

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
 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

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/409bLfYYq2E?t=172>

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS - None

PRESENTATIONS – NONE

PUBLIC COMMENT

<https://youtu.be/409bLfYYq2E?t=892>

Sean Green, Morro Bay, offered his thanks to Morro Bay in Bloom for its beautification efforts.

Betty Winholtz, Morro Bay, was disappointed people continue to take down campaign signs, noting in some cases they were trespassing onto private property to do so.

Linda Winters, Morro Bay, shared an update on her efforts to improve communication among mobile home park residents and thanked the City for approving the utility rebate program.

Robert Piatti, spoke representing the Salinan Tribe of San Luis Obispo and Monterey Counties, expressing his concern about the change in plans for cultural resource monitoring at the WRF site.

Mayor Headding closed public comment.

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

A. CONSENT AGENDA
<https://youtu.be/409bLfYYq2E?t=1455>

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 22, 2020, CITY COUNCIL SPECIAL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE OCTOBER 13, 2020, CITY COUNCIL SPECIAL CLOSED SESSION MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 REVIEW OF FOURTH QUARTER INVESTMENT REPORT (PERIOD ENDING JUNE 30, 2020) FOR FISCAL YEAR 2019/20; (CITY MANAGER)

RECOMMENDATION: Receive the Fourth Quarter Investment Report (period ending June 30, 2020) for Fiscal Year 2019/20 and provide comments and suggestions as appropriate.

A-4 ADOPTION OF RESOLUTION NO. 92-20 APPROVING THE ASSIGNMENT AND ASSUMPTION AND CONDITIONALLY AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS NECESSARY FOR THE ASSIGNMENT AND ASSUMPTION AT LEASE SITE 91-92/91W-92W AND ACCEPTING DEEDS OF TRUST RELATED THERETO (ANDERSON INN, 897 EMBARCADERO), AND RESCINDING RESOLUTION NOS. 17-20 AND 76-20 THAT CONDITIONALLY APPROVED PREVIOUS ASSIGNMENTS AND ASSUMPTIONS OF LEASE SITE 91-92/91W-92W, BECAUSE THOSE ASSOCIATED SALES WERE NOT CONSUMMATED; (HARBOR DEPARTMENT)

RECOMMENDATION: Staff recommend the City Council adopt Resolution No. 92-20 allowing the Mayor to authorize the assignment and assumption, and authorizing the Mayor to execute necessary documents, and accepting deeds of trust related thereto regarding sale of the leasehold interest of Lease Site 91-92/91W-92W to a yet to be officially formed and registered limited liability company owned by Christopher and Cynthia KostECKa, with documents subject to approval of the City Attorney.

In addition, staff recommend the City Council rescind Resolution Nos. 17-20 and 76-20, which approved previous assignments and assumptions, because those associated lease site sales fell out of escrow and were not consummated.

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

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

B. PUBLIC HEARINGS - NONE

C. BUSINESS ITEMS

C-1 ADOPTION OF ORDINANCE NO. 640; AMENDMENTS TO MORRO BAY MUNICIPAL CODE TO REPEAL CHAPTER 5.47 (SHORT-TERM VACATION RENTAL PERMIT) AND ADDING CHAPTER 17.41 (SHORT-TERM VACATION RENTALS) SO AS TO PROVIDE REGULATIONS TO PROTECT THE QUALITY AND CHARACTER OF OUR RESIDENTIAL NEIGHBORHOODS THROUGH APPLICATION OF DENSITY LIMITATIONS, EXPANDED PERMIT REQUIREMENTS AND OPERATIONAL REQUIREMENTS; (CITY ATTORNEY/COMMUNITY DEVELOPMENT)
<https://youtu.be/409bLfYYq2E?t=1534>

City Attorney Neumeyer provided the report and, along with City Manager Collins and Community Development Director Graham, responded to Council inquires.

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

Nick Juren, Beach N Bay Getaways, stated his support for the proposed ordinance and, with regard to the 10-occupant limitation, asked for protection for those contracts for more than 10 occupants that were entered into prior to the effective date of the ordinance.

Maggie Juren, Beach N Bay Getaways, expressed concern regarding the 175' radius buffer and urged the Council to revisit the issue to consider the unintended consequences. She also requested the City publish a list of licensed vacation rentals with the associated phone number.

Betty Winholtz, Morro Bay, asked if agenda correspondence submitted to the Planning Commission and City Council would be forwarded to the Coastal Commission, commented the need for an accurate decimal reader to monitor noise complaints, requested clarification on the anticipated timeline for attrition to bring the number of STR's under the 175 limit, and added her support for a 175' radius buffer.

Robert Elzer, Morro Bay, stated his belief there was a misunderstanding regarding the Planning Commission's discussion regarding buffer requirements and asked the Council to apply a 3-home or 175 ft. linear buffer requirement, rather than 175' radius.

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

MOTION: Council Member McPherson moved to adopt, by second reading and by title only with further reading waived, Ordinance No. 640 entitled "An Ordinance of the City Council of the City of Morro Bay, California, repealing Chapter 5.47 (Short-Term Vacation Rental Permit) of Title 5 (Business Tax Certificates and Regulations), and adding Chapter 17.41 (Short-Term Vacation Rentals) of Title 17 (Zoning) of the Morro Bay Municipal Code relating to the Permitting and Operation of Short-Term Vacation Rentals." The motion was seconded by Council Member Davis for discussion.

The Mayor and City Council members provided individual input, all stating their appreciation for the vigorous discussion and significant community input received throughout the process. Council Member Heller stated the ordinance did not do enough to improve the quality and character of neighborhoods.

Following discussion, the motion carried 4-1 by roll call vote with Council Member Heller opposed.

- C-2 REVIEW MORRO BAY EMERGENCY PLAN AND ADOPT RESOLUTION NO. 94-20 CITY OF MORRO BAY EMERGENCY MANAGEMENT PLAN ADDING PANDEMIC CONTINUITY OF OPERATIONS ANNEX L; (FIRE DEPARTMENT)
<https://youtu.be/409bLfYYq2E?t=5036>

Fire Chief Knuckles provided the report and responded to Council inquires.

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

MOTION: Mayor Headding moved to adopt Resolution No. 94-20, accepting the revised City of Morro Bay Emergency Management Plan (EMP), adding Annex L Pandemic Continuity of Operations Plan. The motion was seconded by Council Member McPherson and carried 5-0 by roll call vote.

- C-3 CONSIDERATION OF RESOLUTION FOR 180-DAY WAIT PERIOD EXCEPTION FOR CALPERS RETIRED ANNUITANT / INTERIM FINANCE DIRECTOR APPOINTMENT AND INTERIM FINANCE DIRECTOR AGREEMENT – KATIE LICHTIG; (CITY MANAGER)
<https://youtu.be/409bLfYYq2E?t=6860>

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

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

MOTION: Council Member Davis moved to 1) Adopt Resolution No. 95-20 approving an exception to the 180-day waiting period for the position of Interim Finance Director; and 2) Approve the Interim Finance Director employment agreement between the City and Ms. Lichtig. The motion was seconded by Council Member McPherson and carried 5-0 by roll call vote.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

None

E. ADJOURNMENT

The meeting adjourned at 7:33 p.m.

Recorded by:

Dana Swanson
City Clerk