

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
	Nancy Hubbard	Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Headding called the meeting to order at 5:32 p.m., with all members present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION – None

MAYOR & COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

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

PRESENTATIONS

<https://youtu.be/DbYZeRIsE-M?t=737>

- Friends of the Morro Bay Harbor Department Presentation by Roger Allen
- Presentation by Senior Chief Ben Snider, U.S. Coast Guard Station Morro Bay

PUBLIC COMMENT

<https://youtu.be/DbYZeRIsE-M?t=1619>

Linda Winters, Morro Bay, offered to meet with Council Members to discuss state regulations governing mobile home parks and invited all mobile home park residents to the Morro Bay Thanksgiving Dinner.

Richard Sadowski, Morro Bay, requested the Council continue supporting the estuary air monitoring program by funding the purchase of an air monitoring device.

Dawn Beattie, Morro Bay, thanked staff for supporting the Cloisters concert which had been postponed until spring due to inclement weather.

Betty Winholtz, Morro Bay, commented on traffic and other issues related to the Water Reclamation Facility construction project.

Kathleen Minck, Diversity Coalition Board Member, provided an overview of services and educational opportunities their program offers for ages Pre-K through adult.

Mayor Heading closed public comment.

Staff responded to questions raised during public comment.

A. CONSENT AGENDA
<https://youtu.be/DbYZeRIsE-M?t=2716>

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 28, 2021, CITY COUNCIL MEETING;
(ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE SEPTEMBER 29, 2021, CITY COUNCIL SPECIAL
MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE OCTOBER 12, 2021, CITY COUNCIL SPECIAL
CLOSED SESSION MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 RESOLUTION MAKING FINDINGS RELATED TO CONTINUED EXISTENCE OF A
STATE OF EMERGENCY DUE TO COVID-19 AND RE-AUTHORIZING FOR PUBLIC
HEALTH AND SAFETY THE CONDUCT OF PUBLIC MEETINGS OF CITY'S
LEGISLATIVE BODIES VIA REMOTE TELECONFERENCING FOR AN INITIAL 30-DAY
PERIOD PURSUANT TO RALPH M. BROWN ACT AS AMENDED BY ASSEMBLY BILL
NO. 361; (CITY ATTORNEY)

**RECOMMENDATION: Staff recommends Council consider adoption of Resolution
No. 70-21 authorizing for public health and safety the conduct of public meetings
of the legislative bodies of the City via remote conferencing.**

A-5 APPROVAL OF A 5-YEAR CONTRACT WITH ALEXANDER'S CONTRACT SERVICES,
INC. FOR MONTHLY WATER METER READING SERVICES. (PUBLIC WORKS
DEPARTMENT)

**RECOMMENDATION: Staff recommends City Council authorize the City Manager to
execute a 5-year contract through a sole source procurement with Alexander's
Contract Services, Inc. (Alexander's) for monthly water meter reading.**

A-6 APPROVAL OF FISCAL YEAR 2020-21 YEAR-END BUDGET ADJUSTMENTS, PART 1 OF 2; (ADMINISTRATIVE SERVICES DEPARTMENT)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 73-21 approving Fiscal Year 2020-21 Year-End Budget Adjustments, Part 1 of 2.

Mayor Headding opened public comment for the Consent Agenda.

<https://youtu.be/DbYZeRIsE-M?t=2728>

Betty Winholtz, Morro Bay, commented on Item A-4 asking why the Council would not allow the public to meet in a safe distancing fashion at the Veterans Hall.

The public comment period was closed.

Mayor Headding pulled Item A-4.

MOTION: Council Member Addis moved approval of Items A-1 through A-3, A-5 and A-6 on the Consent Agenda. The motion was seconded by Council Member Ford and carried 5-0 by roll call vote.

A-4 RESOLUTION MAKING FINDINGS RELATED TO CONTINUED EXISTENCE OF A STATE OF EMERGENCY DUE TO COVID-19 AND RE-AUTHORIZING FOR PUBLIC HEALTH AND SAFETY THE CONDUCT OF PUBLIC MEETINGS OF CITY'S LEGISLATIVE BODIES VIA REMOTE TELECONFERENCING FOR AN INITIAL 30-DAY PERIOD PURSUANT TO RALPH M. BROWN ACT AS AMENDED BY ASSEMBLY BILL NO. 361; (CITY ATTORNEY)

<https://youtu.be/DbYZeRIsE-M?t=2867>

City Attorney Neumeyer provided an overview of the item and responded to questions raised during public comment.

MOTION: Mayor Headding moved approval of Item A-4. The motion was seconded by Council Member Addis and carried 5-0 by roll call vote.

B. PUBLIC HEARINGS

B-1 MAJOR MODIFICATION (MAJ21-005) AND COASTAL DEVELOPMENT PERMIT (CDP21-036) TO APPROVE THE CHANGE FROM 6 NEW RESIDENTIAL PARCELS TO 5 NEW RESIDENTIAL PARCELS ON A .99-ACRE SITE LOCATED AT 2783 CORAL AVENUE AS PART OF THE CLOISTER'S SUBDIVISION TRACT 1996. THE 6-UNIT PROJECT WAS APPROVED BY CITY COUNCIL (THROUGH APPEAL) ON NOVEMBER 3, 2018, WITH THE FOLLOWING PERMITS: CONDITIONAL USE PERMIT (UP0-470), VESTING TENTATIVE MAP NO. 2859 (S00-127) SUBJECT TO CONDITIONS OF APPROVAL AND THE MITIGATION AND MONITORING PLAN INCLUDED IN THE ADOPTED MITIGATED NEGATIVE DECLARATION. THE PROJECT IS ZONED CRR/GC/PD (COASTAL RESOURCE RESIDENTIAL/GOLF COURSE/PLANNED DEVELOPMENT) AND IS LOCATED IN THE COASTAL COMMISSION APPEALS JURISDICTION; (COMMUNITY DEVELOPMENT DEPARTMENT)

<https://youtu.be/DbYZeRIsE-M?t=3067>

Contract Planner Hubbard presented the report and responded to Council inquiries.

Mayor Headding opened the Public Hearing.

Kevin Huber, Applicant, provided an overview of amendments made to address concerns raised at previous public hearings and was consistent with all City codes. He requested the Council approve the project as submitted.

Mayor Heading opened Public Comment.

Dawn Beattie, Morro Bay, questioned the relationship between Mr. Huber, Jeff Maher and Morro Bay Ventures.

Betty Winholtz, Morro Bay, requested clarification on various issues and suggested the changes made required further review by the Planning Commission.

Melanie Williams-Mahan, Morro Bay resident speaking on behalf of the Cloisters Design Committee, requested the Council postpone the decision until they hear back from the California Coastal Commission.

Mayor Heading closed Public Comment and invited Mr. Huber to respond to issues that had been raised.

The Public Hearing was closed.

Staff responded to questions raised during public comment.

MOTION: Council Member Addis moved to conditionally approve the project by adopting City Council Resolution No. 71-21, which includes findings for MAJ21-005 and CDP21-036 subject to the conditions of approval related to this modification and mitigation measures from the 2018 adopted Mitigated Negative Declaration for the project. The motion was seconded by Mayor Heading for discussion.

Council Member Heller stated he could not support the project due to concerns about common shared driveways and lack of guest parking for five homes with ADUs.

The motion carried 4-1 by roll call vote with Council Member Heller opposed.

C. BUSINESS ITEMS

- C-1 RECEIVE SUMMARY OF COMMUNITY FORUM ON MORRO BAY POWER PLANT (MBPP) EXHAUST STACKS AND AUTHORIZE THE CITY MANAGER TO SEND A LETTER TO VISTRA CORP INFORMING THEM CITY RELEASES VISTRA FROM CITY OPTION TO REQUEST STACKS REMAIN ON MBPP FACILITIES; (CITY MANAGER)
<https://youtu.be/DbYZeRIsE-M?t=6096>

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

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

Betty Winholtz, Morro Bay, objected to a decision being made at this time and urged the Council to allow more time for public input.

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

MOTION: Mayor Heading moved to 1) receive the summary of the September 8, 2021, Community Forum "Facts about the Stacks"; 2) authorize the City

Manager to send a letter to Vistra Corp informing Vistra the City will not exercise its option to request that the stacks remain (per Section 7 of the Memorandum of Understanding between the City of Morro Bay and Vistra Corp), and that the City unconditionally releases Vistra from any possible exercise by the City of that option. The motion was seconded by Council Member Addis for discussion.

AMENDED MOTION: Mayor Heading amended the motion to include that staff be directed to move forward to discuss with Vistra a proposal to honor the power plant and stacks with a monument/point of interest in the event of the facilities and stacks coming down. Council Member Addis seconded amended the motion.

Council Member Heller acknowledged the potential cost issues but wanted to take the next year to assess potential re-use opportunities.

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

C-2 ADOPT RESOLUTION NO. 72-21 AWARDED FISCAL YEAR 2021-22 COMMUNITY GRANTS; (CITY MANAGER/ADMINISTRATIVE SERVICES DEPARTMENT)
<https://youtu.be/DbYZeRIe-M?t=8346>

Council Member Ford announced that she will recuse herself from C-2 due to her financial interest in one or more of the grantees. Council Member Ford left the zoom meeting at 7:52 p.m.

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

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

Janet Hillson, Morro Bay Art Association, appreciated the Council's support and shared how the COVID-19 pandemic had impacted their activities and programs.

Rhonda Crowfoot, President of By the Sea Productions, expressed appreciation for the financial support.

Scott Mather, President of Morro Bay Maritime Museum, thanked staff for its positive response to their grant application.

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

The Council discussed ways in which funding could be redistributed in order to support Ecologistics efforts to address climate change and fully fund the request submitted for By the Sea Productions.

MOTION: Council Member Addis moved to adopt Resolution No. 72-21, approving the grant recommendation with the addition of \$1,000 from the regular community grant fund to go to Ecologistics, and the addition of \$344 more to By the Sea Productions from ARPA funds for a total of \$51,344. The motion was seconded by Council Member Heller and carried 4-0-1 by roll call vote with Council Member Ford having abstained.

MOTION: Mayor Heading moved to authorize the City Manager to enter into agreements with all grantees, reviewing and adjusting insurance requirements on a case-

by-case basis, in coordination with California JPIA and City Attorney's Office, depending on the level of risk associated. The motion was seconded by Council Member Addis and carried 4-0-1 by roll vote with Council Member Ford having abstained.

Council Member Ford rejoined the meeting at 8:19 p.m.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
<https://youtu.be/DbYZeRIsE-M?t=10026>

In consideration of the City's prioritization of community health and focus on diversity, equity and inclusion, Council Member Addis requested and received full support for a resolution declaring our commitment to being a city that welcomes all people, is committed to community health including reproductive freedom, and affirms the constitutional rights enframed by Roe.

Council Member Heller requested and received full support to have staff work with Carollo Engineering to revise the WRF quarterly reports so they are more user friendly and bring back a revised report for Council review at the December meeting.

Council Member Ford commented on safety concerns at the San Jacinto and Coral Avenue intersection and requested a speed survey or report on potential improvements. Mr. Collins offered a speed survey may be a proposed action item at the upcoming goals meeting.

E. ADJOURNMENT

The meeting adjourned at 8:27 p.m.

Recorded by:

Dana Swanson
City Clerk