



CITY OF MORRO BAY CITY COUNCIL AGENDA

The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy place for residents and visitors to live, work and play.

Regular Meeting Tuesday, March 8, 2022 – 5:30 P.M. Held Via Teleconference

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
RECOGNITION
CLOSED SESSION REPORT
MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS
CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

PRESENTATION

- Central Coast Community Energy (CCE) Annual Update

PUBLIC COMMENT

Pursuant to Assembly Bill 361 (2021-22) and Government Code section 54953 this Meeting will be conducted telephonically through Zoom and broadcast live on Cable Channel 20 and streamed on the City website (click [here](#) to view). Please be advised that pursuant to Assembly Bill 361 (2021-22) and Government Code section 54953, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Veterans' Hall will not be open for the meeting.

Public Participation:

Remote public participation is allowed in the following ways:

- **Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the City Council at council@morrobayca.gov prior to the meeting.**
- *Agenda Correspondence received by 10 a.m. on the meeting day will be posted on the City website.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the "raise hand" feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHIRtk9xaTlmWVNWRWFUQT09>

Password: 135692

- Or Telephone Attendee: 1 (408) 638-0968 or 1 (669) 900 6833 or 1 (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press *9 to “Raise Hand” for Public Comment

A. CONSENT AGENDA

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 CONSIDERATION OF APPOINTMENT OF RAYMOND PURCELL TO THE RECREATION AND PARKS COMMISSION; (CITY CLERK)

RECOMMENDATION: Staff recommends the City Council consider appointment of Raymond Purcell to the Recreation and Parks Commission (RPC) to complete an unexpired term through January 31, 2026.

- A-2 APPROVAL OF AMENDMENT NO. 1 TO CONTRACT WITH SUPERIOR TANK SOLUTIONS FOR FACTORY REHAB OF BLANCA TANKS 3 & 4 AND OTHER STORAGE TANK IMPROVEMENTS; (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council approve in substance Amendment No. 1 to Contract with Superior Tank Solutions for Factory Rehab of Blanca Tanks 3 & 4 and other Storage Tank improvements for the amount of \$326,495 and authorize the City Manager to execute the contract amendment.

B. PUBLIC HEARINGS

- B-1 REVIEW AND ADOPT FINAL FUNDING RECOMMENDATIONS FOR THE 2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; (COMMUNITY DEVELOPMENT)

RECOMMENDATION: Staff recommends the City Council both conduct a public hearing to review, and then adopt, Resolution No. 21-22 approving final funding recommendations for the 2022 Community Development Block Grant (CDBG) funds, authorizing the City Manager to make pro rata adjustments to the allocation based on the final funding amount from San Luis Obispo County based on the approval of the federal budget and HUD’s final grant amount to the County, and forwarding recommendations to the San Luis Obispo County Board of Supervisors for inclusion with the other final funding requests from the Urban County Consortium. (The funding recommendation is for the two applications received from Peoples Self-Help Housing Corp, and 5 Cities Homeless Coalition along with City program administration of \$4,036 and a \$37,477 rollover of the remaining balance for a total 2022 funding allocation of \$57,656.)

C. BUSINESS ITEMS

- C-1 RECEIVE AND DISCUSS REPORT ON THE EFFECTS OF THE PROPOSED CITIZENS INITIATIVE PETITION ENTITLED “AN INITIATIVE MEASURE TO PROHIBIT TENT CAMPING AND ALL CLASSES OF VEHICLE CAMPING (DRY OR OTHERWISE) IN CERTAIN SPECIFIED AREAS OF THE CITY OF MORRO BAY” AND EITHER: 1) ADOPT THE ORDINANCE WITHOUT ALTERATION, OR 2) SUBMIT THE ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY AS A PROPOSED MEASURE AT THE JUNE SPECIAL MUNICIPAL ELECTION OR NOVEMBER REGULAR MUNICIPAL ELECTION; (CITY MANAGER/CITY CLERK/HUMAN RESOURCES MANAGER/HARBOR DIRECTOR)

RECOMMENDATION: Staff recommends the City Council receive the report and discuss the effects of the proposed initiative measure in accordance with Elections Code section 9212 and take one of the following actions:

1. The Council may adopt the ordinance without alteration by introducing for first reading by title only, with further reading waived, Ordinance No. 648, An Ordinance of the City Council of the City of Morro Bay, California, adding Subsection (D) to Section 8.24.010 (Prohibited at Certain Times and in Certain Places) of Chapter 8.24 (Camping) of Title 8 (Health and Safety) of the Morro Bay Municipal Code; or
2. The Council may adopt Resolution No. 22-22 calling for a General Municipal Election to be held on Tuesday, November 8, 2022, for the submission of Ordinance No. 648 to the qualified voters of the City as a proposed measure, and adopt Resolution No. 23-22 setting priorities for written argument(s) and directing the City Attorney to prepare an impartial analysis, and consider the adoption of Resolution No. 24-22 providing for the filing of rebuttal arguments; or
3. The Council may adopt Resolution 25-22 calling for a Special Municipal Election to be held on Tuesday, June 7, 2022, for the submission of Ordinance No. 648 to the qualified voters of the City as a proposed measure, and adopt Resolution No. 26-22 setting priorities for written argument(s) and directing the City Attorney to prepare an impartial analysis. Note: the compressed timeline for a June election does not allow for rebuttal arguments to be submitted.

******If Council desires pursuant to Election Code section 9282 to submit an argument against the proposed measure, then one or two members should be appointed for the task as provided for in section 2 of Resolution No. 23-22, as discussed further in this report. Otherwise, Council should not approve section 2 of Resolution No. 23-22.******

- C-2 PRESENTATION AND DISCUSSION OF THE FISCAL YEAR 2020-21 ANNUAL COMPREHENSIVE FINANCIAL REPORT; (ADMINISTRATIVE SERVICES DEPARTMENT)

RECOMMENDATION: Receive and provide feedback on the FY 2020-21 Annual Comprehensive Financial Report (ACFR) for the period of July 1, 2020 through June 30, 2021.

- C-3 ESTABLISH A CITY COUNCIL SUB-COMMITTEE TO SPEARHEAD ACTIVITIES RELATED TO THE CLIMATE EMERGENCY INITIATIVE AS ESTABLISHED BY RESOLUTION NO. 20-22; (CITY MANAGER/CITY CLERK)

RECOMMENDATION: Staff recommends the City Council consider establishing a Council sub-committee to lead community and business outreach related to the Climate Emergency Initiative as established by Resolution No. 20-22.

- D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

- E. ADJOURNMENT

The next Regular Meeting will be held on **Tuesday, March 22, 2022 at 5:30 p.m.** via teleconference.

THIS AGENDA IS SUBJECT TO AMENDMENT UP TO 72 HOURS PRIOR TO THE DATE AND TIME SET FOR THE MEETING. PLEASE REFER TO THE AGENDA POSTED AT CITY HALL FOR ANY REVISIONS OR CALL THE CLERK'S OFFICE AT 805-772-6205 FOR FURTHER INFORMATION.

MATERIALS RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST BY CALLING THE CITY CLERK'S OFFICE AT 805-772-6205.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN A CITY MEETING, PLEASE CONTACT THE CITY CLERK'S OFFICE AT LEAST 24 HOURS PRIOR TO THE MEETING TO INSURE REASONABLE ARRANGEMENTS CAN BE MADE TO PROVIDE ACCESS TO THE MEETING.

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AGENDA NO: A-1

MEETING DATE: February 25, 2022

Staff Report

TO: Honorable Mayor and City Council **DATE:** March 8, 2022
FROM: Dana Swanson, City Clerk
Heather Goodwin, Deputy City Clerk
SUBJECT: Consideration of Appointment of Raymond Purcell to the Recreation and Parks Commission

RECOMMENDATION

Staff recommends the City Council consider appointment of Raymond Purcell to the Recreation and Parks Commission (RPC) to complete an unexpired term through January 31, 2026.

ALTERNATIVES

Direct staff to continue to recruit and re-advertise the vacant position.

FISCAL IMPACT

There is no fiscal impact.

BACKGROUND/DISCUSSION

At the January 25, 2022 City Council Special Meeting, the Council interviewed and made appointments to various advisory bodies. Raymond Purcell was interviewed for appointment for the Harbor Advisory Board at that time and was encouraged to apply for the Recreation and Parks commission as there were two current vacancies. Staff conducted a second round of recruitment to fill the unscheduled vacancies from January 28 – February 25, 2022, providing public notices in City kiosks, the City's website and social media sites. As of the closing date of February 25, 2022, the City Clerk's office received one application which was submitted by Mr. Purcell (Attachment 1). As that applicant had already been interviewed at the January 25, 2022, City Council Special meeting and received favorable comments, staff recommends the Council appoint Mr. Purcell be appointed to fill the vacancy on the Recreation and Parks Commission.

CONCLUSION

Staff recommends the City Council review Mr. Purcell's application, and by vote, decide if they wish to fill the vacant Recreation and Parks Commission position. This term will expire on January 31, 2026.

ATTACHMENT

1. Raymond Purcell RPC Application

Prepared By: <u> HG </u>	Department Review: <u> DS </u>
City Manager Review: <u> SC </u>	City Attorney Review: <u> CFN </u>



CITY OF MORRO BAY ADVISORY BODY APPLICATION

RECEIVED
City of Morro Bay

FEB 07 2022

Administration

Contact Information

Full Name Raymond Michael Purcell	Home Phone [REDACTED]
Street Address [REDACTED]	Cell Phone [REDACTED]
Mailing Address (if different than above)	Work Phone
City, State, Zip Code Los Osos, CA, 93402	Email Address [REDACTED]

Do you live within the Morro Bay City Limits? Yes No

Are you registered to vote in the City of Morro Bay? Yes No

Advisory Body Information

I would like to be considered for appointment to the following Commission/Advisory Body:

- Citizens Oversight and Citizens Finance Advisory Committee*
- Harbor Advisory Board
 - Marine-Oriented Business
 - Waterfront Leaseholder
 - Recreational Boating
 - Member-at-Large
 - South Bay/Los Osos Representative
 - Morro Bay Commercial Fisherman's Association (MBCFO)
 - Alternate Member to MBCFO
- Planning Commission*
- Public Works Advisory Board*
- Recreation & Parks Commission
- Tourism Business Improvement District Advisory Board
 - Hotelier (Member-at-Large)
 - Hotelier (No. of rooms _____)
 - Vacation Rental Representative
 - Community Member-at-Large*
- SLOCOG Citizens Transportation Advisory Committee (CTAC) - County and Regional Board

* Must be a resident and registered to vote in the City of Morro Bay during the term of appointment.

Employment Information

Present or Last Employer Coastal Communities Physician Network	Position or Occupation Family Nurse Practitioner
Employer Address 35 Casa, #170	How Many Years CCPN= 3 yrs, Career= >30 yrs
City, State, Zip Code San Louis Obispo, CA. 93401	

Education and Training

Institution Name, City and State	Major, Degree or Area of Study
Humboldt State Univ. Arcata, CA	Natural Resource Planning, BS
Cal. State Univ. Bakersfield	Registered Nursing, BS
UC Los Angeles, CA	Family Nurse Practitioner, MN

Qualifications and Interests

Please use the space provided, or attach a separate document, responding to the questions below. If desired, you may attach a resume or other additional documentation for consideration.

1. Are you currently or have you previously served on a board, commission, committee, or other public body, if so, which one and when? What do you feel were the advisory body's major accomplishment(s) during your tenure?
See Attached

2. What experience, technical training, and skill qualify you for an appointment, considering your experience and activities in business, labor, professional, social, or other organization?
See Attached

3. Why are you interested in serving on this advisory board, commission, or committee?
See Attached

I have read the Advisory Bodies Handbook regarding the expectations and responsibilities of this Commission/Advisory Board/Committee and, should I be appointed, am able and willing to devote the necessary time to perform the required duties.



(Signature)

02/01/2022

(Date)

This application is a public record that be disclosed to the public upon request. All appointees to a City Commission, Advisory Board, or Committee will be required, in accordance with State law to file a "Statement of Economic Interest Form 700" which remains available for public inspection.

Completed applications may be emailed to cityclerk@morrobayca.gov or mailed to: Office of the City Clerk, City Hall, 595 Harbor Street, Morro Bay, CA 93442

Application Attachment – Raymond Purcell

1. Are you currently or have you previously served on a board, commission, committee, or other public body, if so, which one and when? What do you feel were the advisory body's major accomplishment(s) during your tenure?

- Church committees - trustees, fiscal oversight and stewardship.
- Community Public Health Taskforce - a panel of community constituents who expand networking, partnership, and needs assessment.
- The Tobacco Coalition of Kern - a panel of community constituents who focus on tobacco control, recommend programs and policy to the county public health
- Responsible to the Bakersfield College Student Health Advisory, a body of campus constituents and community stakeholders with interests in student success through individual and campus health.

2. What experience, technical training, and skill qualify you for an appointment, considering your experience and activities in business, labor, professional, social, or other organization?

- Army Nurse Corp. Reserve Officer (resigned)- leadership, communication, organization, and chain of command
- 6 seasons as a Sea Life Steward, volunteer docent with CA State Parks engaging boating visitors to enhance their experience and protect the wildlife of Morro Bay.
- Community College Health and Wellness Director
 - Budget Manager
 - Supervisor
 - Student success advocate
 - Liaison to the college administration and campus community on matters of student health as directed by the Student Health Advisory

3. Why are you interested in serving on this advisory board, commission, or committee?

I have a broad skill set which grew from decades of clinical practice and community involvement, these among diverse constituencies and across life span services and programs. Most of my activities focused on public and individual health. Parks and recreation programs are related to public health as they are a social determinant of an equitable and healthy community.



AGENDA NO: A-2

MEETING DATE: March 7, 2022

Staff Report

TO: Honorable Mayor & City Council

DATE: March 2, 2022

FROM: Greg Kwolek – Public Works Director

SUBJECT: Approval of Amendment No. 1 to Contract with Superior Tank Solutions for Factory Rehab of Blanca Tanks 3 & 4 and other Storage Tank Improvements

RECOMMENDATION

Staff recommends the City Council approve in substance Amendment No. 1 to Contract with Superior Tank Solutions for Factory Rehab of Blanca Tanks 3 & 4 and other Storage Tank improvements for the amount of \$326,495 and authorize the City Manager to execute the contract amendment.

FISCAL IMPACT

The total cost for Amendment No. 1 with Superior Tank Solutions (STS) is \$326,495. If approved, the total amount for the STS Contract will increase from \$2,039,628 to \$2,366,123.

The value of Amendment No. 1 with STS and other anticipated project costs are estimated to be covered by the approved budget for the Kings/Blanca Tank Rehabilitation Project, which is currently \$2,691,152. With the proposed STS Contract Amendment and other anticipated project costs the total estimated cost for the project would be \$2,637,971, leaving a remaining project budget of approximately \$53,181. A summary of currently contracted and anticipated costs for the Kings/Blanca Tank Rehab Project are provided in the table below.

The costs of Contract City Engineering Services, Tank Mixer Electrical Connection, Engineering Services During Construction, Construction Management and Coatings and Special Inspection are budgetary estimates at this point. Detailed proposals are still being obtained and will be brought to City Council for approval at a future date, if necessary, in accordance with the City's updated Procurement Policies.

01181.0001/759177.1

Prepared By: DH

Dept Review: GK

City Manager Review:

City Attorney Review: LNL

Kings/Blanca Tank Rehab Project Cost Summary

FY 21/22 Budgeted Amount	\$2,691,152
Original Budget/Contract	Estimated Cost
Original Contract Amount (Superior)	\$2,039,628
Plans, Specs & Estimates (Cannon)	\$56,848
Currently Contracted Amount Subtotal	\$2,096,476
STS Amendment No. 1	
Factory Refurbishing of the Blanca Tanks 3 & 4	\$145,428
Tank Mixers (2)	\$34,351
3000# Couplings (Water Level & Quality Monitoring)	\$4,035
Ridgeway Tank Maintenance Contract	\$29,700
Elana Tanks Washout and Patch Repair	\$11,000
Contingency	\$101,981
STS Amendment No. 1 Subtotal	\$326,495
Proposed STS Total Contract Amount	\$2,366,123
Additional Anticipated Project Costs	
Contract City Engineering Services	\$15,000
Tank Mixer Electrical Connection	\$10,000
Engineering Services During Construction/Construction Management	\$90,000
Coatings and Special Inspection	\$100,000
Estimated Additional Items Cost Subtotal	\$215,000
Total Estimated Additional Project Costs	\$541,495
Total Estimate Cost At Completion	\$2,637,971
Estimated Remaining Budget at Completion	\$53,181

DISCUSSION

On November 9, 2021, the City of Morro Bay (City) authorized the City Manager to execute a contract with (STS or “Contractor”) for recoating and rehabilitation of the Kings and Blanca Water Storage Tanks (Kings/Blanca Tank Rehab Project). After award of the contract, it was determined that it would be beneficial to include the following additional items into the contract with STS to better protect the City’s water storage tanks and improve the operability of the City’s water system:

Factory Rehab – During the award of the original contract it was unclear what the costs and credits would be for awarding the factory rehab alternative bid item. Subsequent discussions with the Contractor have clarified these costs and credits. As a result, staff has determined that factory rehab of Blanca Tanks 3 & 4 is a cost-effective approach to improving tank protection against degradation.

Tank Mixers – To prevent short-circuiting water flow and increased water age, it is recommended the City install tank mixing systems in the each of the Kings Tanks. The inlet and outlet pipes in the Kings Tanks are located in relative close proximity to each other and during fill and drain cycles fresh water flows quickly from the inlet to the outlet without fully mixing with the other water in the tank. Installation of tank mixers is a proven measure to prevent this and provide for a consistent water age in the tank. Additionally, tank mixers will improve the capability for City Staff to utilize supplemental disinfectant to increase the chlorine residual for water entering the distribution system to help better protect public health.

Tank Couplings – The existing liquid level indicators at the Kings and Blanca Tanks are no longer functional and there are insufficient sample ports on the tanks to adequately characterize water quality. Installation of multiple couplings on each of the tanks will allow staff to install pressure gauges to read the water level in the tank in the event of a failure of automated water level monitoring system or interruption of the SCADA system. Additionally, the couplings will provide additional sampling locations for City Staff to test water quality in each of the tanks and more effectively monitor the quality of water within the City's Water Storage Tanks.

Ridgeway Tank Maintenance Contract – Included as part of the Kings/Blanca Tank Rehab Project is a 10-year Asset Management Program, which includes annual inspections, coatings repairs, and periodic tank washouts and touchups. The City's Ridgeway Tank was not included in the Asset Management Program. However, given the relatively new condition of this tank, STS has indicated that it could be included in the Annual Maintenance Contract to provide enhanced inspection and coatings repair to extend the useful life of the Ridgeway Tank.

Elena Tanks Washout and Spot Repair – The City's Elena Tanks are planned to be removed from service as part of the upgrades envisioned under the City's Nutmeg Tank Replacement Project. However, the Elena Tanks are deteriorated and in need of spot repairs to extend their life until they are decommissioned. Washing out and performing spot repairs will temporarily extend the life of the Elena Tanks to allow them to operate until their replacement as part of the Nutmeg Tank Project.

Contingency – Due to the number of tanks included in the Kings/Blanca Tank Rehab Project, it is anticipated that additional rehabilitation or replacement needs could arise during the remainder of the project. To better prepare the City to be able to address any additionally identified deficiencies it is recommended that a Contingency amount of \$101,981 or 5% of the original contract be included in Amendment No.1 with STS for the Kings/Blanca Tank Rehab Project. The use of this Contingency would only be allowed under the authorization of the City Manager.

CONCLUSION

The requested Amendment No. 1 for STS will provide requested repairs and improvements to the City's Water Storage Tanks. These modifications will extend the life of these critical water system facilities, improve operability, and better protect public health by enhancing water quality in the distribution system.

ATTACHMENT

1. Amendment No. 1 to the agreement with STS, for recoating and rehabilitating of six water storage tanks.

01181.0001/759177.1

CITY OF MORRO BAY

AMENDMENT NO. 1 TO THE AGREEMENT
FOR CONSTRUCTION SERVICES
BETWEEN THE CITY OF MORRO BAY
AND SUPERIOR TANK SOLUTIONS, INC.

This Amendment No. 1 is entered by and between the City of Morro Bay, a municipal corporation (“City”) and Superior Tank Solutions, Inc., a California corporation (“Contractor”).

RECITALS

WHEREAS, City and Contractor (collectively, the “Parties”) entered into an agreement as of January 20, 2022, for construction services for Contractor to complete the work for the Kings Tanks and Blanca Tanks Rehabilitation Project, (the “Project”) which was approved by the City Council for a not to exceed amount of \$2,039,628 (the “Agreement”).

WHEREAS, the Parties agree to amend the Agreement because the construction services for the Project require an expansion of the tasks to be provided by Contractor pursuant to the Agreement;

WHEREAS, due to the expansion of tasks to be provided, the compensation payable pursuant to the Agreement must be increased.

NOW THEREFORE, City and Contractor mutually agree to amend the Agreement as follows:

1. The additional services to be provided by Contractor, pursuant to the Agreement, are hereby amended to include the following additional scope items (“Additional Work”) as listed below and further described in the Exhibits to this Amendment:

- a. Blanca Tank 3 & 4 Factory Refurbishment (Exhibit A)
- b. Tank Mixers (Exhibit B)
- c. 3,000# Couplings (Exhibit C)
- d. Ridgeway Tank Maintenance Contract (Exhibit D)
- e. Elana Tanks Washout and Patch Repair (Exhibit E1 & E2)

2. Additionally included in Amendment No. 1 is a “Contingency” budget of \$101,981 to assist the City in addressing any identified deficiencies or funding improvement opportunities that may come up as the Project is being completed. The use of the Contingency is only allowed under the authorization of the City Manager.

3. The compensation for Amendment No. 1 shall not exceed \$326,495 (including any Contingency). The activities for this Amendment No. 1 shall be paid in accordance with (i) the amounts set forth in Exhibits A, B, C, D, E1 and E2, and (ii) the process established by the Agreement on a lump sum basis. With the amount added for the Additional Work, the total compensation paid pursuant to the Agreement, as hereby amended, shall not exceed \$2,366,123 (inclusive of any Contingency).

3. Contractor shall not be compensated for any further services rendered in connection with its performance of the Agreement that are in addition to those set forth in this Amendment No. 1.

4. Except as expressly stated herein, all terms and conditions in the Agreement shall remain in full force and effect.

5. The effective date of this Amendment No. 1 shall be deemed to be March 8, 2022.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to be executed by their duly authorized representatives as of the day first written above.

CITY OF MORRO BAY

CONTRACTOR

By: _____
Scott Collins,
City Manager

By: _____
Its _____

Attest:

Dana Swanson, City Clerk

By: _____
Its _____

Approved As To Form:

Chris Neumeyer, City Attorney



Matt Hoose
 Central Region Manager
 Cell: 661.304.7352
 mhoose@superiortanksolutions.com

RFC NO.1

Authorized Signature:	<i>Matt Hoose</i>	Date:	January 12, 2022
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CUSTOMER INFORMATION		TANK INFORMATION	
Customer Name	City of Morro Bay	Tank Name	Blanca Tanks 3 & 4
Contact Name	Mr. Joe Mueller	Size and Style	(2) 210,000-gallon BST
Billing Address	955 Shasta Avenue	Site Address	570 Blanca
City, State, Zip	Morro Bay, CA 93442	City State, Zip	Morro Bay, CA 93442

SCOPE OF WORK

Superior Tank Solutions, Inc. (STSI) agrees to furnish all necessary labor, tools, equipment, supplies, insurance, and supervision to perform following scope of work:

Request for Change Scope:

Alternate Bid Item A-46: Blanca Tanks 3 & 4 Factory Rehabilitations.

Bid items to be deducted from original contract are as below:

Unit Price	Total Price
• 5- \$3,500.00	2 ea.=\$7,000.00
• 6- \$700.00	2 ea.=\$1,400
• 8- \$7,000.00	2 ea.=\$14,000.00
• 12-\$7,000.00	2 ea.=\$14,000.00
• 13-2,000.00	2 ea.=\$4,000.00
• 14-\$9,395.00	2 ea.=\$18,790.00
• 17-\$15,312.00	1 ea.=\$15,312.00
• 18-\$1,200.00	2 ea.=\$2,400.00
• 19-\$14,670.00	2 ea.=\$29,340.00
• 23-\$7,300.00	2 ea.=\$14,600.00
• 25-\$89,115.00	2 ea.=\$178,230.00
• 30-\$16,450.00	2 ea.=\$32,900.00
• 37-\$4,175.00	2 ea.=\$16,700.00
• 38-\$4,175.00	2 ea.=\$16,700.00
• 43-\$1,000.00	2 ea.=\$2,000.00

Total \$367,372.00

Original Contact Amount \$2,039,268.00

Bid item A-46 Total Cost \$512,800.00

Total Bid Items Deducted from Original Contract Amount (\$367,372.00)

RFC No.1 Including Bid Item Deductions Total Cost \$145,428.00

New Contract Total Amount \$2,184,696.00

The following qualifications are to be made:

- Standard one (1) year warranty on all workmanship and materials as required by the State of California shall apply.
- All mechanical/steel work shall be performed in accordance with AWWA D.103 Standards.
- STS will have full access to the work site.
- Pricing does not include any permits.
- All work proposed is based on a one-time mobilization and demobilization.
- No other repairs to the existing structure are included herein.

CA License #939335 • AZ License #269751

ONE HUNDRED FORTY-FIVE THOUSAND FOUR HUNDRED TWENTY-EIGHT AND 00/100 (Dollars)	TOTAL	\$145,428.00 (taxes included)
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Customer Signature:		Date:	
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9500 Lucas Ranch Rd. Rancho Cucamonga, CA 91730 • T. 909.912.0599 F. 909.912.0585 • Toll Free 877.764.2121
SUPERIORTANKSOLUTIONS.COM

Proposal

Authorized Signature:	<i>Matt Hoose</i>	Date:	March 1, 2022
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CUSTOMER INFORMATION		TANK INFORMATION	
Customer Name	City of Morro Bay	Tank Name	Kings Tanks 1 & 2
Contact Name	Mr. Joe Mueller	Size and Style	1.4MG & 1.0MG Welded Steel
Billing Address	955 Shasta Avenue	Site Address	490 Kings Avenue
City, State, Zip	Morro Bay, CA 93442	City State, Zip	Morro Bay, CA 93442

SCOPE OF WORK

Superior Tank Solutions, Inc. (STSI) agrees to furnish all necessary labor, tools, equipment, supplies, insurance, and supervision to perform following scope of work:

Kings Tank 1- 1,000,000-Gallons

- Provide Grid Bee GS-12 -120v submersible electric mixer w/ 75 feet of submersible cable. Includes bringing the submersible electric cable from the mixer to the outside of the tank via a Thru Tank Fitting, which typically is installed through the roof or the vertical side of a raised hatch, cable is terminated in a junction box at the top of the tank. Disinfect the equipment in accordance with AWWA C. 652. Prior to placing inside of tank/reservoir. (Installation by others)
- Provide only for mounting and installation by the City Morro Bay electrician, One- GS Series Control Box with SCADA monitoring -120v. (Installation by others)
- Provide and install two (2) each uni-strut mounting brackets on the exterior of the tank sidewall shell. Location to be determined by Owner.

Total Cost For GS-12 unit- \$15,625.50

Optional Equipment:

- Provide Chemical Injection Line with Thru Tank Fitting- Includes 100 ft long x 1/2" ID injection hose kit setup to connect to the mixer and run through the roof, includes the tank penetration thru fitting for steel tanks. (Installation by others)
- Provide 50' of 3/8" Stainless Steel Sheathed Exterior Chemical Injection Hose with ground level valve box and fittings and connect to Thru Tank Fitting. (Installation by others)

Total Optional Equipment- \$1,550.00

Kings Tank 2- 1,447,400-Gallons

- Provide Grid Bee GS-12 -120v submersible electric mixer w/ 75 feet of submersible cable. Includes bringing the submersible electric cable from the mixer to the outside of the tank via a Thru Tank Fitting, which typically is installed through the roof or the vertical side of a raised hatch, cable is terminated in a junction box at the top of the tank. Disinfect the equipment in accordance with AWWA C. 652. Prior to placing inside of tank/reservoir. (Installation by others)
- Provide only for mounting and installation by the City Morro Bay electrician, One- GS Series Control Box with SCADA monitoring -120v. (Installation by others)

- Provide and install two (2) each uni-strut mounting brackets on the exterior of the tank sidewall shell. Location to be determined by Owner.

Total Cost For GS-12 unit and installation- \$15,625.50

Optional Equipment:

- Provide Chemical Injection Line with Thru Tank Fitting- Includes 100 ft long x 1/2" ID injection hose kit setup to connect to the mixer and run through the roof, includes the tank penetration thru fitting for steel tanks. (Installation by others)
- Provide 50' of 3/8" Stainless Steel Sheathed Exterior Chemical Injection Hose with ground level valve box and fittings and connect to Thru Tank Fitting. (Installation by others)

Total Optional Equipment- \$1,550.00

The following qualifications are to be made:

- All applicable taxes and shipping costs are included herein.
- Superior Tank Solutions, Inc. will only be responsible for the installation of the uni-strut.
- GS-12 warranty: A five (5) year warranty is standard, for details go to: <http://www.medoraco.com>
- It will be The City of Morro Bays responsibility to install all mixer components and run electrical to the junction box on top of tank for GS-12-unit power as well as power to and mounting of optional equipment boxes.
- No other repairs to the existing structure are included herein.

CA License #939335 • AZ License #269751

THIRTY-FOUR THOUSAND THREE HUNDRED FIFTY-ONE AND 00/100 (Dollars)	TOTAL	\$34,351.00 (taxes included)
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Customer Signature:		Date:	
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9500 Lucas Ranch Rd. Rancho Cucamonga, CA 91730 • T. 909.912.0599 F. 909.912.0585 • Toll Free 877.764.2121
SUPERIORTANKSOLUTIONS.COM

Proposal

Authorized Signature:	<i>Matt Hoose</i>	Date:	February 27, 2022
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CUSTOMER INFORMATION		TANK INFORMATION	
Customer Name	City of Morro Bay	Tank Name	Kings and Blanca Tanks
Contact Name	Mr. Joe Mueller	Size and Style	Various Size and Style
Billing Address	955 Shasta Avenue	Site Address	490 Kings & 570 Blanca
City, State, Zip	Morro Bay, CA 93442	City State, Zip	Morro Bay, CA 93442

SCOPE OF WORK

Superior Tank Solutions, Inc. (STSI) agrees to furnish all necessary labor, tools, equipment, supplies, insurance, and supervision to perform following scope of work:

Request for Change Scope:

Kings Tank 1

- Supply and install (3) 1" 3000# couplings on the tank shell. (Owner to determine locations)

Total Cost for couplings and installation: \$807.00

Kings Tank 2

- Supply and install (3) 1" 3000# couplings on the tank shell. (Owner to determine locations)

Total Cost for couplings and installation: \$807.00

Blanca Tank 1

- Supply and install (3) 1" 3000# couplings on the tank shell. (Owner to determine locations)

Total Cost for couplings and installation: \$807.00

Blanca Tank 2

- Supply and install (2) 1" 3000# couplings on the tank shell. (Owner to determine locations)

Total Cost for couplings and installation: \$538.00

Blanca Tank 3

- Supply and install (2) 1" Unitank - flanges on the tank shell. (Owner to determine locations)

Total Cost for couplings and installation: \$538.00

Blanca Tank 4

- Supply and install (2) 1" Unitank - flanges on the tank shell. (Owner to determine locations)

Total Cost for couplings and installation: \$538.00



Matt Hoose
 Central Region Manager
 Cell: 661.304.7352
 mhoose@superiortanksolutions.com

The following qualifications are to be made:

- Standard one (1) year warranty on all workmanship and materials as required by the State of California shall apply.
- All mechanical/steel work shall be performed in accordance with API 650, AWWA D.100 & D.103 Standards.
- STS will have full access to the work site.
- Pricing does not include any permits.
- All work proposed is based on a one-time mobilization and demobilization.
- No other repairs to the existing structure are included herein.

CA License #939335 • AZ License #269751

FOUR THOUSAND THIRTY-FIVE AND 00/100 (Dollars)	TOTAL	\$4,035.00 (taxes included)
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Customer Signature:		Date:	
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9500 Lucas Ranch Rd. Rancho Cucamonga, CA 91730 • T. 909.912.0599 F. 909.912.0585 • Toll Free 877.764.2121
 SUPERIORTANKSOLUTIONS.COM

Proposal

Authorized Signature:	<i>Matt Hoose</i>	Date:	February 27, 2022
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CUSTOMER INFORMATION		TANK INFORMATION	
Customer Name	City of Morro Bay	Tank Name	Ridgeway Tank
Contact Name	Mr. Joe Mueller	Size and Style	36' D x 24' 180KG Welded Steel
Billing Address	955 Shasta Avenue	Site Address	Black Mountain Road
City, State, Zip	Morro Bay, CA 93442	City State, Zip	Morro Bay, CA 93442

SCOPE OF WORK

Superior Tank Solutions, Inc. (STSI) agrees to furnish all necessary labor, tools, equipment, supplies, insurance, and supervision to perform following scope of work:

Ridgeway Tank:

- Add the 180,000-gallon welded steel Ridgeway Tank to the (10) Ten Year Asset Management Program for the Kings and Blanca Tanks.
- In addition to the scope of work listed for the Asset Management Program in the Kings and Blanca Tanks RFP, the Ridgeway Tank will receive exterior spot preparation and coating repair to mitigate areas of localized corrosion during the first Visual inspection/ Coating Repair of the program.

Program Year	1	2	3	4	5	6	7	8	9	10	11
Calendar Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Ridgeway Tank	Kings and Blanca Tank Renovations	Visual Inspection/ Coating repair	Visual Inspection/ Coating repair	Washout and Touchup	Visual Inspection/ Coating repair	Visual Inspection/ Coating repair	Washout and Touchup	Visual Inspection/ Coating repair	Visual Inspection/ Coating repair	Washout and Touchup	Visual Inspection/ Coating repair
		\$4,320.00	\$2,820.00	\$2,820.00	\$2,820.00	\$2,820.00	\$2,820.00	\$2,820.00	\$2,820.00	\$2,820.00	\$2,820.00

The following qualifications are to be made:

- Standard one (1) year warranty on all workmanship and materials as required by the State of California shall apply.
- Pricing is base on the (10) year fixed cost spread in the schedule above.
- STS will have full access to the work site.
- Pricing does not include any permits.
- No other repairs to the existing structure are included herein.

CA License #939335 • AZ License #269751

TWENTY-NINE THOUSAND SEVEN HUNDRED AND 00/100 (Dollars)	TOTAL	\$29,700.00 (taxes included)
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Customer Signature:		Date:	
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9500 Lucas Ranch Rd. Rancho Cucamonga, CA 91730 • T. 909.912.0599 F. 909.912.0585 • Toll Free 877.764.2121
 SUPERIORTANKSOLUTIONS.COM



SUPERIOR TANK SOLUTIONS

PROPOSAL

Matt Hoose
 Phone 661.304.7352 • Fax 909.912.0585
 mhoose@SuperiorTankSolutions.com

Authorized Signature:	<i>Matt Hoose</i>	Date:	March 1, 2022
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CUSTOMER INFORMATION		TANK INFORMATION	
Customer Name	City of Morro Bay	Tank Name	Elena Tank West
Contact Name	Mr. Joe Mueller	Size and Style	21' D x 24' H Bolted Steel GST
Billing Address	955 Shasta Avenue	Site Address	Elena Street & Juniper Avenue
City, State, Zip	Morro Bay, CA 93442	City State, Zip	Morro Bay, Ca 93442

SCOPE OF WORK

Superior Tank Solutions Company, Inc. (STSI) agrees to furnish all necessary labor, tools, equipment, supplies, insurance and supervision to perform following scope of work:

- Perform all proper and necessary confined space procedures per Cal-OSHA requirements.
- Remove residual water below the existing manway by pumping to nearby drain.
- Remove all sludge and debris by means of existing manway.
- Perform high-pressure water wash (3500 psi. minimum) on all accessible surfaces of the tank from the floor (approximately 8' up the sidewall shell).
- Prepare and patch up to fifty (50) defect areas on floor and shell utilizing Aquatapoxy 100% solids material. Defect areas should be no larger than six inches sq. in size. These defect areas shall be prepared in accordance with the following industry standard preparation methods: SSPC SP-2 Hand Tool Cleaning and SSPC SP-3 Power Tool Cleaning.
- Cut and install metal patches utilizing factory applied fusion bonded epoxy coated patch plates, HDPE gasket material and encapsulated hardware. (in the event the substrate surrounding the subject areas are too heavily degraded, no attempts to repair will be performed.)
- Perform disinfection of the tank I accordance with AWWA C652-Spray Method #2.
- Make tank ready for service including replacing manway gaskets as necessary.
- Provide to the Owner a comprehensive, photographic and narrative report on the existing tank conditions along with any recommendations for remediation.
- Duration of the project shall be approximately one (1) working day.

The above work scope includes the following clarifications:

- The Owner shall notify STS a minimum of ten (10) workdays prior to request of mobilization.
- All work above is best effort to mitigate the existing leaks; however, due to the age and current condition of the subject tank, Superior Tank Solutions cannot guarantee a 100% leak-free tank.
- The tank shall be drained and empty as much as possible by means of effluent piping.
- Water for STS use is available on site.
- Sludge and debris from tank floor are considered to be non-hazardous and shall be disposed of onsite per Owner's discretion.
- No other repairs to the existing structure or coatings are included herein.

1. All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Our workers are fully covered by Workmen's Compensation Insurance.
2. Payment is due upon completion of work.
3. This proposal may be withdrawn if not accepted within 60 (sixty) days.

FIVE THOUSAND FIVE HUNDRED AND 00/100	(dollars)	TOTAL	\$ 5,500.00 (taxes Included)
Customer Signature:		Date:	



SUPERIOR TANK SOLUTIONS

PROPOSAL

Matt Hoose
 Phone 661.304.7352 • Fax 909.912.0585
 mhoose@SuperiorTankSolutions.com

Authorized Signature:	<i>Matt Hoose</i>	Date:	March 1, 2022
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CUSTOMER INFORMATION		TANK INFORMATION	
Customer Name	City of Morro Bay	Tank Name	Elena Tank East
Contact Name	Mr. Joe Mueller	Size and Style	21' D x 24' H Bolted Steel GST
Billing Address	955 Shasta Avenue	Site Address	Elena Street & Juniper Avenue
City, State, Zip	Morro Bay, CA 93442	City State, Zip	Morro Bay, Ca 93442

SCOPE OF WORK

Superior Tank Solutions Company, Inc. (STSI) agrees to furnish all necessary labor, tools, equipment, supplies, insurance and supervision to perform following scope of work:

- Perform all proper and necessary confined space procedures per Cal-OSHA requirements.
- Remove residual water below the existing manway by pumping to nearby drain.
- Remove all sludge and debris by means of existing manway.
- Perform high-pressure water wash (3500 psi. minimum) on all accessible surfaces of the tank from the floor (approximately 8' up the sidewall shell).
- Prepare and patch up to fifty (50) defect areas on floor and shell utilizing Aquatapoxy 100% solids material. Defect areas should be no larger than six inches sq. in size. These defect areas shall be prepared in accordance with the following industry standard preparation methods: SSPC SP-2 Hand Tool Cleaning and SSPC SP-3 Power Tool Cleaning.
- Perform disinfection of the tank in accordance with AWWA C652-Spray Method #2.
- Make tank ready for service including replacing manway gaskets as necessary.
- Provide to the Owner a comprehensive, photographic and narrative report on the existing tank conditions along with any recommendations for remediation.
- Duration of the project shall be approximately one (1) working day.

The above work scope includes the following clarifications:

- The Owner shall notify STS a minimum of ten (10) workdays prior to request of mobilization.
- The tank shall be drained and empty as much as possible by means of effluent piping.
- Water for STS use is available on site.
- Sludge and debris from tank floor are considered to be non-hazardous and shall be disposed of onsite per Owner's discretion.
- No other repairs to the existing structure or coatings are included herein.

1. All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Our workers are fully covered by Workmen's Compensation Insurance.
2. Payment is due upon completion of work.
3. This proposal may be withdrawn if not accepted within 60 (sixty) days.

FIVE THOUSAND FIVE HUNDRED AND 00/100	(dollars)	TOTAL	\$ 5,500.00 (taxes Included)
Customer Signature:		Date:	

9500 LUCAS RANCH RD. RANCHO CUCAMONGA, CA 91730 • T. 909.912.0599 F. 909.912.0585 TOLL FREE 877.764.2121



AGENDA NO: B-1

MEETING DATE: March 8, 2022

Staff Report

TO: Honorable Mayor and City Council **DATE:** February 24, 2022

FROM: Cindy Jacinth, Senior Planner

SUBJECT: Review and Adopt Final Funding Recommendations for the 2022 Community Development Block Grant (CDBG) Program

RECOMMENDATION

Staff recommends the City Council both conduct a public hearing to review, and then adopt, Resolution No. 21-22 approving final funding recommendations for the 2022 Community Development Block Grant (CDBG) funds, authorizing the City Manager to make pro rata adjustments to the allocation based on the final funding amount from San Luis Obispo County based on the approval of the federal budget and HUD's final grant amount to the County, and forwarding recommendations to the San Luis Obispo County Board of Supervisors for inclusion with the other final funding requests from the Urban County Consortium. (The funding recommendation is for the two applications received from Peoples Self-Help Housing Corp, and 5 Cities Homeless Coalition along with City program administration of \$4,036 and a \$37,477 rollover of the remaining balance for a total 2022 funding allocation of \$57,656.)

ALTERNATIVES

The City Council may move to change the draft funding recommendations made at its December 14, 2021 meeting to either decrease funding awards for the two applications received or to choose not to rollover program funds to the 2023 CDBG program year. No alternative options allow for an increase in funding to the two public service applications received due to federal regulation. Declining to rollover funds would involve losing the ability to utilize the funds in the 2023 program year.

FISCAL IMPACT

Approving staff recommendations includes an application for administrative funds as allowed by HUD in the amount of \$4,036. If awarded, this amount would offset City administrative costs which are expected to be minimal. The majority of CDBG administration, including coordination with HUD staff and reporting, is performed by County staff pursuant to the City's 2021-2023 Urban County Participation Agreement executed July 7, 2020.

SUMMARY

On December 14, 2021, the City Council approved draft CDBG funding recommendations for the 2022 CDBG Program year. As noted in the table on the next page, the funding recommendations included funding for Peoples Self-Help Housing Corp, and 5 Cities Homeless Coalition and rollover of the balance for a total funding allocation of \$57,656. This also included a recommendation for \$4,036 for City administrative costs (Resolution No. 85-21, Attachment 2). The draft funding recommendations were forwarded to the County Board of Supervisors for inclusion in the 2022 Draft Action Plan. With public review of the County's 2022 Draft Action Plan complete, the process now

Prepared By: <u> CJ </u>	Dept Review: <u> SG </u>
City Manager Review: <u> SC </u>	City Attorney Review: <u> CFN </u>

requires jurisdictions to make final funding recommendations to the County.

BACKGROUND:

The 2022 CDBG award process began earlier last fall with the release of the annual Notice of Funding Availability, application workshop, and needs hearing held between September 7, 2021 and November 1, 2021 when applications were due. The City received two applications during this funding cycle (Online Link #1 below), and the City Council at its December 14, 2021 meeting voted to forward draft funding recommendations to the County Board of Supervisors for funding and incorporation into the 2022 Action Plan.

Total Morro Bay funding is anticipated to be approximately \$57,656 for the 2022 program year. Final funding amounts are subject to change and will likely be released by the Department of Housing and Urban Development (HUD) in March/April 2022.

DISCUSSION

The recommended projects for the 2022 CDBG Program Year are included in the table below.

<i>Draft Funding Recommended Projects (Public Service category is limited to 15% of total allocation):</i>	Amount Requested	Draft Funding Recommended
<p>1. <u>Project Name:</u> <i>Supportive Housing Services to Residents in Danger of Homelessness</i> Applicant: Peoples’ Self-Help Housing Corporation (PSH)</p> <p>City location for services: 2612 Elm St, 495 Main St., 456 Elena St, 375 Sequoia St.</p> <p>Services to include clinical social services and case management of the Supportive Housing Program (SHP) to residents of PSH’s 26 affordable rental properties countywide. Within the City, there are 4 PSH rental properties (addresses noted above) that would receive services from the requested CDBG assistance.</p>	<p>\$149,821 (\$34,911 amount request to Morro Bay)</p>	<p>\$7,748</p>
<p>2. <u>Project Name:</u> <i>22-23 Homeless Services: Shelter, Outreach, RRH and HP Services</i> Applicant: 5 Cities Homeless Coalition (5CHC)</p> <p>5CHC proposes continued and expanded comprehensive homeless services including coordinated entry, street outreach, emergency shelter, and housing navigation services. Help clients to secure and maintain stable housing, provide rapid re-housing and homeless prevention services to residents of SLO County, providing housing support coupled with supportive social services.</p> <p>Services to low income individuals include financial assistance and services to individuals</p>	<p>\$89,000 CDBG funding requested (Also requested ESH Funding and General Funds for total request of \$229,000). amount request to Morro Bay is \$900)</p>	<p>\$900</p>

and families based on income and anticipated need. Emergency grants for subsistence payments (rental assistance) or for deposit assistance. Assistance to be provided to those of imminent threat of homelessness also.		
Unallocated Funds – No applications		
3. Rollover – No non-public service applications were received eligible for funding per HUD CDBG regulations. This unallocated amount of \$37,477 is recommended for rollover to be allocated along with the 2023 CDBG funds.	\$37,477	\$37,477
Administration – Limited to 20% of 2022 Allocation (City=35% / County =65%)		
City Program Administration Costs (Required County Administration Costs)	\$4,036 (\$7,495)	\$4,036 (\$7,495)
Total Amount Available for Funding Recommendations (minus admin for County)		\$57,656

As stated in the December 14, 2021 Council staff report (link below), the approved draft funding recommendations were forwarded to the County for publishing, along with recommendations from all participating jurisdictions. The Draft 2022 Action Plan Recommendations by all cities was released for review and comment on December 28, 2021 for a 30-day public comment period. Funding recommendations by the County were developed using community input and consistent with HUD requirements utilized program criteria including consistency with federal regulations and laws, community support, seriousness of community development needs, degree to which the project benefits low-income and very low-income families or persons, project feasibility, cost effectiveness, and organization’s experience or knowledge regarding program requirements.

The two funding applications received applied for more funding than could be allocated based on federal regulations limiting public service applications to no more than 15% of a jurisdiction’s allocation. Based on this year’s anticipated funding, that 15% cap equates to a maximum amount available of \$8,648. No non-public service category CDBG applications were received this year in order to make a funding award for the remaining \$37,477 and thus the recommendation advice received from County Planning staff is to rollover these funds to the next CDBG program year to pool these funds with a future project. Upon City Council review of CDBG funding requests, the final funding recommendations will be forwarded to the County Board of Supervisors in order to adopt the 2022 Action Plan in April 2022.

CONCLUSION

Staff is recommending Council approve the 2022 Final Funding Recommendation for the requests from People’s Self-Help Housing and the 5 Cities Homeless Coalition along with the City application of \$4,036 for program administration by adopting Resolution No. 21-22.

ATTACHMENTS

1. Resolution No. 21-22

2. Resolution No. 85-21
3. Powerpoint presentation

ONLINE LINKS:

1. [December 14, 2021 Council Staff Report & Applications, Agenda Item B-1](#)

RESOLUTION NO. 21-22

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT
PROJECTS FOR YEAR 2022**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, via a Cooperation Agreement with County of San Luis Obispo (hereafter referred to as “County”), a political subdivision of the State of California, executed by the City of Morro Bay (hereafter referred to as “City”) a municipal corporation, on July 7, 2020, the City agreed to become a participant for a period of three years with the County and other cities therein as an “Urban County” under the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, under the Cooperation Agreement, the City retains the authority to determine which projects are to be funded with its allotment of CDBG Program funds; and

WHEREAS, the CDBG Program promotes the public health, safety and welfare by providing grant funds to be used by the City and County to improve housing opportunities for low- and moderate-income households, to encourage economic reinvestment, to improve community facilities and public services, and to provide other housing-related facilities, or services; and

WHEREAS, the City expects to receive \$57,656 in CDBG funds in 2022; and

WHEREAS, in 2021, the County published a “Notice of Funding Availability” for projects to be funded under the 2022 CDBG Programs, which provided proposals were to be submitted by November 1, 2021; and

WHEREAS, at its meeting on December 14, 2021, the City Council gave approval for draft funding recommendations to be forwarded to the County Board of Supervisors for 2022 CDBG projects.

WHEREAS, draft funding recommendations from all members of the Urban County were included in the 2022 Draft Action Plan which was released for a 30 day public comment period that started December 28, 2021;

WHEREAS, at a duly noticed public hearing on March 8, 2022, the City Council gave approval for final funding recommendations to be forwarded to the County Board of Supervisors for 2022 CDBG projects.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morro Bay, California:

1. City will timely submit final funding recommendations for the current CDBG funding cycle to the Board of Supervisors for the County of San Luis Obispo consistent with the programs and allocations listed in Exhibit "A," attached hereto and incorporated herein by this reference, to be funded with the City's allocation of CDBG Program funds.
2. City Manager is authorized for the current CDBG funding cycle to make pro rata adjustments to the allocation based on the final funding amount from San Luis Obispo County based on the approval of the federal budget and HUD's final grant amount to San Luis Obispo County

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 8th day of March 2022 on the following vote:

AYES:

NOES:

ABSENT:

JOHN HEADDING, Mayor

ATTEST:

DANA SWANSON, City Clerk

EXHIBIT "A"
 FINAL FUNDING RECOMMENDATIONS
 TO FORWARD TO THE
 COUNTY BOARD OF SUPERVISORS

Public Services – Limited to 15% of 2022 Allocation (or a maximum of \$8,648)	Amount Requested	Amount Recommended
1. <u>Project Name:</u> San Luis Obispo Municipal and County Supportive Housing Program for Low-Income Households Applicant: Peoples' Self-Help Housing Corporation (PSHH)	34,911	7,748
2. <u>Project Name:</u> 22-23 Homeless Services: Shelter, Outreach, RRH and HP Services Applicant: 5 Cities Homeless Coalition (5CHC)	\$900	\$900
<u>Rollover to 2023 CDBG Program Year</u>		
<u>Unallocated funds for rollover</u>	\$37,477	\$37,477
<u>Administration – Limited to 20% of 2022 Allocation (City=35% / County =65%)</u>	\$11,531	
City Program Administration Costs (Required County Administration Costs)	\$4,036 (\$7,495)	\$4,036 (\$7,495)
Total Funds Requested	\$57,656	
Estimated Total 2022 Funding Available		\$57,656

RESOLUTION NO. 85-21

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT
PROJECTS FOR YEAR 2022

THE CITY COUNCIL
City of Morro Bay, California

WHEREAS, via a Cooperation Agreement with County of San Luis Obispo (hereafter referred to as "County"), a political subdivision of the State of California, executed by the City of Morro Bay (hereafter referred to as "City") a municipal corporation, on July 7, 2020, the City agreed to become a participant for a period of three years with the County and other cities therein as an "Urban County" under the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, under the Cooperation Agreement, the City retains the authority to determine which projects are to be funded with its allotment of CDBG Program funds; and

WHEREAS, the CDBG Program promotes the public health, safety and welfare by providing grant funds to be used by the City and County to improve housing opportunities for low- and moderate- income households, to encourage economic reinvestment, to improve community facilities and public services, and to provide other housing-related facilities, or services; and

WHEREAS, the City expects to receive \$57,656 in CDBG funds in 2022; and

WHEREAS, in 2021, the County published a "Notice of Funding Availability" for projects to be funded under the 2022 CDBG Programs, which provided proposals were to be submitted by November 1, 2021; and

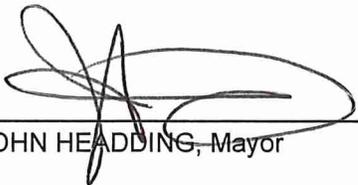
WHEREAS, at its meeting on December 14, 2021, the City Council gave approval for draft funding recommendations to be forwarded to the County Board of Supervisors for 2022 CDBG projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morro Bay, California:

1. City will timely submit draft funding recommendations for the current CDBG funding cycle to the Board of Supervisors for the County of San Luis Obispo consistent with the programs and allocations listed in Exhibit "A," attached hereto and incorporated herein by this reference, to be funded with the City's allocation of CDBG Program funds.
2. City Manager is authorized for the current CDBG funding cycle to make pro rata adjustments to the allocation based on the final funding amount from San Luis Obispo County based on the approval of the federal budget and HUD's final grant amount to San Luis Obispo County

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a special meeting thereof held on the 14th day of December 2021 on the following vote:

AYES: Headding, Addis, Barton, Ford, Heller
NOES: None
ABSENT: None



JOHN HEADDING, Mayor

ATTEST:



DANA SWANSON, City Clerk

EXHIBIT "A"
DRAFT FUNDING RECOMMENDATIONS
TO FORWARD TO THE
COUNTY BOARD OF SUPERVISORS

Public Services – Limited to 15% of 2022 Allocation (or a maximum of \$8,648)	Amount Requested	Amount Recommended
1. <u>Project Name:</u> San Luis Obispo Municipal and County Supportive Housing Program for Low-Income Households Applicant: Peoples' Self-Help Housing Corporation (PSHH)	34,911	7,748
2. <u>Project Name:</u> 22-23 Homeless Services: Shelter, Outreach, RRH and HP Services Applicant: 5 Cities Homeless Coalition (5CHC)	\$900	\$900
<u>Rollover to 2023 CDBG Program Year</u>		
<u>Unallocated funds for rollover</u>	\$37,477	\$37,477
Administration – Limited to 20% of 2022 Allocation (City=35% / County =65%)	\$11,531	
City Program Administration Costs	\$4,036	\$4,036
(Required County Administration Costs)	(\$7,495)	(\$7,495)
Total Funds Requested	\$57,656	
Estimated Total 2022 Funding Available		\$57,656



City of Morro Bay City Council

Community Development Block Grant (CDBG) Program

Review and Adopt Final Funding
Recommendations for 2022 Program Year

CDBG Program

- Annual federal entitlement funding via participation with the Urban County consortium.
- Funding availability for 2021 year is \$57,656.
- Draft funding recommendations were made by Council on December 14, 2021. Recommendations were forwarded to County Board of Supervisors.

CDBG Program 2022

Application Name	Brief Project Description	Amount Requested	Draft & Final Amount Recommended
<i>Public Service category is limited to no more than 15% of total allocation or \$8,648</i>			
Peoples' Self-Help Housing	SLO Municipal and County Supportive Housing Program for low-income households – for 4 existing rental developments in Morro Bay	\$34,911	\$7,748
5 Cities Homeless Coalition	22-23 Homeless Services: Shelter, Outreach, RRH, and HP Services – for local assistance	\$900	\$900
City of Morro Bay Program Administration	Program Administration staff costs as allowed by CDBG	\$4,036	\$4,036
Unallocated funds for rollover - No applications received for non-public service category. Funds can be rolled over to next federal program year per County.		\$37,477	\$37,477

CDBG Staff Recommendation

- Recommendation: Approve 2022 Final Funding Recommendations for Peoples' Self-Housing and 5 Cities Homeless Coalition along with City application for program administration costs by adopting Council Resolution for a total 2022 funding allocation of \$57,656 and forward recommendation to the County Board of Supervisors.
- Additionally, authorize the City Manager to make pro rata adjustments to the allocation based on any HUD budgetary changes to the approved final 2022 CDBG funding amount from San Luis Obispo County.

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AGENDA NO: C-1

MEETING DATE: March 8, 2022

Staff Report

TO: Honorable Mayor and City Council

DATE: March 3, 2022

FROM: Scott Collins, City Manager
Eric Endersby, Harbor Director
Scot Graham, Community Development Director
Dana Swanson, City Clerk/Human Resources Manager

SUBJECT: Receive and Discuss Report on the Effects of the Proposed Citizens Initiative Petition entitled “An Initiative Measure to Prohibit Tent Camping and all Classes of Vehicle Camping (dry or otherwise) in Certain Specified Areas of the City of Morro Bay” and either: 1) Adopt the ordinance without alteration, or 2) Submit the Ordinance to the Qualified Voters of the City as a Proposed Measure at a June Special Municipal Election or the November Regular Municipal Election

RECOMMENDATION

Staff recommends the City Council receive the report and discuss the effects of the proposed initiative measure in accordance with Elections Code section 9212 and take one of the following actions:

1. The Council may adopt the ordinance without alteration by introducing for first reading by title only, with further reading waived, Ordinance No. 648, An Ordinance of the City Council of the City of Morro Bay, California, adding Subsection (D) to Section 8.24.010 (Prohibited at Certain Times and in Certain Places) of Chapter 8.24 (Camping) of Title 8 (Health and Safety) of the Morro Bay Municipal Code; or
2. The Council may adopt Resolution No. 22-22 calling for a General Municipal Election to be held on Tuesday, November 8, 2022, for the submission of Ordinance No. 648 to the qualified voters of the City as a proposed measure, and adopt Resolution No. 23-22 setting priorities for written argument(s) and directing the City Attorney to prepare an impartial analysis, and consider the adoption of Resolution No. 24-22 providing for the filing of rebuttal arguments; or
3. The Council may adopt Resolution 25-22 calling for a Special Municipal Election to be held on Tuesday, June 7, 2022, for the submission of Ordinance No. 648 to the qualified voters of the City as a proposed measure, and adopt Resolution No. 26-22 setting priorities for written argument(s) and directing the City Attorney to prepare an impartial analysis. Note: the compressed timeline for a June election does not allow for rebuttal arguments to be submitted.

****If Council desires pursuant to Election Code section 9282 to submit an argument against the proposed measure, then one or two members should be appointed for the task as provided for in section 2 of Resolution No. 23-22, as discussed further in this report. Otherwise, Council should not approve section 2 of Resolution No. 23-22.****

Prepared By: <u> DS/EE </u>	Dept Review: <u> </u>
City Manager Review: <u> SC </u>	City Attorney Review: <u> CFN </u>

FISCAL IMPACT

Should the Council submit the ordinance to the qualified voters of the City as a proposed ballot measure at either the November 2022 General Election or June 2022 Special Election, the estimated cost is \$1,500 - \$2,500.

As currently configured, staff estimates the Waterfront RV Camping Program would annually generate approximately \$115,000 to \$155,000 (net) revenues for the Harbor Fund, \$13,500 to \$18,500 in General Fund Transient Occupancy Tax (TOT) revenues, and \$2,000 to \$2,800 for the County Tourism Marketing District on a long-term annual basis if permanently established. If this proposed initiative is successful, all of those revenues would be forgone.

Funds to process and verify an initiative petition, and to add an initiative petition to either the June or November election, were not anticipated in the City's FY 2021/22 budget. Staff may need to return to Council for a budget authorization for this unanticipated City expense, particularly if costs were to exceed the \$2,000 estimate above.

BACKGROUND

On December 29, 2021, pursuant to authority provided by the California Constitution and the State Elections Code, an initiative petition was presented for filing entitled "An Initiative Measure to Prohibit Tent Camping and All Classes of Recreational Vehicle Camping (dry or otherwise) in Certain Specified Areas of the City of Morro Bay." The Notice of Intent to Circulate an Initiative Petition is provided as Attachment 1, and the Ballot Title and Summary prepared by the City Attorney for the proposed initiative measure is provided as Attachment 2.

Elections Code Section 9215 provides in part that an initiative petition qualifies if it "is signed by not less than 10 percent of the voters of the city." As of the February 10, 2021, voter registration report to the Secretary of State, there were 8,196 registered voters in the City of Morro Bay. Pursuant to Elections Code section 9210, the initiative petition was examined by the City Clerk and it was determined the number of signatures prima facie, was in excess of 10% (820) of the registered voters of the City and the petition was accepted for filing. The City Clerk's office coordinated with the County Registrar of Voters' to examine signatures and, in accordance with Election Code Sections 9114-9115, the initiative petition was determined to contain 869 valid signatures and deemed sufficient on January 28, 2022. The results of the petition signature verification are being certified to the Council as presented in Attachment 3.

Elections Code Section 9215 also provides in part that when a city council is presented with a qualified petition, the Council shall either:

(a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or,

(b) Submit the ordinance, without alteration, to the voters pursuant to Section 1405; or,

(c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

DISCUSSION

The actual language of the proposed ballot measure is a short addition to the municipal code adding a new Section D to Section 8.24.010 of MBMC Chapter 8.24. That proposed addition is: "Tent camping and all classes of recreational vehicle camping, dry or otherwise, are prohibited along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots. This shall not affect any current private business." At present there are 19 camping sites being operated by the City in three areas: Tidelands, Maritime Museum and Morro Creek, as shown on the attached map (Attachment 4). The City is no longer operating the Coleman Park campsite. Also, there is a private camp site named Morro Dunes RV Park, located at 1700 Embarcadero Road.

At its February 8, 2022 Meeting, the City Council directed staff to evaluate on a Citywide basis the effects of the proposed initiative in accordance with Elections Code Section 9212, and present that report at the March 8, 2022 Regular Meeting. The report would consider any of the following that might apply:

- (1) Its fiscal impact.
- (2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under [Section 65008 of the Government Code](#) and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with [Section 65915 of Division 1 of Title 7 of the Government Code](#)).
- (3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.
- (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.
- (5) Its impact on the community's ability to attract and retain business and employment.
- (6) Its impact on the uses of vacant parcels of land.
- (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
- (8) Any other matters the legislative body requests to be in the report.

Staff prepared a report that evaluates the potential impacts of the proposed initiatives (Attachment 5). Numerous conclusions were reached in the Election Code section 9212 report requested by Council.

The proposed initiative as concluded in Impact No. 1 of the report would reduce revenues to the Harbor Fund, an enterprise fund that supports the Harbor Department operations and waterfront infrastructure by approximately \$115,000 - \$155,000 annually and reduce revenues to the General Fund by \$13,500 to \$18,500.

As concluded in Impact No. 2 of the report, a thorough review of proposed new zoning classifications provided for in Plan Morro Bay (those new zoning classifications considered and reviewed years ago pursuant to the multi-year process for development of Plan Morro Bay) concludes that these ***new zoning classifications in Plan Morro Bay are scheduled to already eliminate all but the current Tidelands campsite (of the current campsites run by the City).*** Plan Morro Bay as currently written would prevent operation of approximately 85% of the current

City run camping sites (otherwise subject to the proposed measure).

Pursuant to the Election Code section 9212 report, in the remaining six areas identified in Elections Code Section 9215, the proposed measure would have no impacts or negligible impacts in the remaining six areas.

Elections Code Section 9215 requires the Council take one of the following actions:

1. Adopt the Ordinance without alteration

The Council may adopt the ordinance provided as Attachment 6(a) without alteration either at the March 8th meeting or within 10 calendar days, by introducing for first reading by title only, with further reading waived, Ordinance No. 648, An Ordinance of the City Council of the City of Morro Bay, California, adding Subsection (D) to Section 8.24.010 (Prohibited at Certain Times and in Certain Places) of Chapter 8.24 (Camping) of Title 8 (Health and Safety) of the Morro Bay Municipal Code.

2. Submit the Ordinance without alteration, to the voters at the November General Municipal Election

The Council may send the ordinance to the voters for approval at the next regular municipal election to be held in not less than 88 days (Morro Bay's next regular municipal election is November 8, 2022).

To send Ordinance No. 648 to the voters at the general municipal election on November 8, 2022, three election resolutions are presented for consideration by the City Council.

The first resolution orders the submission of the ordinance to the voters at the November 8, 2022, General Municipal Election and requests from the County a consolidation of that election with the Statewide General Election scheduled for the same date. (See Attachment No. 7.)

Ballot Label. The first resolution includes a "ballot label" which describes the proposed ordinance and which is the question actually presented to the voters. Ballot labels are limited to 75 words or less. The Council may revise the language used for the ballot label within the following state law restrictions: "The statement of the measure shall be a true and impartial synopsis of the purpose of the proposed measure, and shall be in language that is neither argumentative nor likely to create prejudice for or against the measure." (Election Code section 13119(c).)

The second resolution is concerned with written arguments (both pro and con) about the initiative measure, as well as directing the City Attorney to prepare an impartial analysis of the initiative measure. (See Attachment No. 8.) The second resolution establishes priorities under state law for choosing among multiple arguments. In consultation with the City Clerk the second resolution sets a deadline for written arguments (pro and con) of Tuesday, July 22, 2022, at the close of business.

Argument Authorization. Pursuant to Election Code section 9282, for measures placed on the ballot by petition, the persons filing an initiative petition may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance. The second resolution authorizes - if Council so desires - one or two councilmembers to write an argument against the ballot measure. If three or more Councilmembers jointly write a ballot argument then the Brown Act will require the collaboration to occur at a noticed public meeting. As such, staff suggests, if Council desires to submit an argument against the ordinance, the Council appoint one or two councilmembers to write an authorized argument.

*****If Council desires to appoint one or two Councilmembers to write an argument against the ballot measure, then Section 2 in the second resolution should have name(s) added to it for the drafter(s). If Council does not desire to submit an argument against the measure, then Section 2 in the second resolution should be taken out of the resolution before approval.**

The third resolution provides for the filing of rebuttal arguments to the primary written arguments. (See Attachment No. 9.) The rebuttal arguments are prepared by the opposite authors of the primary written arguments. In consultation with the City Clerk the third resolution sets a deadline for rebuttals of Tuesday, August 2, 2022, at the close of business. Rebuttal arguments are optional under state law and are allowed at the discretion of the City Council. Disallowing rebuttal arguments will result in lowering the total cost for placing the initiative measure on the ballot (as extra pages in the voter books cost more money). The exact amount of cost savings is unknown at the present. If the City Council does not desire to authorize rebuttal arguments, then Council should not approve this third election resolution.

3. Submit the Ordinance without alteration, to the voters at the June Special Municipal Election

Elections Code Section 1405(b) provides that if the governing body calls a special election, the election shall not be held less than 88 days nor more than 103 days after the order of the election (February 24 – March 11). The March 8th Regular Meeting falls within the prescribed date range that would allow for the option to place the item on the ballot for the June Special Election should the Council wish to do so.

To send Ordinance No. 648 to the voters at the special municipal election on June 7, 2022, two election resolutions are presented for consideration by the City Council.

The first resolution orders the submission of the ordinance to the voters at the June 7, 2022, Special Municipal Election and requests from the County a consolidation of that election with the Statewide Primary Election scheduled for the same date. (See Attachment No. 10)

Ballot Label. The first resolution includes a “ballot label” which describes the proposed ordinance and which is the question actually presented to the voters. Ballot labels are limited to 75 words or less. The Council may revise the language used for the ballot label within the following state law restrictions: “The statement of the measure shall be a true and impartial synopsis of the purpose of the proposed measure, and shall be in language that is neither argumentative nor likely to create prejudice for or against the measure.” (Election Code section 13119(c).)

The second resolution is concerned with written arguments (both pro and con) about the initiative measure, as well as directing the City Attorney to prepare an impartial analysis of the imitative measure. (See Attachment No. 11.) The second resolution establishes priorities under state law for choosing among multiple arguments. In consultation with the City Clerk the second resolution sets a deadline for written arguments (pro and con) of Wednesday, March 23, 2022, at the close of business.

Argument Authorization. Pursuant to Election Code section 9282, for measures placed on the ballot by petition, the persons filing an initiative petition may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance. The second resolution authorizes - if Council so desires - one or two councilmembers to write an argument against the ballot measure. If three or more Councilmembers jointly write a ballot argument then

the Brown Act will require the collaboration to occur at a noticed public meeting. As such, staff suggests, if Council desires to submit an argument against the ordinance, the Council appoint one or two councilmembers to write an authorized argument.

*****If Council desires to appoint one or two Councilmembers to write an argument against the ballot measure, then Section 2 in the second resolution should have name(s) added to it for the drafter(s). If Council does not desire to submit an argument against the measure, then Section 2 in the second resolution should be taken out of the resolution before approval.**

The compressed timeline and printing deadlines for the voter's guide for a June Special Election does not allow for rebuttal arguments to be submitted.

CONCLUSION

Staff recommends the City Council receive the report, discuss the alternatives provided by Elections Code section 9215 and either adopt the ordinance without alteration or submit the ordinance to the qualified voters of the City at a future election.

ATTACHMENTS

1. June 14, 2021 Notice of Intent to Circulate a Petition
2. June 29, 2021 Ballot Title and Summary for proposed Initiative Measure
3. January 28, 2022 Certificate of Sufficiency of Petition
4. Harbor Department Waterfront Campsite Map
5. Elections Code 9212 Report
 - (a) Current Zoning Areas that Allow Camping/RV Parks
 - (b) Draft Proposed Zoning Areas that Allow Camping/RV Parks (available March 7th)
6. (a) Ordinance No. 648 Prohibiting Camping in Certain Areas of the City (City Council)
(b) Ordinance No. 648 Prohibiting Camping in Certain Areas of the City (Ballot)
7. Resolution No. 22-22 Calling for a General Municipal Election for the Submission of Ordinance No. 648 to the Qualified Voters of the City
8. Resolution No. 23-22 Setting Priorities for Filing Written Argument(s) and Directing the City Attorney to Prepare an Impartial Analysis regarding Ordinance No. 648 at the November General Municipal Election
9. Resolution No. 24-22 Providing for the Filing of Rebuttal Arguments Regarding Ordinance No. 648 at the November General Municipal Election
10. Resolution No. 25-22 Calling for a Special Municipal Election for the Submission of Ordinance No. 648 to the Qualified Voters of the City
11. Resolution No. 26-22 Setting Priorities for Filing Written Argument(s) and Directing the City Attorney to Prepare an Impartial Analysis regarding Ordinance No. 648 at the Special Municipal Election

JUN 14 2021

City Clerk

June 14, 2021

Dana Swanson
City Clerk
City of Morro Bay
595 Harbor Avenue
Morro Bay, CA 93442

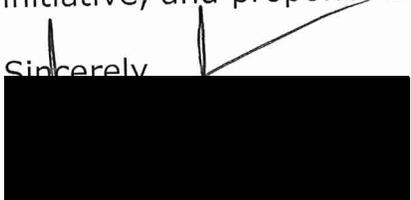
Dear Ms. Swanson:

As the elections official for the City of Morro Bay, this is to notify you that we find it necessary to modify the text of the initiative we submitted on May 12, 2021. Also, a section number has been added as previously suggested by you. Consequently, we withdraw our previously submitted initiative.

As the elections official for the City of Morro Bay, we request a ballot title and summary be prepared for the attached initiative. By way of information, the Notice of Intent to Circulate Petition and the Written Statement setting forth the reasons for the proposed petition remain the same.

The address you may use to furnish us a copy of the ballot title and summary prepared by the City attorney is 405 Acacia, Morro Bay, CA 93442. Please inform us if you need another \$200 for filing. We will deliver original cover letter, the initiative, and proponents declaration.

Sincerely,


Jim Curnutt
2056 Bayview Avenue
Carole Truesdale
331 Kodiak Street
Betty Wihholtz
405 Acacia Street

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Morro Bay, CA for the purpose of defining unsuitable camp sites. A statement of the reasons for the proposed action as contemplated in the petition is as follows:

1. To protect the natural beauty, sensitivity, and intrinsic value of the named areas.
2. To prevent the visual and physical degradation of public places by private housekeeping.
3. To preclude competition with local businesses and State campgrounds.
4. To preserve day use parking.

Proponents: Jim Curnutt, Carole Truesdale, Betty Winholtz

Written text of the initiative:

The people of the City of Morro Bay do ordain as follows: An addition to the Morro Bay Municipal Code, Chapter 8.24 – Camping, Section 8.24.010 - Prohibited at certain times and in certain places. D. Tent camping and all classes of recreational vehicle camping, dry or otherwise, are prohibited along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots. This shall not affect any current private business.

Written Statement setting forth the reasons for the proposed petition:

February, 2021, the Morro Bay City Council considered several Harbor Front public spaces be available for camping for a fee. The community overwhelmingly rejected the proposal as expressed in written and oral Public Comment. Regardless, the City Council approved some of the sites on an interim basis and stated they would seek CA Coastal Commission approval for permanent camping. The Public's concerns fall into four categories:

1. To protect the natural beauty, sensitivity, and intrinsic value of the named public areas.
2. To prevent the visual and physical degradation of public places by private "housekeeping" in public.
3. To preclude competition with local businesses and State campgrounds.
4. To preserve day use parking.

9608. (a) A proponent of an initiative measure shall execute and submit, along with the request for a title and summary for the proposed measure, a signed statement that reads as follows:

I, Jim Curnutt, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

(Signature of Proponent) _____
Dated this 14 day of June, 2021

I, Carole Truesdale, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

(Signature of Proponent) _____
Dated this 14 day of June, 2021

I, Betty Winholtz, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

(Signature of Proponent) _____
Dated this 14 day of June, 2021



CITY OF MORRO BAY

CITY HALL
595 Harbor Street
Morro Bay, CA 93442

VIA EMAIL & FIRST CLASS MAIL

June 29, 2021

Betty Winholtz
Carole Truesdale
Jim Curnutt
405 Acacia Street
Morro Bay, CA 93442

Subject: Ballot Title and Summary for Proposed Initiative Measure

Dear Betty, Carole & Jim,

The City Attorney has prepared the following title and summary pursuant to State law, including Election Code section 9203, for the proposed measure submitted to my office:

BALLOT TITLE

AN INITIATIVE MEASURE TO PROHIBIT TENT CAMPING AND ALL CLASSES OF RECREATIONAL VEHICLE CAMPING (DRY OR OTHERWISE) IN CERTAIN SPECIFIED AREAS OF THE CITY OF MORRO BAY

SUMMARY

The citizen ballot measure proposes the prohibition of tent camping and all classes of recreational vehicle camping (dry or otherwise) in certain specified areas within the City of Morro Bay.

Tent camping, and all classes of recreational vehicle camping (dry or otherwise), would be prohibited (subject to exception below) in the City of Morro Bay: along Embarcadero Road, including Tidelands Park; and, along Coleman Drive, up to and including Morro Rock parking lots.

The prohibition shall not affect any current private business.

The prohibition is proposed as an addition to Morro Bay Municipal Code ("MBMC") Chapter 8.24 (Camping) through adding new subsection (D) to MBMC section 8.24.010 (Prohibited at certain times and in certain places.).

As proponents of the initiative measure, I encourage you to carefully review California Elections Code Chapter 3, Article 1, to educate yourselves with the legal requirements of circulating an initiative measure. **This letter is being provided consistent with the requirements of State law and is not intended to provide legal advice. I strongly encourage you to seek legal counsel as needed.**

Elections Code section 9203(b) provides:

“The elections official shall furnish a copy of the ballot title and summary to the person filing the proposed measure. The person proposing the measures shall, prior to its circulation, place upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than 11 point, the ballot title prepared by the city attorney. The text of the measure shall be printed in type not smaller than 8 point. The heading of the proposed measure shall be in a boldface type in substantially the following form:

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the city attorney. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)”

Elections Code section 9205 provides:

“A notice of intention and the title and summary of the proposed measure shall be published or posted or both as follows:

(a) If there is a newspaper of general circulation, as described in Chapter 1 (commencing with Section 6000) of Division 7 of Title 1 of the Government Code, adjudicated as such, the notice, title, and summary shall be published therein at least once.

(b) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, the notice, title, and summary shall be published at least once, in a newspaper circulated within the city and adjudicated as being of general circulation within the county in which the city is located and the notice, title, and summary shall be posted in three (3) public places within the city, which public places shall be those utilized for the purpose of posting ordinances as required in Section 36933 of the Government Code.

(c) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, and there is no newspaper of general circulation adjudicated as such within the county, circulated within the city, then the notice, title, and summary shall be posted in the manner described in subdivision (b).

This section does not require the publication or posting of the text of the proposed measure.”

Elections Code section 9206 provides:

“Within 10 days after the date of publication or posting, or both, of the notice of intention and title and summary, the proponents shall file a copy of the notice and title and summary as published or posted together with an affidavit made by a representative of the newspaper in which the notice was published or, if the notice was posted, by a voter of the city, certifying to the fact of publication or posting.

If the notice and title and summary are both published and posted pursuant to subdivision (b) of Section 9205, the proponents shall file affidavits as required by this section made by a representative of the newspaper in which the notice was published certifying to the fact that the notice was published and by a voter of the city certifying to the fact that the notice was posted.

These affidavits, together with a copy of the notice of intention and title and summary, shall be filed with the elections official of the legislative body of the city in his or her office during normal office hours as posted.”

Elections Code section 9207 provides:

“The proponents may commence to circulate the petitions among the voters of the city for signatures by any registered voter of the city after publication or posting, or both, as required by Section 9205, of the title and summary prepared by the city attorney. Each section of the petition shall bear a copy of the notice of intention and the title and summary prepared by the city attorney.”

If you have any questions, please feel free to contact me.

Sincerely,



Dana Swanson
City Clerk/Human Resources Manager

Enc. Notice of Intent to Circulate Petition

JUN 14 2021

City Clerk

June 14, 2021

Dana Swanson
City Clerk
City of Morro Bay
595 Harbor Avenue
Morro Bay, CA 93442

Dear Ms. Swanson:

As the elections official for the City of Morro Bay, this is to notify you that we find it necessary to modify the text of the initiative we submitted on May 12, 2021. Also, a section number has been added as previously suggested by you. Consequently, we withdraw our previously submitted initiative.

As the elections official for the City of Morro Bay, we request a ballot title and summary be prepared for the attached initiative. By way of information, the Notice of Intent to Circulate Petition and the Written Statement setting forth the reasons for the proposed petition remain the same.

The address you may use to furnish us a copy of the ballot title and summary prepared by the City attorney is 405 Acacia, Morro Bay, CA 93442. Please inform us if you need another \$200 for filing. We will deliver original cover letter, the initiative, and proponents declaration.

Sincerely,



Jim Curnutt
2056 Bayview Avenue



Carole Truesdale
331 Kodiak Street



Betty Wihholtz
405 Acacia Street

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Morro Bay, CA for the purpose of defining unsuitable camp sites. A statement of the reasons for the proposed action as contemplated in the petition is as follows:

1. To protect the natural beauty, sensitivity, and intrinsic value of the named areas.
2. To prevent the visual and physical degradation of public places by private housekeeping.
3. To preclude competition with local businesses and State campgrounds.
4. To preserve day use parking.

Proponents: Jim Curnutt, Carole Truesdale, Betty Winholtz

Written text of the initiative:

The people of the City of Morro Bay do ordain as follows: An addition to the Morro Bay Municipal Code, Chapter 8.24 – Camping, Section 8.24.010 - Prohibited at certain times and in certain places. D. Tent camping and all classes of recreational vehicle camping, dry or otherwise, are prohibited along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots. This shall not affect any current private business.

Written Statement setting forth the reasons for the proposed petition:

February, 2021, the Morro Bay City Council considered several Harbor Front public spaces be available for camping for a fee. The community overwhelmingly rejected the proposal as expressed in written and oral Public Comment. Regardless, the City Council approved some of the sites on an interim basis and stated they would seek CA Coastal Commission approval for permanent camping. The Public's concerns fall into four categories:

1. To protect the natural beauty, sensitivity, and intrinsic value of the named public areas.
2. To prevent the visual and physical degradation of public places by private "housekeeping" in public.
3. To preclude competition with local businesses and State campgrounds.
4. To preserve day use parking.

9608. (a) A proponent of an initiative measure shall execute and submit, along with the request for a title and summary for the proposed measure, a signed statement that reads as follows:

I, Jim Curnutt, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

(Signature of Proponent) _____

Dated this 14 day of June, 2021

I, Carole Truesdale, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

(Signature of Proponent) _____

Dated this 14 day of June, 2021

I, Betty Winholtz, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

(Signature of Proponent) _____

Dated this 14 day of June, 2021



CITY OF MORRO BAY

CITY HALL

595 Harbor Street
Morro Bay, CA 93442

January 28, 2022

I, Dana Swanson, City Clerk of the City of Morro Bay, County of San Luis Obispo, State of California, hereby certify:

That the petition entitled "An Initiative Measure to prohibit tent camping and all classes of recreational vehicle camping (dry or otherwise) in certain specified areas of the City of Morro Bay" was filed with the City Clerk's office on December 29, 2021;

That said petition consists of 214 sections;

That each section contains signatures purporting to be signatures of qualified electors of the City of Morro Bay, California;

That said petition, at the time it was filed, included affidavits purporting to be affidavits of the persons who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her own information and belief, each signature to that section was the genuine signature of the person whose name it purports to be;

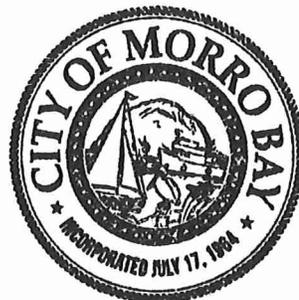
That after proponents filed this petition, based on the County of San Luis Obispo Registrar of Voters' Signature Verification Certificate, and in compliance with the California Elections Code, I have determined the following facts regarding this petition:

1. Total number of signatures filed by proponent raw count: 1,027
2. Total number of signatures verified as sufficient: 869
3. Number of signatures found insufficient (non-duplicate): 120
4. Number of signatures found insufficient because of duplication: 38
5. Total number of signatures required to qualify (10% of 8,196 registered voters): 820

Based on the above, the petition is deemed to be sufficient.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Morro Bay this 28th day of January 2022.

Dana Swanson, City Clerk
City of Morro Bay



Morro Creek

MC 9	MC 8	MC 7	MC 6	MC 5	MC 4	MC 3	MC 2	MC 1
------	------	------	------	------	------	------	------	------

Maritime Museum

MM 6	MM 7
------	------

MM 5	MM 4	MM 3	MM 2	MM 1
------	------	------	------	------

Coleman Park

CP2
CP1

Tidelands

T1
T2
T3

MORRO BAY
HARBOR DEPARTMENT

**WATERFRONT
CAMPSITES**



Questions: RVCamping@MorroBayCA.gov





CITY OF MORRO BAY

CITY HALL
595 Harbor Street
Morro Bay, CA 93442

REPORT TO MAYOR AND CITY COUNCIL March 8, 2022

The City Council requested that City staff provide a report on potential impacts of the proposed initiative related to recreational vehicle camping and tent camping along Embarcadero Road, including Tidelands Park, and along Coleman Drive, including Morro Rock parking lot. Pursuant to California Elections Code Section 9212, staff prepared responses to the eight areas of potential impact. Below is a summary of potential impacts:

1) Fiscal Impact

Staff response - as currently configured, the Waterfront RV Camping Program revenues continue to track closely to what was estimated during the pilot phase of the program and would generate approximately \$135,000 to \$185,000 in annual gross revenues if permanently established. The program would net approximately \$115,000 to \$155,000 in revenues for the Harbor Fund, \$13,500 to \$18,500 in General Fund transient occupancy tax (TOT) revenues, and \$2,000 to \$2,800 for the County Tourism Marketing District on a long-term annual basis. Although the program has yet to span a full fiscal year, a combination of 2021 and 2022 calendar year monthly data netted the Harbor Fund \$134,000. This proposed initiative would negate the entirety of those anticipated revenues for the Harbor Fund and General Fund.

2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under [Section 65008 of the Government Code](#) and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with [Section 65915](#)) of [Division 1 of Title 7 of the Government Code](#) –

Staff response – This is no impact on the housing element. There was also no impact on Section 65008 because there are no disproportionate environmental burdens created on low-income neighborhoods or neighborhoods of color. There is no impact to Section 65913 because affordable housing is not being created nor taken away as a result of this measure. There is no impact to 65915 because the measure does not apply to density bonuses or other housing incentives, but refers to commercial uses of property for camping or overnight RV camping accommodations.

With regard to consistency with planning and zoning, there are eight zoning districts in the area where the RV initiative would cover (three of which are incorporated in the Harbor Department's current waterfront campsite program). These are noted below followed by whether or not RV facilities or tent camping is an allowed use. Only two areas would be impacted by the initiative as the other areas either specifically excludes overnight RV or camping or is not a listed allowed use. No specific plans are in this area.

- 1. Morro Creek area is zoned OA-2/CF/PD (dual zone designation): Campgrounds are **allowed** in Open Area 2 zoning. Camping/ RV camping/ tents are not a listed allowed use in CF zoning. Site changes to Open Space (OS) zoning in the draft zoning code, which does not allow campgrounds, but adjacent property south of Morro Creek at the northeast corner of Coleman and Embarcadero changes zoning from Open Area 2 to Parks and Recreation (PR) zoning which allows campground uses.*
- 2. Maritime Museum area is M-2/PD/I, Camping/ RV camping is not a listed allowed use. However, the Interim (I) use overlay does **allow** camping/RV camping pursuant to Morro Bay Municipal Code section 17.24.080. The site changes to Public Facility (PF) zoning in the new code. Campgrounds are not a permitted use under the draft PF zoning.*
- 3. Tidelands Parking lot is OA-2. Camping or RV camping is a listed allowed use. The draft zoning code changes this area to Parks and Recreation (PR) zoning. Camping and RV camping would be allowed under the draft PR zoning.*
- 4. Coleman Drive area is zoned Commercial Fishing (CF) and camping is not an allowed use in this zone. Zoning remains CF under the draft zoning code and camping remains prohibited.*
- 5. Morro Rock parking area is zoned Open Space 2/Planned Development (OA-2/PD) and allows for camping. Under draft zoning code area changes to Open Space (OS) and camping is not an allowed use.*

Other zoning classifications located along Embarcadero and Coleman Drive include:

- 6. Waterfront (WF) zoning specifically excludes overnight R-V, camping use. Draft zoning code keeps the same WF zoning and same camping prohibition.*
- 7. Commercial visitor-serving (C-VS) zoning **allows** overnight RV camping. Draft zoning code keeps the same VSC zoning and same allowance for camping.*

8. *Commercial Fishing (CF) zoning does not include camping as an allowed use. Draft zoning code keeps the same CF zoning and does not include camping as an allowed use.*

The attached map provided below identifies all areas in Morro Bay where camping is permitted under the current Zoning Code in addition to showing the areas/zones that would be impacted by the initiative. A map showing the draft proposed Zoning Code will be prepared and published prior to the March 8th Council Meeting.

3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.

Staff response – There is no impact because no permanent housing would be created nor taken away as a result of the initiative. It also does not restrict any residentially zoned property.

4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.

Staff response – The Harbor Department’s capital program is underfunded by approximately \$600,000 - \$800,000 per year over the next ten years. The Waterfront RV Camping Program was part of a larger Harbor Advisory Board initiative over the last five years to explore new and/or enhanced revenue options to generate additional funds to help support that capital program. While the revenues generated by the RV program alone will not solve the department’s capital needs, they would be a contributor. If not properly funded, the Harbor Department’s municipal wharves, commercial fishing vessel slips, public boat launch ramp facility, public access and view infrastructure will continue to deteriorate, and if not properly repaired and/or replaced, could be rendered unusable. This proposed initiative would negate the entirety of those anticipated revenues for the Harbor Fund through the RV Program, of which some or all those funds could be dedicated to Harbor infrastructure needs.

5) Its impact on the community’s ability to attract and retain business and employment.

Staff response – The impact would be negligible. While properties within the area affected by the initiative would in the future would be excluded from being able to get approval for overnight RV camping/ other camping, other uses and enjoyment of said property would still exist. The community would still have the ability to attract businesses elsewhere in town.

6) Its impact on the uses of vacant parcels of land.

Staff response – The impact would be negligible. Vacant parcels of land in this vicinity would still be able to develop with other allowed uses in the zoning district that they are located.

7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization

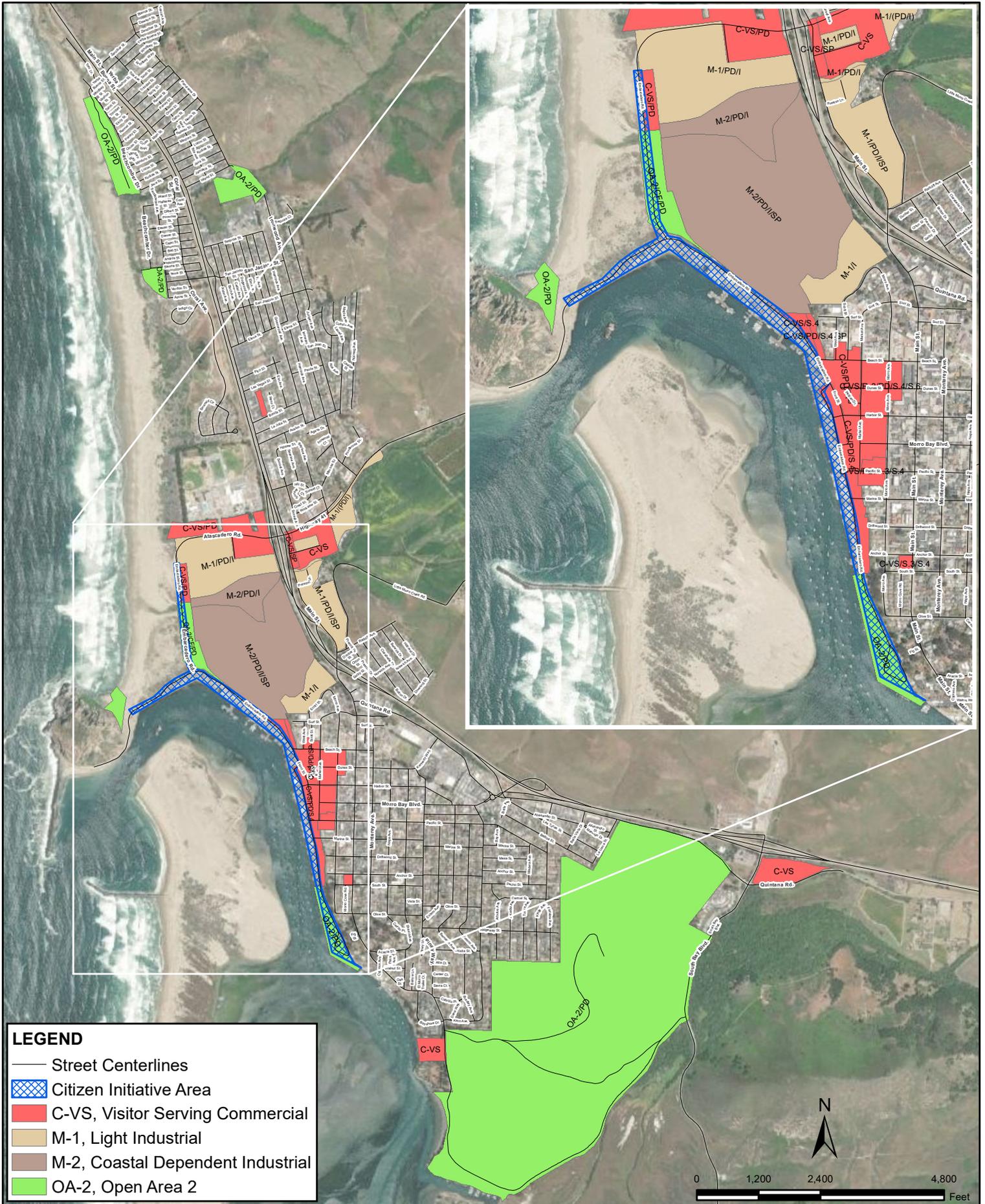
Staff response – There is no impact on agricultural lands. Impact to open space, traffic congestion, existing business districts, and developed areas designated for revitalizations would also be negligible because the amount of lands covered by the initiative would be small in overall combined size. These areas would not be developed and therefore would have corresponding less impacts, but the existing areas have minimal impacts currently with Morro Creek site at 9 spaces, Maritime site as 7 spaces, and Tidelands parking lot area as 3 spaces.

8) Any other matters the legislative body request to be in the report.

Staff response – Council did not request staff to look into other potential matters or impacts related to the proposed initiative.



Current Zoning Areas That Allow Camping/RV Parks

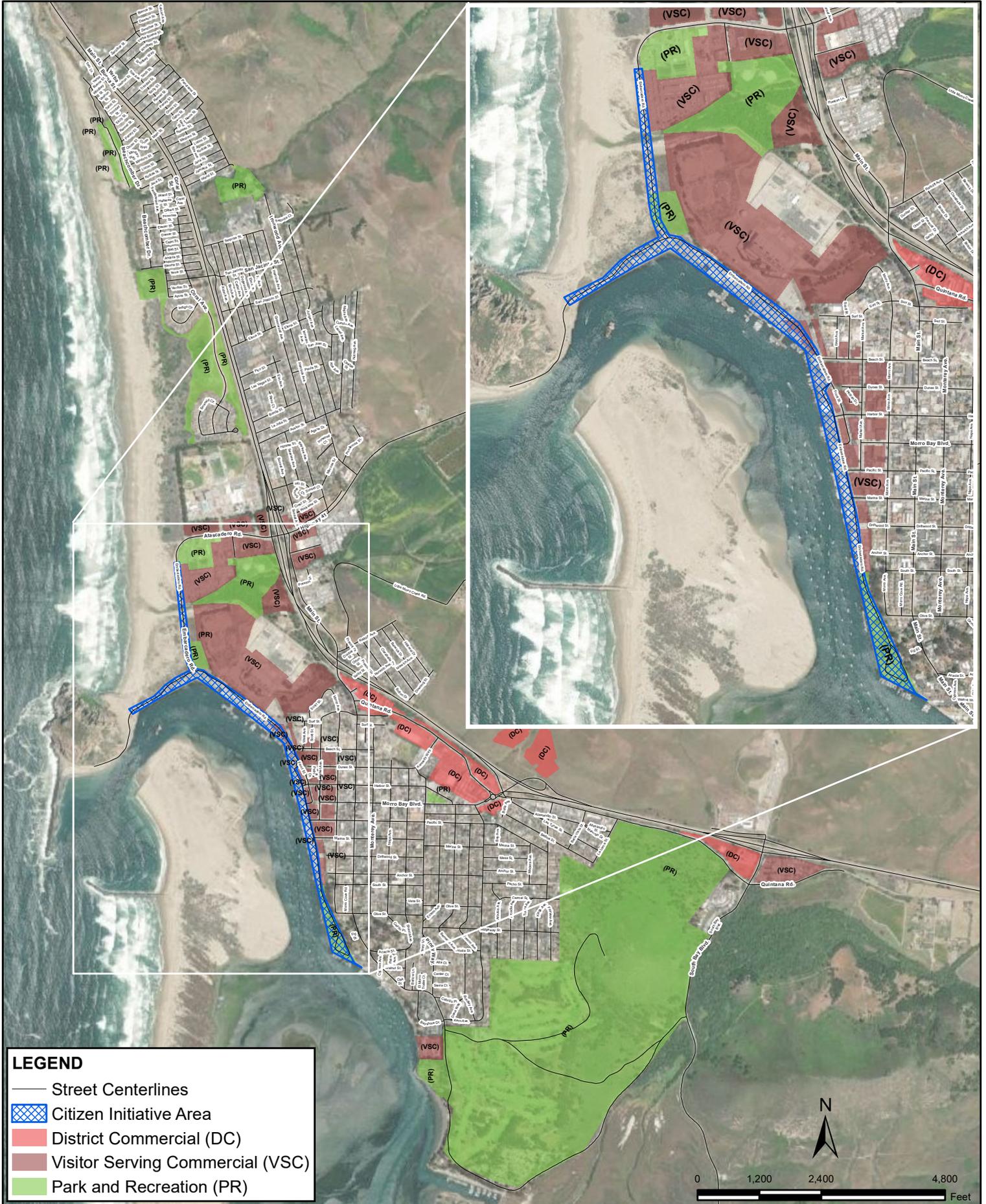


LEGEND

- Street Centerlines
- ▨ Citizen Initiative Area
- C-VS, Visitor Serving Commercial
- M-1, Light Industrial
- M-2, Coastal Dependent Industrial
- OA-2, Open Area 2



Draft Zoning Areas That Allow Camping/RV Parks





Draft Zoning Areas That Prohibit Camping/RV Parks



ORDINANCE NO. 648

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA,
ADDING SUBSECTION (D) TO SECTION 8.24.010
(PROHIBITED AT CERTAIN TIMES AND IN CERTAIN PLACES)
OF CHAPTER 8.24 (CAMPING) OF TITLE 8 (HEALTH AND
SAFETY) OF THE MORRO BAY MUNICIPAL CODE**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, on December 29, 2021, an initiative petition entitled “An Initiative Measure to Prohibit Tent Camping and All Classes of Recreational Vehicle Camping (dry or otherwise) in Certain Specified Areas of the City of Morro Bay” (initiative petition) was presented to the City Clerk for filing; and

WHEREAS, the initiative petition provides that: “Tent camping and all classes of recreational vehicle camping, dry or otherwise, are prohibited along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots. This shall not affect any current private business”; and

WHEREAS, Elections Code section 9215 provides in part that an initiative petition qualifies if it “is signed by not less than 10 percent of the voters of the city,” and as of the February 10, 2021, voter registration report to the Secretary of State, there were 8,196 registered voters in the City of Morro Bay; and

WHEREAS, pursuant to Elections Code section 9210, the initiative petition was examined by the City Clerk and it was determined the number of signatures prima facie, was in excess of 10% (820) of the registered voters of the City, and the petition was accepted for filing; and

WHEREAS, The City Clerk’s office coordinated with the County Registrar of Voters to examine signatures and, in accordance with Election Code sections 9114-9115, the initiative petition was determined to contain 869 valid signatures and deemed sufficient on January 28, 2022; and

WHEREAS, Elections Code section 9215 provides in part that when a city council is presented with a qualified petition, the Council shall do one of the following: (a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or, (b) Submit the ordinance, without alteration, to the voters pursuant to Election Code section 1405; or, (c) Order a report pursuant to Election Code section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to option (b) above; and

WHEREAS, the City Council requested a report pursuant to Election Code section 9212 at the regular meeting held on February 8, 2022, and that report was presented to the City Council at its regular meeting held on March 8, 2022;

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Ordinance No. 648

Page 1

WHEREAS, consistent with the law requires the City Council to either adopt the ordinance or order an election, subsequent to submission of an Election Code section 9212 report, the City Council decided to “adopt the ordinance, without alteration.”; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA FINDS AND ORDAINS AS FOLLOWS:

SECTION 1. RECITALS. The City Council hereby finds that the recitals set forth above are all true and correct and are incorporated herein by this reference.

SECTION 2. CODE AMENDMENT. A new subsection (D) is added, to Section 8.24.010 (Prohibited at certain times and in certain places) of Chapter 8.24 (Camping) of Title 8 (Health and Safety) of the Morro Bay Municipal Code, to read as follows:

“D. Tent camping and all classes of recreational vehicle camping, dry or otherwise, are prohibited along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots. This shall not affect any current private business.”

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days after its passage.

SECTION 4. CERTIFICATION. The City Clerk shall certify to the adoption of this ordinance, and shall cause the same to be posted and codified in the manner required by law.

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SECTION 5. AMENDMENT OR REPEAL ONLY BY VOTERS. As provided for by California Elections Code section 9217, "No ordinance that is either proposed by initiative petition and adopted by the vote of the legislative body of the city without submission to the voters, or adopted by the voters, shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance."

INTRODUCED at a regular meeting of the City Council held on the ____ day of _____ 2022, by motion of _____ and seconded by _____.

PASSED AND ADOPTED on the ____ day of _____ 2022, by the following vote:

AYES:
NOES:
ABSENT:

JOHN HEADDING, Mayor

ATTEST:

DANA SWANSON, City Clerk

APPROVED AS TO FORM:

CHRIS F. NEUMEYER, City Attorney

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)
CITY OF MORRO BAY)

I, Dana Swanson, CITY CLERK OF THE CITY OF MORRO BAY, DO HEREBY CERTIFY that the foregoing Ordinance Number _____ was duly adopted by the City Council of the City of Morro Bay at a regular meeting of said Council on the ____ day of _____, 2022, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Morro Bay, California, this ____ day of _____, _____.

DANA SWANSON, City Clerk

ORDINANCE NO. 648**AN ORDINANCE OF THE PEOPLE
OF THE CITY OF MORRO BAY, CALIFORNIA,
ADDING SUBSECTION (D) TO SECTION 8.24.010
(PROHIBITED AT CERTAIN TIMES AND IN CERTAIN PLACES)
OF CHAPTER 8.24 (CAMPING) OF TITLE 8 (HEALTH AND
SAFETY) OF THE MORRO BAY MUNICIPAL CODE**

WHEREAS, on December 29, 2021, an initiative petition entitled “An Initiative Measure to Prohibit Tent Camping and All Classes of Recreational Vehicle Camping (dry or otherwise) in Certain Specified Areas of the City of Morro Bay” (initiative petition) was presented to the City Clerk for filing; and

WHEREAS, the initiative petition provides that: “Tent camping and all classes of recreational vehicle camping, dry or otherwise, are prohibited along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots. This shall not affect any current private business”; and

WHEREAS, Elections Code section 9215 provides in part that an initiative petition qualifies if it “is signed by not less than 10 percent of the voters of the city,” and as of the February 10, 2021, voter registration report to the Secretary of State, there were 8,196 registered voters in the City of Morro Bay; and

WHEREAS, pursuant to Elections Code section 9210, the initiative petition was examined by the City Clerk and it was determined the number of signatures prima facie, was in excess of 10% (820) of the registered voters of the City, and the petition was accepted for filing; and

WHEREAS, The City Clerk’s office coordinated with the County Registrar of Voters to examine signatures and, in accordance with Election Code sections 9114-9115, the initiative petition was determined to contain 869 valid signatures and deemed sufficient on January 28, 2022; and

WHEREAS, Elections Code section 9215 provides in part that when a city council is presented with a qualified petition, the Council shall do one of the following: (a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or, (b) Submit the ordinance, without alteration, to the voters pursuant to Election Code section 1405; or, (c) Order a report pursuant to Election Code section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to option (b) above; and

WHEREAS, the City Council requested a report pursuant to Election Code section 9212 at the regular meeting held on February 8, 2022, and that report was presented to the City Council at its regular meeting held on March 8, 2022;

WHEREAS, consistent with the law requires the City Council to either adopt the ordinance or order an election, subsequent to submission of an Election Code section 9212 report, the City Council decided to submit the ordinance, without alteration, to the voters; and

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MORRO BAY, CALIFORNIA FINDS AND ORDAINS AS FOLLOWS:

SECTION 1. RECITALS. The recitals set forth above are all true and correct and are incorporated herein by this reference.

SECTION 2. CODE AMENDMENT. A new subsection (D) is added, to Section 8.24.010 (Prohibited at certain times and in certain places) of Chapter 8.24 (Camping) of Title 8 (Health and Safety) of the Morro Bay Municipal Code, to read as follows:

“D. Tent camping and all classes of recreational vehicle camping, dry or otherwise, are prohibited along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots. This shall not affect any current private business.”

SECTION 3. EFFECTIVE DATE. Pursuant to Election Code Section 9217, this Ordinance shall be considered as adopted on the date that the City Council declares that the voters of the City of Morro Bay have approved the Ordinance by a vote of no less than a majority of the votes cast by the electors voting on the Measure, and shall go into effect ten (10) days thereafter.

SECTION 4. CERTIFICATION. The City Clerk shall certify to the adoption of this ordinance, and shall cause the same to be posted and codified in the manner required by law.

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SECTION 5. AMENDMENT OR REPEAL ONLY BY VOTERS. As provided for by California Elections Code section 9217, "No ordinance that is either proposed by initiative petition and adopted by the vote of the legislative body of the city without submission to the voters, or adopted by the voters, shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance."

SECTION 6. EXECUTION.

The Mayor of the City of Morro Bay is hereby authorized and ordered to attest to the adoption of the Ordinance by the voters of the City of Morro Bay by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED and APPROVED and ADOPTED by the People of the City of Morro Bay, California voting on the ___ day of _____, 2022.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 22-22

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA,
CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION
TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE SUBMISSION OF ORDINANCE
NO 648 TO THE QUALIFIED VOTERS OF THE CITY AS A PROPOSED MEASURE;
AND, REQUESTING THE BOARD OF SUPERVISORS OF SAN LUIS OBISPO COUNTY
TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION
TO BE HELD IN THE COUNTY ON TUESDAY, NOVEMBER 8, 2022 PURSUANT TO
SECTION 10403 OF THE ELECTION CODE; AND, OTHER ELECTION MATTERS
AS REQUIRED BY LAW**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the City Council of the City of Morro Bay, under the provisions of the laws related to general law cities in the State of California, has called for the holding of a General Municipal Election to be held on November 8, 2022 to consider a ballot measure concerning Ordinance No. 648, and further desires that this election be consolidated with the Statewide General Election to be held on the same date; and

WHEREAS, pursuant to authority provided by the California Constitution and the State Elections Code, on December 29, 2021, an initiative petition was presented for filing entitled, "An Initiative Measure to Prohibit Tent Camping and All Classes of Recreational Vehicle Camping (dry or otherwise) in Certain Specified Areas of the City of Morro Bay"; and

WHEREAS, Election Code Section 9215 provides in part that an initiative petition qualifies if it "is signed by not less than 10 percent of the voters of the city,"; and

WHEREAS, in accordance with Election Code Section 9210, it was determined that the County Clerk's last official report of City of Morro Bay voter registration to the Secretary of State was 8,196 registered voters and that 10% of said registration would require 820 valid signatures to qualify the initiative petition; and

WHEREAS, on December 29, 2021, pursuant to the provisions of Election Code section 9210, the initiative petition was examined by the City's Elections Official and it was determined the number of signatures, prima facie, was in excess of the number of signatures required, and the City's Elections Official accepted the petition for filing; and

WHEREAS, based on the County of San Luis Obispo Registrar of Voters' Signature Verification Certificate and, in accordance with Election Code Sections 9114 – 9115, the initiative petition was determined to contain 869 valid signatures and deemed to be sufficient on January 28, 2022; and

WHEREAS, in accordance with Election Code Section 9215, the Elections Official certified the results of the examination to the City Council at the next regular meeting held on February 8, 2022; and

WHEREAS, Election Code Section 9215 provides in part that when a city council is presented with a qualified initiative petition, the City Council “shall do one of the following: (a) Adopt the ordinance, without alteration, at the regular meeting at which the certification was presented. (b) Submit the ordinance, without alteration, to the voters pursuant to Section 1405. (c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented.”; and

WHEREAS, the City Council requested a report pursuant to Election Code section 9212 at the regular meeting held on February 8, 2022, and that report was presented to the City Council at its regular meeting held on March 8, 2022; and

WHEREAS, because the City Council has not voted in favor of the adoption of the ordinance, the City Council is authorized and directed by statute to submit the ordinance to the voters; and

WHEREAS, the City Council desires to have the voters consider this measure at the next statewide general election to be held on November 8, 2022; and

WHEREAS, it is desirable that said General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City of Morro Bay the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of San Luis Obispo canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, including California Elections Code Sections 306, 9222 and 1301, there is called and ordered to be held in the City of Morro Bay, California, on Tuesday, November 8, 2022, a General Municipal Election for the purpose of submitting to the voters of the City of Morro Bay a ballot measure. Pursuant to Elections Code Section 9222, it is the intent of the City Council the measure be submitted to the voters of Morro Bay at the aforementioned General Election. The full text of the measure is attached hereto and marked as Exhibit A. The San Luis Obispo County Registrar of Voters is requested to print the Full Text of the Measure contained on Exhibit A in the sample ballot pamphlet. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is specified below in Section 2. The City Clerk is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of the San Luis Obispo County Registrar of Voters.

SECTION 2. That the City Council hereby orders the following measure be submitted to the voters at the aforementioned General Election:

Shall the measure, to prohibit tent camping and all classes of recreational vehicle camping, dry or otherwise, along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots, not to affect any current private business, be adopted?	YES
	NO

SECTION 3. That the text of Ordinance No. 648 to be submitted to the voters as a proposed measure is attached as Exhibit "A" to this resolution.

SECTION 4. That the ordinance shall not take effect unless and until the ordinance receives the approval of a majority of the votes cast by the qualified voters of the City voting upon the ballot measure on the proposed ordinance at the November 8, 2022 General Municipal Election.

SECTION 5. That the vote requirement for the ballot measure to pass is a majority (50% + 1) of the votes cast.

SECTION 6. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 7. That the City Clerk is authorized, instructed and directed to coordinate with the County of San Luis Obispo Clerk-Recorder to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 8. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 9. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding a General Municipal Election consolidated with a Statewide General Election.

SECTION 10. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form, and manner as required by law.

SECTION 11. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of San Luis Obispo is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2022, for the purpose of submitting to the voters a ballot measure concerning City of Morro Bay Ordinance No. 648.

SECTION 12. That the County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 13. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 14. That the City of Morro Bay recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs incurred by reason of this consolidation.

SECTION 15. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of San Luis Obispo.

SECTION 16. That the City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 17. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 18. That this Resolution is effective on the day of its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 8th day of March 2022 following vote:

AYES:
NOES:
ABSENT:

JOHN HEADDING, Mayor

ATTEST:

DANA SWANSON, City Clerk

RESOLUTION NO. 23-22

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA,
SETTING PRIORITIES FOR FILING WRITTEN ARGUMENT(S)
AND DIRECTING THE CITY ATTORNEY TO PREPARE AN
IMPARTIAL ANALYSIS, REGARDING THE SUBMISSION
OF ORDINANCE NO 648 TO THE QUALIFIED VOTERS
OF THE CITY AS A PROPOSED MEASURE**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, a General Municipal Election is to be held in the City of Morro Bay, California, on November 8, 2022, at which there will be submitted to the voters a ballot measure to consider adopting Ordinance No 648 prohibiting tent camping and all classes of recreational vehicle camping (dry or otherwise) in certain specified areas of the City of Morro Bay.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to Elections Code § 9282, for measures placed on the ballot by petition, the persons filing the initiative petition may file a written argument in favor of the ordinance.

Section 2. That pursuant to Elections Code § 9282, for measures placed on the ballot by petition, the City Council may submit an argument against the proposed ordinance, and the City Council hereby authorizes the following Councilmember(s) to prepare a written argument against the foregoing measure:

1. Council Member
2. Council Member

Section 3. That in the event that more than one argument for or against the foregoing measure is timely submitted, then consistent with Elections Code § 9282, the City's elections official shall give preference and priority first, to arguments submitted by member(s) of the City Council, and second, to individual voters, or bona fide associations of citizens, or a combination thereof, in the order set forth at California Elections Code § 9287.

Section 4. That in accordance with the requirements of Division 9, Chapter 3, Article 4 of the California Elections Code, all written arguments for or against the foregoing measure: (1) shall not exceed three hundred (300) words in length; (2) shall be filed with the City's elections official; (3) shall be accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of the principal officers who is the author of the argument; and (4) shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code § 9600. **All written arguments may be changed or withdrawn until and including the date fixed by the City's**

elections official, being the close of business on Tuesday, July 22, 2022, after which time no arguments for or against the foregoing measure may be submitted to the elections official.

Section 5. That the City Council hereby directs the City's elections official to transmit a copy of the foregoing measure to the City Attorney. In accordance with California Elections Code § 9280, the City Attorney is hereby directed to prepare an impartial analysis of the measure, not to exceed five hundred (500) words in length, showing the effect of the measure on the existing law and the operation of the measure. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point bold type, a legend substantially as follows: "The above statement is an impartial analysis of Ordinance or Measure _____ (letter to be determined by the County Clerk Recorder). If you desire a copy of the ordinance or measure, please call the elections official's office at (805) 772-6205 and a copy will be mailed at no cost to you." The impartial analysis shall be filed by the date set by the City's elections official for the filing of primary arguments.

Section 6. That the City's elections official shall cause the City Attorney's Impartial Analysis, and duly selected arguments, to be printed and distributed to voters in accordance with State law regarding same.

Section 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morro Bay, California, at a regular meeting held on the 8th day of March 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

JOHN HEADDING, Mayor

DANA SWANSON, City Clerk

RESOLUTION NO. 24-22

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA,
PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS
REGARDING THE SUBMISSION OF ORDINANCE NO. 648 TO THE
QUALIFIED VOTERS OF THE CITY AS A PROPOSED MEASURE**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, a General Municipal Election is to be held in the City of Morro Bay, California, on November 8, 2022, at which there will be submitted to the voters a ballot measure to consider adopting Ordinance No 648 entitled, "An Initiative Measure to Prohibit Tent Camping and All Classes of Recreational Vehicle Camping (dry or otherwise) in Certain Specified Areas of the City of Morro Bay"; and

WHEREAS, California Elections Code § 9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments regarding city measures submitted at municipal election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to Elections Code § 9285, when the City's elections official has selected the arguments for and against the foregoing measure which will be printed and distributed to the voters, the City's elections official shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The author or a majority of the authors of an argument relating to the foregoing city measure may prepare and submit a rebuttal argument not to exceed two hundred and fifty (250) words in length. A rebuttal argument may not be signed by more than five (5) authors. The rebuttal arguments shall be filed with the City Clerk not more than ten (10) days after the final date for filing direct arguments. The final date for filing direct arguments is July 22, 2022, and as **such rebuttal arguments shall be filed with the City Clerk no later than the close of business on August 2, 2022.** The rebuttal arguments shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code § 9600. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 2. That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

Section 3. That the provisions of Section 1 of this Resolution shall apply only to the General Municipal Election to be held on November 8, 2022, and shall then be repealed.

RESOLUTION NO. 24-22
PAGE 2 OF 2

Section 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morro Bay, California, at a regular meeting held on the 8th day of March 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

JOHN HEADDING, Mayor

DANA SWANSON, City Clerk

RESOLUTION NO. 25-22

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA,
CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION
TO BE HELD ON TUESDAY, JUNE 7, 2022, FOR THE SUBMISSION OF ORDINANCE NO
648 TO THE QUALIFIED VOTERS OF THE CITY AS A PROPOSED MEASURE; AND,
REQUESTING THE BOARD OF SUPERVISORS OF SAN LUIS OBISPO COUNTY TO
CONSOLIDATE SAID ELECTION WITH THE STATEWIDE PRIMARY ELECTION TO BE
HELD IN THE COUNTY ON TUESDAY, JUNE 7, 2022 PURSUANT TO SECTION 10403 OF
THE ELECTION CODE; AND, OTHER ELECTION MATTERS AS REQUIRED BY LAW**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the City Council of the City of Morro Bay, under the provisions of the laws related to general law cities in the State of California, has called for the holding of a Special Municipal Election to be held on June 7, 2022 to consider a ballot measure concerning Ordinance No. 648, and further desires that this election be consolidated with the Statewide Primary Election to be held on the same date; and

WHEREAS, pursuant to authority provided by the California Constitution and the State Elections Code, on December 29, 2021, an initiative petition was presented for filing entitled, "An Initiative Measure to Prohibit Tent Camping and All Classes of Recreational Vehicle Camping (dry or otherwise) in Certain Specified Areas of the City of Morro Bay"; and

WHEREAS, Election Code Section 9215 provides in part that an initiative petition qualifies if it "is signed by not less than 10 percent of the voters of the city,"; and

WHEREAS, in accordance with Election Code Section 9210, it was determined that the County Clerk's last official report of City of Morro Bay voter registration to the Secretary of State was 8,196 registered voters and that 10% of said registration would require 820 valid signatures to qualify the initiative petition; and

WHEREAS, on December 29, 2021, pursuant to the provisions of Election Code section 9210, the initiative petition was examined by the City's Elections Official and it was determined the number of signatures, prima facie, was in excess of the number of signatures required, and the City's Elections Official accepted the petition for filing; and

WHEREAS, based on the County of San Luis Obispo Registrar of Voters' Signature Verification Certificate and, in accordance with Election Code Sections 9114 – 9115, the initiative petition was determined to contain 869 valid signatures and deemed to be sufficient on January 28, 2022; and

WHEREAS, in accordance with Election Code Section 9215, the Elections Official certified the results of the examination to the City Council at the next regular meeting held on February 8, 2022; and

WHEREAS, Election Code Section 9215 provides in part that when a city council is presented with a qualified initiative petition, the City Council “shall do one of the following: (a) Adopt the ordinance, without alteration, at the regular meeting at which the certification was presented. (b) Submit the ordinance, without alteration, to the voters pursuant to Section 1405. (c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented.”;

WHEREAS, the City Council requested a report pursuant to Election Code section 9212 at the regular meeting held on February 8, 2022, and that report was presented to the City Council at its regular meeting held on March 8, 2022;

WHEREAS, because the City Council has not voted in favor of the adoption of the ordinance, the City Council is authorized and directed by statute to submit the ordinance to the voters; and

WHEREAS, the City Council desires to have the voters consider this measure at the next statewide primary election to be held on June 7, 2022; and

WHEREAS, it is desirable that said Special Municipal Election be consolidated with the Statewide Primary Election to be held on the same date and that within the City of Morro Bay the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of San Luis Obispo canvass the returns of the General Special Election and that the election be held in all respects as if there were only one election; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, including California Elections Code Sections 306, 9222 and 1301, there is called and ordered to be held in the City of Morro Bay, California, on Tuesday, June 7, 2022, a Special Municipal Election for the purpose of submitting to the voters of the City of Morro Bay a ballot measure. Pursuant to Elections Code Section 9222, it is the intent of the City Council the measure be submitted to the voters of Morro Bay at the aforementioned Special Election. The full text of the measure is attached hereto and marked as Exhibit A. The San Luis Obispo County Registrar of Voters is requested to print the Full Text of the Measure contained on Exhibit A in the sample ballot pamphlet. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is specified below in Section 2. The City Clerk is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of the San Luis Obispo County Registrar of Voters.

SECTION 2. That the City Council hereby orders the following measure be submitted to the voters at the aforementioned General Election:

Shall the measure, to prohibit tent camping and all classes of recreational vehicle camping, dry or otherwise, along Embarcadero Road, including Tidelands Park, and along Coleman Drive, up to and including Morro Rock parking lots, not to affect any current private business, be adopted?	YES
	NO

SECTION 3. That the text of Ordinance No. 648 to be submitted to the voters as a proposed measure is attached as Exhibit "A" to this resolution.

SECTION 4. That the ordinance shall not take effect unless and until the ordinance receives the approval of a majority of the votes cast by the qualified voters of the City voting upon the ballot measure on the proposed ordinance at the June 7, 2022 Special Municipal Election.

SECTION 5. That the vote requirement for the ballot measure to pass is a majority (50% + 1) of the votes cast.

SECTION 6. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 7. That the City Clerk is authorized, instructed and directed to coordinate with the County of San Luis Obispo Clerk-Recorder to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 8. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 9. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding a Special Municipal Election consolidated with a Statewide Primary Election.

SECTION 10. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form, and manner as required by law.

SECTION 11. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of San Luis Obispo is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide Primary Election on Tuesday, June 7, 2022, for the purpose of submitting to the voters a ballot measure concerning City of Morro Bay Ordinance No. 648.

SECTION 12. That the County Election Department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 13. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 14. That the City of Morro Bay recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs incurred by reason of this consolidation.

SECTION 15. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of San Luis Obispo.

SECTION 16. That the City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 17. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

SECTION 18. That this Resolution is effective on the day of its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 8th day of March 2022 by the following vote:

AYES:
NOES:
ABSENT:

JOHN HEADDING, Mayor

ATTEST:

DANA SWANSON, City Clerk

RESOLUTION NO. 26-22

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA,
SETTING PRIORITIES FOR FILING WRITTEN ARGUMENT(S)
AND DIRECTING THE CITY ATTORNEY TO PREPARE AN
IMPARTIAL ANALYSIS, REGARDING THE SUBMISSION
OF ORDINANCE NO. 648 TO THE QUALIFIED VOTERS OF THE
CITY AS A PROPOSED MEASURE**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, a Special Municipal Election is to be held in the City of Morro Bay, California, on June 7, 2022, at which there will be submitted to the voters a ballot measure to consider adopting Ordinance No 648 prohibiting tent camping and all classes of recreational vehicle camping (dry or otherwise) in certain specified areas of the City of Morro Bay.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to Elections Code § 9282, for measures placed on the ballot by petition, the persons filing the initiative petition may file a written argument in favor of the ordinance.

Section 2. That pursuant to Elections Code § 9282, for measures placed on the ballot by petition, the City Council may submit an argument against the proposed ordinance, and the City Council hereby authorizes the following Councilmember(s) to prepare a written argument against the foregoing measure:

1. Council Member
2. Council Member

Section 3. That in the event that more than one argument for or against the foregoing measure is timely submitted, then consistent with Elections Code § 9282, the City's elections official shall give preference and priority first, to arguments submitted by member(s) of the City Council, and second, to individual voters, or bona fide associations of citizens, or a combination thereof, in the order set forth at California Elections Code § 9287.

Section 4. That in accordance with the requirements of Division 9, Chapter 3, Article 4 of the California Elections Code, all written arguments for or against the foregoing measure: (1) shall not exceed three hundred (300) words in length; (2) shall be filed with the City's elections official; (3) shall be accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of the principal officers who is the author of the argument; and (4) shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code § 9600. **All written arguments may be changed or withdrawn until and including the date fixed by the City's**

elections official, being the close of business on Wednesday, March 23, 2022, after which time no arguments for or against the foregoing measure may be submitted to the elections official.

Section 5. That the City Council hereby directs the City's elections official to transmit a copy of the foregoing measure to the City Attorney. In accordance with California Elections Code § 9280, the City Attorney is hereby directed to prepare an impartial analysis of the measure, not to exceed five hundred (500) words in length, showing the effect of the measure on the existing law and the operation of the measure. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point bold type, a legend substantially as follows: "The above statement is an impartial analysis of Ordinance or Measure _____ (letter to be determined by the County Clerk Recorder). If you desire a copy of the ordinance or measure, please call the elections official's office at (805) 772-6205 and a copy will be mailed at no cost to you." The impartial analysis shall be filed by the date set by the City's elections official for the filing of primary arguments.

Section 6. That the City's elections official shall cause the City Attorney's Impartial Analysis, and duly selected arguments, to be printed and distributed to voters in accordance with State law regarding same.

Section 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morro Bay, California, at a regular meeting held on the 8th day of March 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

JOHN HEADDING, Mayor

DANA SWANSON, City Clerk



AGENDA NO: C-2
MEETING DATE: March 8, 2022

Staff Report

TO: Honorable Mayor and City Council **DATE:** March 3, 2022
FROM: Sarah Johnson-Rios, Assistant City Manager & Admin Services Director
SUBJECT: Presentation and Discussion of the Fiscal Year 2020-21 Annual Comprehensive Financial Report

RECOMMENDATION

Receive and provide feedback on the FY 2020-21 Annual Comprehensive Financial Report (ACFR) for the period of July 1, 2020 through June 30, 2021.

BACKGROUND

In the City’s ongoing commitment to transparency and fiscal accountability, in 2021 the City issued a Request for Proposal (RFP) for auditing services and Brown Armstrong Accountancy Corporation (Brown Armstrong) was the selected as the most responsive proposer. The City entered into agreement with Brown Armstrong to perform auditing services for the fiscal years ending June 30, 2021, 2022, 2023, 2024, and 2025, with the option to renew for two additional fiscal years (2026 through 2027). The Auditors were onsite in October 2021 to review expenditures, revenues, contracts and general accounting processes for both accuracy and internal controls (fraud prevention).

DISCUSSION

Lindsey Zimmerman, Certified Public Accountant (CPA) and Partner at Brown Armstrong, was the partner-in-charge of this year’s audit. Ms. Zimmerman has over 16 years of auditing experience including over 8 years of governmental auditing experience. She will present the FY 2020-21 auditor’s report to the City Council on March 8th, including highlights from the Annual Comprehensive Financial Report (ACFR) and the Communication Letter, which is a report on the City’s internal controls.

Highlights of the FY 2020-21 ACFR results include the following:

Independent Auditor’s Report (pages 1-2)

The auditors have given reasonable assurance that the City’s financial statements for the year ended June 30, 2021 “present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of June 30, 2021, and the respective changes in financial position, and, where applicable, cash flows thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.”

Prepared By: <u>EC/SJR</u>	Department Review: <u>SJR</u>
City Manager Review: <u>SC</u>	City Attorney Review: <u>CFN</u>

Management's Discussion and Analysis (MD&A) (pages 3-12)

This section provides an explanation of what is included in the City's basic financial statements and provides supplementary information in addition to the financial statements. It outlines financial highlights for the fiscal year and presents summary data for the City on an entity-wide basis. Information is provided in this section with a year-to-year view, explaining how net position has changed between fiscal years ending June 30, 2020 and June 30, 2021. This section outlines what is reported as part of the General Fund, Nonmajor Governmental Funds, and Propriety Funds throughout the reports. The section also breaks down the unassigned fund balance in the General Fund's components, including the operating fund (\$2.9 million), Emergency Reserve (\$2.4 million), Project Accumulation Fund (\$0.3 million), Capital Accumulation Fund (\$0.2 million), and Vehicle Replacement Fund (\$0.4 million). This total unassigned fund balance of \$6.26 million is a significant improvement over the prior fiscal year when the total unassigned fund balance across all components of the General Fund was \$3.3 million.

Statement of Net Position (pages 6-7)

The Statement of Net Position serves as a useful indicator of a government's financial position. On June 30, 2021, the City's net position increased \$15.3 million, primarily due to the Business-Type Activities increase to the net position of \$11.1 million while Governmental Activities net position increased by \$4.2 million. The increase in Business-Type Activities is due to the implementation of the Water Reclamation Facility (WRF) Surcharge for both Water and Sewer Funds, as well as continued loan draws from the U.S. Environmental Protection Agency and State Water Resources Control Board loans secured to partially fund the planning and construction of the WRF. During FY 2020-21 the City received reimbursement for expenditures already paid from operating cash flow. The increase in Governmental Activities net position is largely due to increased sales tax revenues from the newly passed Measure E and Cannabis City Tax as well as increased revenues for transient occupancy tax.

Basic Financial Statements (pages 13-81)

This section contains basic financial statements, including the "Government-Wide" statement of Net Position and Statement of Activities, financial statements for the fund types including Governmental Funds, Proprietary Funds and Fiduciary Funds. The footnotes portion of this section provides details on significant items such as the City's cash and investments, its long-term obligations related to loan payables, pension related debt and compensated absences, the net pension liability for both the City's miscellaneous and public safety pension plans, and a discussion of the City's other post-employment benefit plans.

The Citywide pension liability was approximately \$27.1 million as of June 30, 2021, an increase of approximately \$1.6 million since June 30, 2020 despite the City's making required minimum payments during FY 2020-21. The Citywide Other Post-Employment Benefit (OPEB) liability was approximately \$1.2 million as of June 30, 2021, a decrease of approximately \$4.0 million since June 30, 2020 due to correctly reflecting the City's OPEB trust balance.

Required Supplementary Information (pages 83-91)

The Budgetary Comparison Schedule for the General Fund and Pension Plan Contributions are provided in this section.

Supplementary Information (pages 92-122)

This section lists the nonmajor governmental special revenue funds (pages 92-93) and provides balance sheets and budget to actual information and changes in fund balance for nonmajor governmental funds. These funds each represent less than 10% of the City's total governmental fund assets/liabilities/revenues or expenditures and less than 5% of the City's total assets/liabilities/revenues or expenditures across all funds. One notable change in FY 20-21 is the reclassification of the District Transaction Tax Special Revenue Fund (Measure Q & E) from nonmajor to major governmental fund due to increased revenues resulting from the passage of Measure E.

Statistical Section (pages 123-176)

This section presents ten-year historical financial data for the City to help the reader understand how the City's financial well-being has changed over time, the City's revenue and debt capacity, demographic and economic information to provide context for the City's financial activities.

Communication Letter and Management's Response

As outlined in the Communication Letter, the City received one audit finding for FY 2020-21 regarding Controls over Financial Reporting. This finding resulted from errors on the general ledger that were discovered late in the year-end close and audit process. Errors were corrected and the resulting financial statements in the ACFR are correct. The cause of the finding was identified as significant staff turnover leading up to, during, and after the year-end close period, and lack of staffing resources to properly implement year-end procedures on a timely basis. Brown Armstrong made several recommendations for strengthening year-end closing procedures to increase internal controls over financial reporting.

Management provided a detailed response in the Communication Letter regarding the temporary impacts of the significant staff turnover. All three positions that complete and oversee the annual report turned over during the reporting period, and the Director and Manager positions turned over twice during the fiscal year and year-end period, both being filled on an interim basis for several months, resulting in a significant lack of continuity that is hopefully anomalous to FY 2020-21. In addition, the City had procured a new auditor at the same time as the finance staff team almost entirely turned over. It is not uncommon for a new auditor to identify new items to address in the first audit. Management's response also outlines several specific measures that will be taken to avoid this finding in future years.

It should be noted that since Morro Bay began completing independently audited comprehensive annual financial reports in FY 2015-16, there have been similar or related findings in several prior audit reports. Significant progress has been made by prior staff teams to address prior findings, including developing robust Council-approved financial management policies, staff training, and desk manuals. Much of the benefit of that work remains, and the documentation created can be used by the new staff team. In other areas, internal procedures documentation and desk manuals must be enhanced in an effort to avoid a similar instance if significant turnover occurs in the future.

While every effort has been made by overextended staff teams to improve financial reporting since FY 2015-16 and prior, the underlying challenge of limited staffing resources and recruitment and retention remains. Prior audits as well as the 2015 Management Partners organizational assessment have cited staffing constraints in finance as challenges. Steps are being taken currently to address this incrementally, most recently through Council's approval of a restored finance staff position in the Midyear budget. Management will need to continue to assess and address this resource limitation going forward to ensure that the City's financial management is appropriately resourced, and that staff are not continually overextended, potentially leading to future errors and high turnover.

In addition, ensuring that there is sufficient time and budget to provide continued training opportunities for existing staff is a critical area that has not been adequately addressed during recent resource constrained years. This will also need to be considered in the upcoming year and through the budget process.

CONCLUSION AND NEXT STEPS

Lindsey Zimmerman from Brown Armstrong will present the FY 2020-21 audit report to the City Council.

Last year's annual financial report, from FY 2019-20, did receive a Certificate of Achievement for Excellence in Financial Reporting. The FY 2020-21 ACFR will also be submitted to the Government

Finance Officers Association (GFOA) for consideration for excellence in financial reporting.

There are three related audit documents that are currently in progress and will come back to Council when complete. These include Independent Auditors' Reports and Financial Statements for:

1. Transportation Development Act (TDA) Funds:
 - a. Transit Enterprise Fund
 - b. Local Transportation Fund – Roads Special Revenue Funds
 - c. Location Transportation Fund – Non-Transit Bike Path Special Revenue Fund
2. Morro Bay-Cayucos Wastewater Treatment Facility Joint Powers Agreement Financial Statements
3. Single Audit

Attachments

1. [FY 2020-21 Annual Comprehensive Financial Report](#)
2. [FY 2020-21 Communication Letter](#)



AGENDA NO: C-3

MEETING DATE: March 8, 2022

Staff Report

TO: Honorable Mayor and City Council

DATE: February 25, 2022

FROM: Scott Collins, City Manager
Dana Swanson, City Clerk

SUBJECT: Establish a City Council Sub-Committee to Spearhead Activities Related to the Climate Emergency Initiative as Established by Resolution No. 20-22

RECOMMENDATION

Staff recommends the City Council consider establishing a Council sub-committee to lead community and business outreach related to the Climate Emergency Initiative as established by Resolution No. 20-22.

ALTERNATIVES

The Council may choose not to establish a City Council subcommittee at this time.

FISCAL IMPACT

There is no fiscal impact associated with this action.

BACKGROUND/DISCUSSION

On February 22, 2022, the Council approved the adoption of Resolution No. 20-22, declaring a Climate Emergency in Morro Bay. During that meeting, the Council approved a future agenda item to establish a Council sub-committee that will assist with the Climate Emergency Initiative activities and bring forward recommended updates for Council consideration. If formed, the sub-committee will meet with staff regularly for the duration of the sub-committee to ensure efforts are aligned and to develop opportunities to actively engage the community in carbon reducing activities.

CONCLUSION

Staff recommends the City Council appoint up to two members to form a sub-committee that will assist with the Climate Emergency Initiative as established by Resolution No. 20-22.

ATTACHMENTS

1. [Link](#) to staff report and resolution – Item C3 – Declaring a Climate Emergency in Morro Bay
2. Resolution No. 20-22

Prepared By: <u> HG </u>	Department Review: <u> DS </u>
City Manager Review: <u> SC </u>	City Attorney Review: <u> CFN </u>

RESOLUTION NO. 20-22

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORRO BAY, CALIFORNIA DECLARING A CLIMATE EMERGENCY AND THE NEED FOR ACCELERATED ACTION TO ADDRESS THE CLIMATE CRISIS

THE CITY COUNCIL City of Morro Bay, California

WHEREAS, climate change is an urgent unfolding crisis that presents a serious threat to human existence; and

WHEREAS, the United Nations Intergovernmental Panel on Climate Change issued a special report on the impact of global warming and the need to reduce global greenhouse gas (GHG) emissions by approximately forty-five percent by 2030, achieve 'net-zero' emissions by 2050, and achieve and maintain net-negative emissions after that to hold atmospheric warming to 1.5 degrees Celsius and avoid the most catastrophic impacts of climate change; and

WHEREAS, in recognition of the commitments necessary to address the scale and scope of the climate crisis, Governor Jerry Brown issued Executive Order B-55-18 ordering the State of California to achieve net-zero emissions as soon as possible, and no later than 2045, and achieve and maintain net-negative emissions thereafter; and

WHEREAS, in 2018, the United States' Fourth National Climate Assessment made it clear that climate change will wreak havoc across the United States of America, and that the current pace and scale of climate action is not sufficient to avoid substantial damage to the economy, the environment, and to human health over the coming decades; and

WHEREAS, the City of Morro Bay and the rest of California already suffers from the impacts of climate change in the form of drought, air pollution, extreme heat, species stress, negative health effects, wildfires, and floods, and these disasters will become more severe as global GHG emissions continue to poison the atmosphere; and

WHEREAS, climate change will increasingly make basic human necessities more expensive and difficult to obtain; and

WHEREAS, throughout the United States of America, frontline communities have historically borne the brunt of longstanding environmental injustice, including fossil-fuel created degradation, and it is acknowledged that these communities must actively participate in the planning, decision making, and implementation of climate action and must benefit equally from a just transition to a sustainable and equitable economy; and

WHEREAS, to stay within 1.5 degrees Celsius, cities and nations throughout the world will need to significantly reduce their per capita emissions by 2030 or earlier; and

WHEREAS, restoring a safe and stable climate will require mobilization at all levels of government and society on a scale, scope, and speed not seen since World War II; and

WHEREAS, efforts to control climate change will have many benefits, such as cleaner air and water, improved health, local employment, cost savings for households, businesses, and the City, and the creation of a stronger and more resilient community; and

WHEREAS, the City of Morro Bay in 2014 adopted a Climate Action Plan that sought to reduce greenhouse gas emissions, lower energy costs, reduce air pollution, support local economic development and improve public health and quality of life; and

WHEREAS, the City of Morro Bay took a decisive leadership role in 2021 with the adoption of Plan Morro Bay, implementation of which will address climate resiliency for both the built and natural environment; and

WHEREAS, the City of Morro Bay has already taken steps to lower GHG emissions by joining Central Coast Community Energy an agency established by local communities to source clean and renewable electricity for Monterey, San Benito, Santa Cruz, San Luis Obispo and Santa Barbara counties; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morro Bay, California, as follows:

1. The City of Morro Bay declares that a climate emergency threatens our city, region, state, nation, and the planet; and
2. The City of Morro Bay commits to seeking a just transition and climate emergency mobilization effort to address climate change, with appropriate financial and regulatory assistance from the County, State and Federal authorities. These efforts would reduce citywide greenhouse gas emissions as quickly as feasible, and support safely drawing down carbon from the atmosphere, while accelerating adaptation and resilience strategies in preparation for intensifying climate impacts; and
3. The City of Morro Bay intends to swiftly transition to an ecologically, socially, and economically sustainable economy and to reduce community-wide carbon emissions as much as possible, through updating of the City's Climate Action Plan and through implementation of Plan Morro Bay; and
4. The City of Morro Bay supports the need for robust community participation, inclusion, and support, and recognizes that the residents of Morro Bay, along with local community organizations, will be integral to addressing climate resiliency at the local level; and

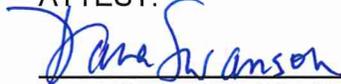
5. The City of Morro Bay calls on the State of California, the United States federal government, as well as all other peoples of the world, to join with the City of Morro Bay in prioritizing climate mobilization efforts that will serve to address this serious global challenge.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 22nd day of February 2022 on the following vote:

AYES: Heading, Addis, Barton, Ford
NOES: Heller
ABSENT: None



John Heading, Mayor

ATTEST:


Dana Swanson, City Clerk

