

*Pursuant to Assembly Bill 361 (2021-22) and Government Code section 54953 this Meeting will be conducted in a hybrid format with both in-person and virtual public participation.*

PRESENT:	John Heading	Mayor
	Dawn Addis	Council Member (joined at 6:35 p.m.)
	Laurel Barton	Council Member
	Jennifer Ford	Council Member
	Jeff Heller	Council Member
ABSENT:	None	
STAFF:	Scott Collins	City Manager
	Chris Neumeyer	City Attorney
	Dana Swanson	City Clerk
	Sarah Johnson-Rios	Assistant City Manager/Admin Services Dir.
	Greg Kwolek	Public Works Director
	Scot Graham	Community Development Director
	Daniel McCrain	Fire Chief
	Jody Cox	Police Chief

#### ESTABLISH QUORUM AND CALL TO ORDER

Mayor Heading called the meeting to order at 5:30 p.m., with all but Council Member Addis 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/pc4\\_tqkqszi?t=178](https://youtu.be/pc4_tqkqszi?t=178)

#### CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

[https://youtu.be/pc4\\_tqkqszi?t=782](https://youtu.be/pc4_tqkqszi?t=782)

#### PRESENTATIONS

[https://youtu.be/pc4\\_tqkqszi?t=840](https://youtu.be/pc4_tqkqszi?t=840)

- Friends of the Morro Bay Fire Department Scholarship Presentation to Firefighters Kevin Hames and Grant Frempter
- Morro Bay Chamber of Commerce Quarterly Update by Erica Crawford

#### PUBLIC COMMENT

[https://youtu.be/pc4\\_tqkqszi?t=840](https://youtu.be/pc4_tqkqszi?t=840)

Linda Winters, Morro Bay, requested the City add review of the current mobile home rent control ordinance to the list of City goals.

Michael Lucas, Morro Bay resident and appointee to the Diablo Canyon Decommissioning Panel, announced the California Energy Commission (CEC) will host an online joint agency workshop Friday, August 12, from 4:00-7:00 p.m.

Garry Johnson, Morro Bay, expressed his appreciation for the Morro Bay Fire and Police Departments for their professional response to a recent medical call.

Betty DeRosa, Morro Bay, expressed safety concerns regarding the Highway 41/Main Street intersection.

Alexa Ford, Morro Bay, was proud of her mother's accomplishments and the changes she had and will continue to make.

Aislyn Ford, Morro Bay, thanked her mother for letting her be part of her election campaign.

Betty Winholtz, Morro Bay, requested the City provide residents the ability to display a flyer on screen during Council meetings and expressed frustration with search functionality on the City website.

Aaron Ochs, Morro Bay, commented the City had not engaged in a 2-way dialogue on various City issues.

Mayor Headding closed public comment.

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

A. CONSENT AGENDA  
[https://youtu.be/pc4\\_tkqszl?t=3704](https://youtu.be/pc4_tkqszl?t=3704)

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 JUNE 14, 2022, CITY COUNCIL SPECIAL CLOSED SESSION MEETING; (CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-2 APPROVAL OF MINUTES FOR THE JUNE 14, 2022, CITY COUNCIL MEETING; (CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-3 APPROVAL OF MINUTES FOR THE JUNE 28, 2022, CITY COUNCIL SPECIAL MEETING; (CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-4 APPROVAL OF MINUTES FOR THE JUNE 28, 2022, CITY COUNCIL MEETING; (CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-5 RESOLUTION MAKING FINDINGS RELATED TO THE CONTINUED EXISTENCE OF A STATE OF EMERGENCY DUE TO COVID-19 AND RE-AUTHORIZING FOR PUBLIC HEALTH AND SAFETY THE CONDUCT OF PUBLIC MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY VIA REMOTE TELECONFERENCING (INCLUDING PARTIALLY

REMOTE) FOR A 30-DAY PERIOD PURSUANT TO THE RALPH M. BROWN ACT AS AMENDED BY ASSEMBLY BILL NO. 361; (CITY ATTORNEY)

**RECOMMENDATION:** Staff recommends Council consider adoption of attached Resolution No. 72-22 reauthorizing for public health and safety the conduct of public meetings of the legislative bodies of the City via remote teleconferencing (including partially remote) for 30 days, thereby allowing the City Council and the City's advisory bodies to meet remotely (including partially remote) through September 8, 2022.

A-6 FOURTH QUARTER INVESTMENT REPORT FOR FISCAL YEAR (FY) 2021-22 (PERIOD ENDING JUNE 30, 2022); (ADMINISTRATIVE SERVICES DEPARTMENT)

**RECOMMENDATION:** Receive the attached Fourth Quarter Investment Report for FY 2021-22 (period ending June 30, 2022).

A-7 ADOPTION OF RESOLUTION NO. 73-22 UPDATING THE CITY'S CONFLICT OF INTEREST CODE; (CITY CLERK)

**RECOMMENDATION:** Staff recommends City Council update the City's Conflict of Interest Code by adopting the proposed Resolution No. 73-22.

A-8 ADOPTION OF RESOLUTION 74-22 APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MORRO BAY AND MORRO BAY FIREFIGHTERS ASSOCIATION, IAFF LOCAL 3725, RESOLUTION 75-22 APPROVING THE AMENDED FISCAL YEAR 2022-23 COMBINED SALARY SCHEDULE, AND RESOLUTION NO. 76-22 DESIGNATING EMPLOYEES' CONTRIBUTIONS TOWARD EMPLOYER PENSION COSTS AS AN EMPLOYER PICK-UP PER SECTION 414(H)(2) OF THE INTERNAL REVENUE CODE; (CITY MANAGER/CITY CLERK/HUMAN RESOURCES MANAGER)

**RECOMMENDATION:** Staff recommends the City Council adopt Resolution No. 74-22 approving the 2022-24 Memorandum of Understanding between the City of Morro Bay ("City") and the Morro Bay Firefighters Association, IAFF Local 3725 ("MBFFA"), Resolution No. 75-22 approving the amended Fiscal Year ("FY") 2022-23 Combined Salary Schedule, and Resolution No. 76-22 designating Employees' Contributions toward Employer Pension Costs as an Employer Pick-up per Section 414(h)(2) of the Internal Revenue Code.

A-9 REVIEW AND RATIFICATION OF RINCON CONSULTANTS EIR CONTRACT AND AMENDMENT #3 FOR THE VISTRA BATTERY ENERGY STORAGE SYSTEM (BESS) PROJECT AT 1290 EMBARCADERO; (COMMUNITY DEVELOPMENT DEPARTMENT)

**RECOMMENDATION:** Staff recommends the City Council review the staff report and ratify the EIR contract amendment #3 for the Vistra Battery Energy Storage System (BESS) project at 1290 Embarcadero.

A-10 CONSIDERATION OF APPOINTMENT OF JOSEPH INGRAFFIA TO THE PUBLIC WORKS ADVISORY BOARD; (CITY CLERK)

**RECOMMENDATION:** Staff recommends the City Council consider the appointment of Joseph Ingraffia to the Public Works Advisory Board (PWAB) for the remainder of a term ending January 31, 2024.

Mayor Headding pulled Item A-5 for a separate vote.

- A-5 RESOLUTION MAKING FINDINGS RELATED TO THE CONTINUED EXISTENCE OF A STATE OF EMERGENCY DUE TO COVID-19 AND RE-AUTHORIZING FOR PUBLIC HEALTH AND SAFETY THE CONDUCT OF PUBLIC MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY VIA REMOTE TELECONFERENCING (INCLUDING PARTIALLY REMOTE) FOR A 30-DAY PERIOD PURSUANT TO THE RALPH M. BROWN ACT AS AMENDED BY ASSEMBLY BILL NO. 361; (CITY ATTORNEY)  
[https://youtu.be/pc4\\_tgkqszi?t=3684](https://youtu.be/pc4_tgkqszi?t=3684)

Mayor Headding opened public for Item A-5; seeing none, the public comment period was closed.

MOTION: Council Member Ford moved approval of Item A-5. The motion was seconded by Council Member Barton and carried 4-0-1 by roll call vote with Council Member Addis absent.

Council Member Addis joined the meeting at 6:35 p.m.

Mayor Headding opened public comment for the Consent Agenda.

[https://youtu.be/pc4\\_tgkqszi?t=3918](https://youtu.be/pc4_tgkqszi?t=3918)

Betty Winholtz, Morro Bay, spoke to Item A-9, questioning the fiscal impact and expressing concern the City Manager signed the agreement prior to Council approval.

Homer Alexander, Morro Bay, recommended the Council pull Item A-6 to allow staff to speak to the City's improved cash position.

The public comment period was closed.

Mayor Headding pulled Items A-6 and A-9. Council Member Ford pulled Item A-10 for comment.

MOTION: Council Member Addis moved approval of Items A-1 through A-4, A-7, and A-8. The motion was seconded by Council Member Ford and carried 5-0 by roll call vote.

- A-6 FOURTH QUARTER INVESTMENT REPORT FOR FISCAL YEAR (FY) 2021-22 (PERIOD ENDING JUNE 30, 2022); (ADMINISTRATIVE SERVICES DEPARTMENT)  
[https://youtu.be/pc4\\_tgkqszi?t=4166](https://youtu.be/pc4_tgkqszi?t=4166)  
Staff responded to questions raised during public comment.

- A-9 REVIEW AND RATIFICATION OF RINCON CONSULTANTS EIR CONTRACT AND AMENDMENT #3 FOR THE VISTRA BATTERY ENERGY STORAGE SYSTEM (BESS) PROJECT AT 1290 EMBARCADERO; (COMMUNITY DEVELOPMENT DEPARTMENT)  
[https://youtu.be/pc4\\_tgkqszi?t=4262](https://youtu.be/pc4_tgkqszi?t=4262)  
Staff responded to questions raised during public comment.

- A-10 CONSIDERATION OF APPOINTMENT OF JOSEPH INGRAFFIA TO THE PUBLIC WORKS ADVISORY BOARD; (CITY CLERK)  
[https://youtu.be/pc4\\_tgkqszi?t=4367](https://youtu.be/pc4_tgkqszi?t=4367)  
The Mayor & Council expressed appreciation for Mr. Ingraffia's willingness to serve on both the Planning Commission and Public Works Advisory Board.

MOTION: Council Member Heller moved approval of Items A-6, A-9 and A-10. The motion was seconded by Council Member Barton and carried 5-0 by roll call vote.

B. PUBLIC HEARINGS - NONE

C. BUSINESS ITEMS

C-1 RESOLUTION DECLARING RESULTS OF THE JUNE 7, 2022 SPECIAL MUNICIPAL ELECTION; (CITY CLERK)

[https://youtu.be/pc4\\_tqkqszi?t=4638](https://youtu.be/pc4_tqkqszi?t=4638)

City Clerk Swanson provided the report.

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

MOTION: Mayor Heading moved to adopt Resolution No. 77-22 declaring the results of the June 7, 2022 Special Municipal Election and allow the City Clerk to administer the Oath of Office. The motion was seconded by Council Member Barton and carried 5-0 by roll call vote.

The Clerk issued the Oath of Office to Council Member Jennifer Ford, who provided comments and thanked the community for its support.

C-2 CITY COUNCIL GOALS AND ACTION ITEMS UPDATE; (CITY MANAGER)

[https://youtu.be/pc4\\_tqkqszi?t=5022](https://youtu.be/pc4_tqkqszi?t=5022)

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

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

[https://youtu.be/pc4\\_tqkqszi?t=7138](https://youtu.be/pc4_tqkqszi?t=7138)

Betty Winholtz, Morro Bay, provided comments on the goals and action items.

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

No formal action was taken by the City Council.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

[https://youtu.be/pc4\\_tqkqszi?t=7348](https://youtu.be/pc4_tqkqszi?t=7348)

Council Member Heller requested and received Council support to have staff meet with Linda Winters to discuss the existing mobile home rent control ordinance and report back to Council.

E. ADJOURNMENT

The meeting adjourned at 7:33 p.m.

Recorded by:

Dana Swanson  
City Clerk