

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
	Laurel Barton	Council Member
	Robert Davis	Council Member
	Jeff Heller	Council Member
ABSENT:	None	
STAFF:	Scott Collins	City Manager
	Chris Neumeyer	City Attorney
	Dana Swanson	City Clerk
	Katie Lichtig	Interim Finance Director
	Scot Graham	Community Development Director
	Steve Knuckles	Fire Chief
	Jody Cox	Police Chief
	Eric Endersby	Harbor Director
	Aaron Miller	Police Officer

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/SquE-yQI_OU?t=181

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

https://youtu.be/SquE-yQI_OU?t=791

PRESENTATIONS

https://youtu.be/SquE-yQI_OU?t=920

- SB 1383 Presentation by IWMA Executive Director, Brooks Stayer

PUBLIC COMMENT

https://youtu.be/SquE-yQI_OU?t=2008

Ruth Ann Angus, Morro Bay, asked the Council to consider making a public statement and request Congress to ban the sale of assault weapons to the public. As a member of the National Non-Violent Cities Project, she requested Morro Bay support any legislation that would control gun violence in this country.

Michelle Garner, San Luis Obispo County Chapter of Moms Demand Action, urged the Council to proactively address the issue of gun violence by educating the community on safe storage regulations and the California Red Flag Law.

Betty Winholtz, Morro Bay, asked that the City publish information on the City website regarding regulations that prohibit tree trimming during nesting season. She also requested an update on the sewer work along Quintana Road.

Dan Sedley, Morro Bay, asked when the Council will go back to in-person meetings and objected to the use of public speaking time at council meetings as a forum for political parties.

Andrea spoke on behalf of Morro Bay resident, Jen Ford, regarding Agenda Item C-2, requesting the Council to take action to create a safer community in all ways possible within the City's control.

District Representative Caitlin Cox read a statement on behalf of Congressman Carbajal regarding Agenda Item C-2, in support of pragmatic policies to prevent gun violence and save lives, the California red flag law to temporarily disarm individuals in crisis, expanded background checks and measures to prevent those with troubling histories from obtaining a firearm, legislation that will ensure all gun transactions are safe and legal, and to promote responsible gun ownership through safety training and education on secure storage.

Mayor Heading closed public comment.

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

- A. CONSENT AGENDA
https://youtu.be/SquE-yQI_OU?t=3273

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 FEBRUARY 9, 2021, CITY COUNCIL MEETING;
(ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

- A-2 APPROVAL OF MINUTES FOR THE FEBRUARY 23, 2021, CITY COUNCIL MEETING;
(ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

- A-3 RESOLUTION OF INTENTION TO RE-ESTABLISH THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT, TO HELP FUND SALES, MARKETING, AND COMMUNICATION PROGRAMS FOR MORRO BAY LODGING BUSINESSES AND VACATION RENTAL BUSINESSES, PURSUANT TO THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994; (CITY MANAGER)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 16-21 declaring its intention to form the (new) Morro Bay Tourism Business Improvement District (MTBID) and fixing the time and place of a public meeting on April 27, 2021 to allow public testimony regarding the formation of the (new) MTBID and the levy of assessments, and of a public hearing on June 8, 2021 at

which time the Council proposes to form the (new) MBTBID and to levy the proposed assessment.

- A-4 ADOPTION OF RESOLUTION NO. 17-21 INITIATING PROCEEDINGS TO LEVY THE ANNUAL ASSESSMENT FOR THE CLOISTERS PARK AND OPEN SPACE - LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION: Adopt Resolution No. 17-21 ordering the preparation of an Engineer's Report detailing the expenses projected for Fiscal Year 2021/22 for the maintenance of the Cloisters Park and Open Space under the provisions of the "Landscaping and Lighting Act of 1972."

- A-5 ADOPTION OF RESOLUTION NO. 18-21 INITIATING PROCEEDINGS TO LEVY THE ANNUAL ASSESSMENT FOR THE NORTH POINT NATURAL AREA - LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 18-21 ordering the preparation of an Engineer's Report detailing the expenses projected for Fiscal Year 2021/22 for the maintenance of the North Point Natural Area under the provisions of the "Landscaping and Lighting Act of 1972."

- A-6 CONSIDERATION OF AMENDMENT TO AN EXISTING CONTRACT WITH GHD, INC. FOR ADDITIONAL ARCHEOLOGICAL PRE-CONSTRUCTION INVESTIGATIONS AND MITIGATION SERVICES AND ADDITIONAL PRELIMINARY DESIGN FOR THE PROJECT AUTHORIZATION AND ENVIRONMENTAL DETERMINATION (PA&ED) PHASE FOR INTERSECTION IMPROVEMENTS AT STATE ROUTE (SR) 41/SR 1/MAIN STREET; (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council approve, and authorize the City Manager to sign, Amendment No. 2 to the existing amended agreement with GHD Inc, for Additional Archeological Pre-Construction Investigations and Mitigation Services and additional preliminary design for the Project Authorization and Environmental Determination (PA&ED) phase for Intersection Improvements at SR 41/SR 1/Main Street and extend the contract through June 30, 2022.

Mayor Headding opened public comment for the Consent Agenda.

https://youtu.be/SquE-yQI_OU?t=3296

Betty Winholtz, Morro Bay, spoke to Item A-6, requested clarification as to whether the remaining \$100,000 from original study would be applied to finish this study, status of the City's application and an update on the low-income housing project.

The public comment period was closed.

Mayor Headding pulled Item A-6.

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

- A-6 CONSIDERATION OF AMENDMENT TO AN EXISTING CONTRACT WITH GHD, INC. FOR ADDITIONAL ARCHEOLOGICAL PRE-CONSTRUCTION INVESTIGATIONS AND

MITIGATION SERVICES AND ADDITIONAL PRELIMINARY DESIGN FOR THE PROJECT AUTHORIZATION AND ENVIRONMENTAL DETERMINATION (PA&ED) PHASE FOR INTERSECTION IMPROVEMENTS AT STATE ROUTE (SR) 41/SR 1/MAIN STREET; (PUBLIC WORKS DEPARTMENT)

https://youtu.be/SquE-yQI_OU?t=3462

Staff responded to questions raised during public comment.

MOTION: Mayor Heading moved approval of Items A-6. 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 DIRECTION REGARDING PRINCIPLES FOR USES OF LOCAL VOTER APPROVED TRANSACTION AND USE TAXES (COMMONLY REFERRED TO AS MEASURES Q AND E) AND AUTHORIZE THE CITY MANAGER TO USE THE AFOREMENTIONED PRINCIPLES IN PROPOSING USES OF AMERICAN RESCUE PLAN ACT OF 2021 (ARP) PROCEEDS AND CONSIDER POTENTIAL CAPITAL PROJECTS TO SUBMIT FOR FEDERAL EARMARK FUNDING; (FINANCE DEPARTMENT/CITY MANAGER)

https://youtu.be/SquE-yQI_OU?t=3836

City Manager Collins and Interim Finance Director Lichtig provided the report and revised proposed principles for allocation of Measure Q and E revenues, as follows:

- a. Maintain public safety services by funding staff positions that are most closely aligned with the purposes of the Measures Q and E. Expenses include costs associated with Morro Bay Fire Department, Morro Bay Police Department and Morro Bay Harbor personnel and equipment, in addition to the Fire Headquarter Debt service and the Fire Engine loan repayment;
- b. Maintain or enhances cleanliness and safety of public space such as parks, waterfront and the beach by funding personnel, supplies, expenses and equipment to support City operations in departments including Public Works Consolidated Maintenance and Harbor Department;
- c. Invest in infrastructure and equipment such as street paving, storm drains, and vehicle replacements that support City services. This priority may include increasing capacity to implement the backlog of unfunded capital projects.
- d. Ensure financial health of the City by maintaining appropriate reserves to protect against economic downturns, natural/health emergencies and other unforeseen challenges or opportunities.

Mayor Heading confirmed the proposed utilization of funds were consistent with the language in both Measures Q and E. Ms. Lichtig read the Measure E ballot language into the record, "To protect the City of Morro Bay's financial stability, local property values and City services, such as maintaining Morro Bay's local Fire/Police Departments, 24/7 paramedics, 911 emergency response, health emergency/disaster preparedness; keeping beaches, public areas safe/clean; retaining/attracting businesses; and other general City services, shall the measure establishing 1 cent sales tax providing approximately \$2,000,000 annually until ended by voters be adopted, requiring independent audits, public oversight, all funds used locally?"

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

Betty Winholtz, Morro Bay, expressed her concern the proposed use of Measure Q funds was inconsistent with what citizens were told would be the priorities in 2006.

Erica Crawford, Morro Bay Chamber of Commerce, shared the Chamber is supportive of principles 1 and 2 in the staff report, and compensating City employees at competitive rates to retain and attract top performers. Regarding the principles for use of Measure Q and E funds, they suggest the City consider outsourcing projects where capacity is limited or where it is beneficial to do so from a standpoint of expediency and time. Based on recommended strategies to ensure a solid recovery following the COVID-19 pandemic, the Chamber offered support for earmarks in the realm of the WRF and water sustainability, waterfront issues, and wayfinding signage installation.

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

MOTION: Mayor Headding moved the Council 1) Direct the City Manager to implement a streamlined process for allocating Local Voter Approved Transaction and Use Taxes (commonly referred to as Measures Q and E) in accordance with Ordinance No. 635 and propose allocations of Measures Q and E revenue consistent with the revised principles A thru D that were that were presented by Ms. Lichtig; 2) Authorize the City Manager to present proposed uses of the American Rescue Plan Act of 2021 (ARP) consistent with the revised Measures Q and E Principles and guidance issued from the U.S. Department of Treasury; and 3) Receive input regarding Federal earmarks and agreement with the concepts that were presented by staff. The motion was seconded by Council Member Addis and carried 5-0 by roll call vote.

C-2 DISCUSS LOCAL FIREARM SAFETY AND REGULATION; PROVIDE DIRECTION TO STAFF; (CITY ATTORNEY)
https://youtu.be/SquE-yQI_OU?t=7821

City Attorney Neumeyer provided the report and, along with Police Chief Jody Cox and Police Officer Aaron Miller, responded to Council inquires.

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

Rita Casaverde spoke in support of Council action, advocacy and education.

Dan Sedley, Morro Bay, spoke regarding constitutional rights and expressed concern about the cost of potential lawsuits.

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

Following discussion, there was consensus to develop a safe storage policy based on the San Francisco example or something similar, increased community education around firearm safety, consideration of a one-time gun buy-back program based on available resources, advocacy at the state and federal level, support for increased off-duty mass and active shooter training, and public education regarding gun violence restraining orders. Council Member Heller was supportive of a gun buy-back program.

MOTION: Council Member Addis moved to direct staff bring back a policy on safe storage laws, staff do public firearm safety education program for the public, that Morro Bay Police Department has supplemental officer mass active shooter training, that we authorize advocacy at the state and federal level, that staff mounts education program on Gun Violence Restraining

Order awareness. The motion was seconded by Mayor by Heading and carried 4-1 by roll call vote with Council Member Heller opposed.

MOTION: Council Member Heller moved to direct staff to bring back additional information on a buyback program. The motion was seconded by Mayor Heading and carried 5-0 by roll call vote.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
None

E. ADJOURNMENT

The meeting adjourned at 9:16 p.m.

Recorded by:

Dana Swanson
City Clerk