dana Swanson

From: Janice Peters [REDACTED]
Sent: Monday, November 16, 2020 12:10 PM
To: Council; Scott Collins; Scot Graham
Cc: Laurel Barton
Subject: City Development process

Hello All,

From 1990 to 2010, I served 6 years as Planning Commissioner, 8 as Councilmember and 6 as Mayor. In all that time there were constant complaints about the difficulties, frustrations and costs involved in our development/building permit process. A builder friend of mine said he could get a permit in LA in less than a week that would take months here.

There have been numerous attempts to resolve these issues, to no avail. I know the Coastal Commission adds extra time (will our updated General plan that I worked on 15 years ago EVER be finished?) but there must be things we can do to correct this situation.

I serve on the GAC, and I think the research done and the suggestions submitted are an excellent starting basis for improvements. Especially in this time of having to rethink so much of how we live and do business, please take this opportunity to make our development process simpler, more efficient and more positive for both staff and the applicants.

Thank you for the work you do...and will do!

Janice Peters



Virus-free. www.avg.com

Dana Swanson

From: Judy Salamacha [REDACTED]
Sent: Monday, November 16, 2020 8:26 AM
To: John Heading
Cc: Dawn Addis; Robert Davis; Marlys McPherson; Jeffrey Heller; Scott Collins; Scot Graham; Dana Swanson; Erica Crawford; Stephen Peck
Subject: Re: Council Agenda Item 11/17/2020 Planning & Development Processes

November 16, 2020

Mayor Heading and Council Members McPherson, Davis, Addis, and Heller:

On Tuesday afternoon you will review a report from the Morro Bay Chamber of Commerce and City staff on ways to improve the planning and development process in Morro Bay. The report is the result of work researched and reviewed in July and August, 2020 with professionals in the industry based in Morro Bay and/or working in Morro Bay, then compiled and submitted for approval by the GAC to the Morro Bay Chamber Board. Since that time, the Chamber has provided the City staff with a draft report, and the report has been updated to address their questions.

My personal recommendation is simple and based on my hope for the future of Morro Bay. For the first time in the sixteen-eighteen years, that I have been actively involved in the Morro Bay community, I feel honored to sit on the GAC. I accepted the invitation because I recognized our chamber and city were sincerely beginning the hard work to build trust and a team to advocate common goals that would move Morro Bay forward.

I now believe post-election results has also sent us the final message. Although the numbers were very close, there is a growing majority of residents who value moving forward. They voted we're on the better path. This same message was concluded by the SLO Tribune's Election Editorial Board for 2020.

It is time to move forward - together.

Historical knowledge is important, but the coulda-shoulda opportunities from past hopes, reports and recommendations are essentially in the past. Today's world climate has highlighted challenges we might not have looked as closely or been motivated to action, but one thing is always clear -- strong teamwork moving forward to produce positive, planned outcomes will always discover the opportunities we might have missed before.

The Chamber Board and GAC have gathered the feedback from community practitioners, the staff has reviewed and knows what it needs to do, and **now our elected officials need to say, "Let's move forward - one day, one project, one publicized success at a time, but let's pledge today to continue to move forward."**

Please, review and choose forward-thinking-action-oriented-decision-making-move forward recommendations that our current team can work on together to fix what needs to be fixed, thus, spending our valued time and energies on only those goals that will create ultimate solvency, thus, future vitality for the City of Morro Bay.

Sincerely and with wishes for a blessed Thanksgiving and Christmas season,

Judy Salamacha
Morro Bay resident, voter, and one member of the GAC, MB Chamber of Commerce

