

City Council conducted this meeting in accordance with Assembly Bill 361 (2021-22) and Government Code section 54953 in response to the present State of Emergency in existence due to the threat of COVID-19. This meeting was held via teleconference for all participants.

PRESENT:	John Headding	Mayor
	Dawn Addis	Council Member
	Laurel Barton	Council Member
	Jennifer Ford	Council Member
	Jeff Heller	Council Member
ABSENT:	None	
STAFF:	Scott Collins	City Manager
	Chris Neumeyer	City Attorney
	Dana Swanson	City Clerk
	Sarah Johnson-Rios	Assistant City Manager/Admin Services Dir.
	Greg Kwolek	Public Works Director
	Scot Graham	Community Development Director
	Daniel McCrain	Fire Chief
	Eric Endersby	Harbor Director
	Amy Watkins	Police Commander

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Headding called the meeting to order at 5:30 p.m., with all members present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION – None

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

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

<https://youtu.be/8wrHGhzE-uk?t=171>

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS - None

PRESENTATIONS

<https://youtu.be/8wrHGhzE-uk?t=1208>

- Presentation by Bill Luffee, Friends of the Morro Bay Harbor Department

PUBLIC COMMENT

<https://youtu.be/8wrHGhzE-uk?t=1595>

Shana Paulson, CAPSLO We Are the Care Initiative, provided a program update. For more information visit www.first5slo.org

Betty Winholtz, Morro Bay, commended Todd's Garage for inventing a device to prevent catalytic converter thefts, and commented on the WRF pavement along Quintana as well as staff handling of agenda correspondence.

Nicole Dorfman, Morro Bay, requested the Council return to in-person or hybrid meetings. Regarding Item C-4, she opposed the City taking a position on this issue without polling the community.

Melanie Williams-Mahan, Morro Bay, expressed concern regarding the WRF project and opposed Item C-4.

Mayor Heading closed public comment.

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

A. CONSENT AGENDA
<https://youtu.be/8wrHGhzE-uk?t=2601>

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion. The public will also be provided an opportunity to comment on consent agenda items.

A-1 APPROVAL OF MINUTES FOR THE NOVEMBER 18, 2021, CITY COUNCIL SPECIAL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE JANUARY 25, 2022, CITY COUNCIL SPECIAL MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE JANUARY 26, 2022, CITY COUNCIL SPECIAL CLOSED SESSION MEETING; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

A-4 ADOPTION OF RESOLUTION NO. 12-22 DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY OF MORRO BAY, LOCATED AT 714 EMBARCADERO AND 781 MARKET STREET (APN: 066-321-025, 026, 027, 028 & APN: 066-112-007, APN: 066-321-008) IS NON-EXEMPT SURPLUS LAND AND NOT NECESSARY FOR THE CITY'S USE; TAKING RELATED ACTIONS; AND AUTHORIZING STAFF TO PROCEED TO DISPOSE OF THE PROPERTY PURSUANT TO THE SURPLUS LAND ACT; (COMMUNITY DEVELOPMENT / CITY ATTORNEY)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 12-22 declaring pursuant to Government Code Section 54221 that real property owned by the City of Morro Bay, located at 714 Embarcadero and 781 Market street (APN: 066-321-025, 026, 027, 028 & APN: 066-112-007, APN: 066-321-008) ("Subject Property") is non-exempt surplus land and not necessary for the City's use; taking related actions; and authorizing staff to proceed to dispose of the property pursuant to the Surplus land Act.

- A-5 REIMBURSEMENT AGREEMENT WITH VISTRA FOR BATTERY ENERGY STORAGE SYSTEM (BESS) PROJECT; (CITY ATTORNEY)

RECOMMENDATION: Authorize the City Manager to execute the Deposit and Reimbursement Agreement with Morro Bay Power Company, LLC (Vistra) dated as of January 24, 2022.

Mayor Heading opened public comment for the Consent Agenda.
<https://youtu.be/8wrHGhzE-uk?t=2610>

Betty Winholtz, Morro Bay, opposed Item A-4.

The public comment period was closed.

Mayor Heading pulled Item A-4. Councilmember Heller pulled Item A-5.

MOTION: Council Member Heller moved approval of all items on Consent except Items A-4 and A-5. The motion was seconded by Council Member Addis and carried 5-0 by roll call vote.

- A-4 ADOPTION OF RESOLUTION NO. 12-22 DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY OF MORRO BAY, LOCATED AT 714 EMBARCADERO AND 781 MARKET STREET (APN: 066-321-025, 026, 027, 028 & APN: 066-112-007, APN: 066-321-008) IS NON-EXEMPT SURPLUS LAND AND NOT NECESSARY FOR THE CITY'S USE; TAKING RELATED ACTIONS; AND AUTHORIZING STAFF TO PROCEED TO DISPOSE OF THE PROPERTY PURSUANT TO THE SURPLUS LAND ACT; (COMMUNITY DEVELOPMENT / CITY ATTORNEY)
<https://youtu.be/8wrHGhzE-uk?t=2891>

Staff responded to concerns raised by the Council and during public comment.

Council Member Ford recused herself from a vote related to 781 Market Ave.

MOTION: Mayor Heading moved to adopt Resolution No. 12-22 declaring pursuant to Government Code Section 54221 that real property owned by the City of Morro Bay, located at 714 Embarcadero and 781 Market street (APN: 066-321-025, 026, 027, 028 & APN: 066-112-007, APN: 066-321-008) ("Subject Property") is non-exempt surplus land and not necessary for the City's use; taking related actions; and authorizing staff to proceed to dispose of the property pursuant to the Surplus land Act. The motion was seconded by Council Member Addis and carried 4-0-1 with Council Member Ford having abstained.

- A-5 REIMBURSEMENT AGREEMENT WITH VISTRA FOR BATTERY ENERGY STORAGE SYSTEM (BESS) PROJECT; (CITY ATTORNEY)
<https://youtu.be/8wrHGhzE-uk?t=3490>

At the Council's request, City Attorney Neumeyer provided a summary report regarding the proposed reimbursement agreement.

MOTION: Council Member Heller moved to authorize the City Manager to execute the Deposit and Reimbursement Agreement with Morro Bay Power Company, LLC (Vistra) dated as of January 24, 2022. The motion was seconded by Mayor Heading and carried 5-0 by roll call vote.

B. PUBLIC HEARINGS – NONE

C. BUSINESS ITEMS

- C-1 CERTIFY RESULTS OF 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 REGULAR MUNICIPAL ELECTION; OR, 3) ORDER A REPORT ON THE EFFECTS OF THE PROPOSED INITIATIVE; (CITY CLERK)
<https://youtu.be/8wrHGhzE-uk?t=3913>

City Clerk Swanson provided the report and responded to Council inquires.

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

Betty Winholtz, Morro Bay, requested the initiative be placed on the June ballot.

Carole Truesdale, Morro Bay, thanked the other proponents for their work and stated the importance the initiative be subject to a vote of the people.

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

MOTION: Council Member Addis moved to request a report on the effect of the proposed initiative to be presented to the Council within 30 days. Following review of that recommended forthcoming report, the Council pursuant to statute shall choose to either adopt the ordinance without alteration or submit the ordinance to the qualified voters of the City at an upcoming qualified election. The motion was seconded by Council Member Barton for discussion.

Following individual comments, the motion carried 5-0 by roll call vote.

- C-2 AUTHORIZATION FOR ATTENDANCE AT THE C-MANC ANNUAL WASHINGTON D.C. “WASHINGTON WEEK” MEETINGS, AND DISCUSSION OF THE WASHINGTON WEEK AGENDA; (HARBOR DEPARTMENT)
<https://youtu.be/8wrHGhzE-uk?t=5075>

Harbor Director Endersby provided the report and responded to Council inquires.

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

MOTION: Council Member Heller moved to authorize up to a three-person delegation consisting of the Mayor, Harbor Director and Public Works Director to attend the California Marine Affairs and Navigation conference (C-MANC) 2022 “Washington Week” meetings virtually and in Washington D.C. to represent the City’s interests in the nation’s capital, and to provide any desired input on the elements herein. The motion was seconded by Council Member Addis and carried 5-0 by roll call vote.

- C-3 CITY COUNCIL GOALS AND ACTION ITEMS UPDATE; (CITY MANAGER)
<https://youtu.be/8wrHGhzE-uk?t=5915>

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

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

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

- C-4 CONSIDERATION OF RESOLUTION OF SUPPORT FOR STATEWIDE EFFORTS TO EXPAND HEALTH CARE FOR ALL IN CALIFORNIA; (CITY MANAGER)
<https://youtu.be/8wrHGhE-uk?t=6810>

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

The public comment period for Item C-4 was opened.

Walter Heath, Morro Bay, spoke in favor of the item, noting the cost of healthcare is a budget issue for residents, employers and local agencies.

Carole Truesdale, Morro Bay, opposed the item.

The public comment period for Item C-4 was closed.

Council Member expressed concern the Council was taking a position on this complex issue without polling the community.

MOTION: Council Member Heller moved to table the item and, as a future agenda item, consider a policy on how to address state and federal issues. The motion died for lack of a second.

MOTION: Council Member Addis moved to adopt Resolution No. 13-22, supporting efforts to expand health care for all in California. The motion was seconded by Council Member Barton and carried 4-1 by roll call vote with Council Member Heller opposed.

- D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
None

- E. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

Recorded by:

Dana Swanson
City Clerk