

City Council conducted this meeting in accordance with California Governor Newsom’s Executive Order N-08-21 issued on June 11, 2021 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
	Jennifer Ford	Council Member
	Jeff Heller	Council Member
ABSENT:	None	
STAFF:	Scott Collins	City Manager
	Chris Neumeyer	City Attorney
	Dana Swanson	City Clerk
	Sarah Johnson-Rios	Assistant City Manager/Admin Services Dir.
	Greg Kwolek	Public Works Director
	Scot Graham	Community Development Director
	Daniel McCrain	Fire Chief
	Jody Cox	Police Chief
	Eric Endersby	Harbor Director
	Rob Livick	City Engineer

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/x5FRSVJ-iXc?t=209>

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

<https://youtu.be/x5FRSVJ-iXc?t=877>

PRESENTATIONS

<https://youtu.be/x5FRSVJ-iXc?t=941>

- Chamber of Commerce update presented by President/CEO Erica Crawford.

PUBLIC COMMENT

<https://youtu.be/x5FRSVJ-iXc?t=2074>

Betty Winholtz, Morro Bay, commented on the Council’s decision to conduct an election to fill the Council vacancy in June 2022, opining the spirit and legality of the 2006 ordinance were violated.

Mayor Headding closed public comment.

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

A. CONSENT AGENDA
<https://youtu.be/x5FRSVJ-iXc?t=2303>

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 10, 2021, CITY COUNCIL MEETING;
(ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE AUGUST 24, 2021, CITY COUNCIL SPECIAL
MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE SEPTEMBER 14, 2021, CITY COUNCIL SPECIAL
CLOSED SESSION MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 SECOND READING AND ADOPTION OF ORDINANCE NO. 643, AN ORDINANCE OF
THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA RESCINDING
MORRO BAY MUNICIPAL CODE CHAPTER 3.60 AND DISESTABLISHING THE OLD
MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT FORMED IN 2009;
(CITY ATTORNEY)

RECOMMENDATION: Staff recommends the Council adopt, by second reading and by title only with further reading waived, Ordinance No. 643, An Ordinance of the City Council of the City of Morro Bay, California Rescinding Morro Bay Municipal Code Chapter 3.60 and Disestablishing the Old Morro Bay Tourism Business Improvement District formed in 2009.

A-5 ADOPTION OF ORDINANCE NO. 644, AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MORRO BAY, CALIFORNIA, ADDING CHAPTER 9.36 (SAFE STORAGE
OF FIREARMS) TO TITLE 9 (HEALTH AND SAFETY) OF THE MORRO BAY
MUNICIPAL CODE, TO REQUIRE SAFE STORAGE OF FIREARMS LOCATED IN A
RESIDENCE); (CITY ATTORNEY)

RECOMMENDATION: Staff recommends Council consider adoption, by second reading and by title only with further reading waived, of Ordinance No. 644, An Ordinance of the City Council of the City of Morro Bay, California, Adding Chapter 9.36 (Safe Storage of Firearms) to Tile 9 (Health and Safety) of the Morro Bay Municipal Code, To Require Safe Storage of Firearms Located in a Residence.

A-6 AUTHORIZATION TO EXECUTE AND RECORD CONSERVATION COVENANT ON
CITY-OWNED PROPERTY ADJACENT TO THE CITY'S WATER RECLAMATION
FACILITY (WRF); (PUBLIC WORKS DEPARTMENT)

**RECOMMENDATION: Staff recommends the City Council take the following action:
1) Authorize the Mayor to Sign the Conservation Covenant protecting 19.5 acres of**

critical habitat as required by the U.S. Environmental Protection Agency (USEPA) and U.S. Fish and Wildlife Service (USFWS) as a condition of the loan funding construction of the Water Reclamation project; and 2) Once signed, the City Clerk is directed to record the document with the County of San Luis Obispo Clerk Recorder and transmit a copy of the recorded document to the USEPA.

- A-7 ADOPT RESOLUTION NO. 61-21 ESTABLISHING AN ELECTRONIC SIGNATURE USE POLICY; (ADMINISTRATIVE SERVICES DEPARTMENT/CITY CLERK/HUMAN RESOURCES MANAGER)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 61-21, which establishes Electronic Signature Use Policy (Policy) for the City and authorizes the City Manager to amend the Policy and adopt additional guidelines as necessary to implement the Policy's stated purpose.

- A-8 ADOPT RESOLUTION NO. 62-21 REVISING THE TERMS OF THE CITY'S REIMBURSEMENT AGREEMENT WITH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES TO ADD THE DIVISION CHIEF CLASSIFICATION AND RECEIVE PORTAL TO PORTAL REIMBURSEMENT FOR ALL FIRE DEPARTMENT CLASSIFICATIONS; (FIRE DEPARTMENT)

RECOMMENDATION: Council adopt Resolution No. 62-21 rescinding Resolution No. 56-20 and revising the terms of the City's reimbursement agreement to include the classification of Division Chief and provide all job classifications with portal to portal pay.

- A-9 ADOPT RESOLUTION NO. 63-21 APPROVING AN INCREASE TO THE CITY'S CONTRIBUTION TO EMPLOYEE HEALTH CARE COVERAGE; (CITY MANAGER/CITY CLERK/HUMAN RESOURCES MANAGER)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 63-21 approving amended Memoranda of Understanding (MOU's) as agreed to by each represented bargaining group [Morro Bay Police Officers Association ("MBPOA"), Morro Bay Fire Fighters Association ("MBFFA") and Service Employees International Union ("SEIU") Local 620], establishing an increase to the City's contribution to employee health care coverage effective January 2022, and extending the same benefits to unrepresented Confidential, Management and Executive employees.

Mayor Heading opened public comment for the Consent Agenda.

<https://youtu.be/x5FRSVJ-iXc?t=2322>

Betty Winholtz, Morro Bay, spoke to Items A-5 and A-6, asking how the City would provide public notice of the ordinance proposed in Item A-5, and whether the City had consulted with the EPA and Fish & Wildlife regarding its interpretation of the definition of "natural condition."

The public comment period was closed.

Mayor Heading pulled Items A-5 and A-6.

<https://youtu.be/x5FRSVJ-iXc?t=2531>

MOTION: Council Member Addis moved approval of Items A-1, A-2 and A-3. The motion was seconded by Council Member Barton and carried 4-0-1 by roll call vote with Council Member Ford having abstained.

MOTION: Council Member Addis moved approval of Items A-4, A-7, A-8 and A-9. The motion was seconded by Council Member Heller and carried 5-0 by roll call vote.

A-5 ADOPTION OF ORDINANCE NO. 644, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, ADDING CHAPTER 9.36 (SAFE STORAGE OF FIREARMS) TO TITLE 9 (HEALTH AND SAFETY) OF THE MORRO BAY MUNICIPAL CODE, TO REQUIRE SAFE STORAGE OF FIREARMS LOCATED IN A RESIDENCE); (CITY ATTORNEY)
<https://youtu.be/x5FRSVJ-iXc?t=2675>

Police Chief Cox and City Attorney Neumeyer responded to questions raised during public comment.

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

A-6 AUTHORIZATION TO EXECUTE AND RECORD CONSERVATION COVENANT ON CITY-OWNED PROPERTY ADJACENT TO THE CITY'S WATER RECLAMATION FACILITY (WRF); (PUBLIC WORKS DEPARTMENT)
<https://youtu.be/x5FRSVJ-iXc?t=2933>

City Engineer Livick responded to Council questions and those raised during public comment.

MOTION: Mayor Heading moved 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

C-1 COVID-19 UPDATE AND REVIEW OF ASSEMBLY BILL 361, RELATED TO TELECONFERENCING PUBLIC MEETINGS; (CITY MANAGER/CITY ATTORNEY)
<https://youtu.be/x5FRSVJ-iXc?t=3184>

Mayor Heading provided an update on COVID-19 statistics in San Luis Obispo County. City Manager Collins and City Attorney Neumeyer provided the report and responded to Council inquires.

The public comment period for Item C-1 was opened; seeing none, the public comment period was closed.

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

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
<https://youtu.be/x5FRSVJ-iXc?t=4185>

Council Member Heller requested the Council review the Climate Action Plan as soon as possible. Following brief comments, he received support for a short staff presentation if this item is not identified as a major goal during the September 29th Special Meeting.

Council Member Heller requested and received full support for a staff presentation on Senate Bill 9, a recent change to state zoning law that preempts local control.

E. ADJOURNMENT

The meeting adjourned at 6:46 p.m.

Recorded by:

Dana Swanson
City Clerk