

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – FEBRUARY 14, 2023  
VETERAN'S MEMORIAL HALL – 5:30 P.M.

AGENDA NO: A-2  
MEETING DATE: February 28, 2023

PRESENT:	Carla Wixom	Mayor
	Laurel Barton	Council Member
	Cyndee Edwards	Council Member
	Jennifer Ford	Council Member
	Zara Landrum	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
	Amy Watkins	Interim Police Chief
	Ted Schiafone	Harbor Director

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Wixom called the meeting to order at 5:33 p.m., with all members present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION – None

CLOSED SESSION REPORT

<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=319>

City Attorney Neumeyer reported that the City Council did not take any reportable action in accordance with the Brown Act other than the Council directed the City Manager to enter into a contract with Mosaic Public Partners pursuant to item CS-6 related to recruitment of a new City Manager.

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=347>

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=714>

PRESENTATIONS

<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=1036>

- U.S. Small Business Administration Office of Disaster Recovery and Resilience Presentation by George Kostyrko

PUBLIC COMMENT

<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=1576>

Margaret Carmen, Morro Bay, raised concerns regarding potential conflicts of interest.

Ted Blockley, Los Osos, spoke in opposition to the proposed Vistra battery storage project.

George Schoemaker, Morro Bay, spoke regarding Item C-1 and recommended the transit stop be moved to the south side for public safety reasons.

Linda Winters, Morro Bay, shared her appreciation for FEMA assistance following the 1995 and January 2023 floods.

John Solu, Morro Bay, President of Rotary Club of Morro Bay, announced a fundraising effort to provide support for victims of recent earthquakes in Turkey & Syria. Donations are being accepted at [www.morrobayrotary.org](http://www.morrobayrotary.org).

Cindy Muir, Morro Bay, raised conflict of interest concerns and asked that the Council not change the General Plan or zoning for the Vistra site.

Anne Johnson, Morro Bay, shared information she had gathered regarding debris removal to prevent flooding along Morro Creek.

Aaron Ochs, Morro Bay, raised concerns regarding potential conflicts of interest.

An unnamed person expressed concerns about toxins emitted from battery storage facilities and lithium ion battery fires.

Rachel Wilson, Cayucos, shared a presentation “Morro Bay is Already Green.”

Barry Branin, Morro Bay, commented on parking needs.

Riggs Hohmann spoke against the proposed battery storage project.

Terry Simons, Morro Bay, commented on the Water Resource Center grand opening and the cost/benefit of water reclamation vs. treatment.

Karen Aguilar, Morro Bay, spoke in opposition to a battery plant at the proposed location.

Paul Donnelly, Morro Bay, provided historical context related to Morro Bay’s participation in State Water and commended on a potential inter-tie by Los Osos CSD.

Linda Donnelly, Morro Bay, questioned the selection of engineers for the water reclamation project and commented on signage and paving issues.

Nicole Dorfman, Morro Bay, commented on the City’s position related to the proposed windfarm.

Betty Winholtz, Morro Bay, offered suggestions for improved transparency.

Nattalia Merzoyan, Morro Bay, spoke in opposition to the proposed battery storage project and bus stop improvements.

Judy Setting, Morro Bay, commented on perceived conflict of interest issues.

Tim Mahoney, So Cal Gas, provided an update on market prices for natural gas and encouraged residents to visit [www.socalgas.com/assistance](http://www.socalgas.com/assistance) for more information.

Mayor Wixom closed public comment.

Council Member Ford and City Attorney Neumeyer responded to concerns raised during public comment.

A. CONSENT AGENDA

<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=6112>

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 JANUARY 10, 2023, CITY COUNCIL MEETING;  
(CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-2 APPROVAL OF MINUTES FOR THE JANUARY 24, 2023, CITY COUNCIL MEETING;  
(CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-3 APPROVAL OF MINUTES FOR THE JANUARY 25, 2023, CITY COUNCIL SPECIAL  
CLOSED SESSION MEETING; (CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-4 APPROVAL OF MINUTES FOR THE JANUARY 27, 2023, CITY COUNCIL SPECIAL  
MEETING; (CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-5 APPROVAL OF MINUTES FOR THE JANUARY 30, 2023, CITY COUNCIL SPECIAL  
CLOSED SESSION MEETING; (CITY CLERK)

**RECOMMENDATION: Approve as submitted.**

A-6 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 UP TO A 30-DAY PERIOD PURSUANT TO THE RALPH M. BROWN  
ACT AS AMENDED BY ASSEMBLY BILL NO. 361; UPDATE ON REMOTE MEETINGS  
PURSUANT TO NEW ASSEMBLY BILL NO. 2449; (CITY ATTORNEY)

**RECOMMENDATION: Staff recommends Council consider adoption of attached Resolution No. 08-23 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 up to (depending on whether the Governor ends, as he has indicated he will, the COVID-19 statewide State of Emergency on February 28, 2023) 30 days, thereby allowing the City Council and the City's advisory bodies to meet remotely (including partially remote) through March 16, 2023 (or earlier, being if/when the Governor ends the current statewide COVID-19 State of Emergency).**

**With approval of this motion and until such further notice, City Council and advisory bodies will continue to hold their meetings in public at the Veterans Hall, with the option for individual Councilmembers and advisory body members to teleconference consistent with AB 361 (which may no longer be an option after February 28, 2023) or otherwise as provided by law.**

Mayor Wixom opened public comment for the Consent Agenda.

Nicole Dorfman, Morro Bay, opposed the approval of Item A-6.

Terry Simons, Morro Bay, spoke regarding Item A-6, adding he was not opposed to Council Members participating via Zoom when needed.

Betty Winholtz, Morro Bay, concurred with Ms. Dorfman.

Judy Setting, Morro Bay, opposed extending the State of Emergency but was in favor of allowing the Council and public to participate via Zoom.

The public comment period was closed.

Council Member Barton requested clarification from the City Attorney regarding Item A-6.

Mayor Wixom pulled Item A-6

MOTION: Council Member Landrum moved approval of all items on Consent except Item A-6. The motion was seconded by Council Member Ford and carried 5-0 by roll call vote.

A-6 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 UP TO A 30-DAY PERIOD PURSUANT TO THE RALPH M. BROWN ACT AS AMENDED BY ASSEMBLY BILL NO. 361; UPDATE ON REMOTE MEETINGS PURSUANT TO NEW ASSEMBLY BILL NO. 2449; (CITY ATTORNEY)  
<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=6876>

MOTION: Mayor Wixom moved to deny Item A-6. The motion was seconded by Council Member Edwards and carried 4-1 by roll call vote with Council Member Barton opposed.

B. PUBLIC HEARINGS - None

C. BUSINESS ITEMS

C-1 RESOLUTION NO. 09-23 FOR AWARD OF BID – PROJECT NO. MB2020-ST02, CITY PARK TRANSIT HUB IMPROVEMENT PROJECT; (PUBLIC WORKS)  
<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=6944>

Public Works Director Kwolek provided the report and responded to Council inquiries.

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

Steve Powers, Director of Morro Bay Art in the Park, expressed concern the construction project would not be complete before the May 2023 event and requested the project be delayed until after the Art in the Park season concludes in September.

Kathleen Heil, President of Morro Bay Art Association, concurred with Mr. Powers and requested the City delay the project.

Derek Dahlgren, Morro Bay, summarized points raised in his agenda correspondence noting the proposed project does not address safety challenges in that area.

Terry Simons, Morro Bay, questioned the public process and asked the City find ways to get the public involved earlier in the project.

Judy Setting, Morro Bay, opined project costs were excessive.

Betty Winholtz, Morro Bay, raised issues regarding the project and suggested the City reject the bids and allow time for public input on the project.

Linda Donnelly, Morro Bay, suggested the plans and specifications should have been included with the agenda packet.

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

Staff responded to questions raised during public comment.

MOTION: Council Member Barton moved to adopt Resolution No. 09-23 for award of the bid for this project. The motion was seconded by Council Member Ford and carried 4-1 by roll call vote with Council Member Landrum opposed.

C-2 CONSIDERATION OF THE FORMATION OF A DOWNTOWN DESIGN DISTRICT;  
(COMMUNITY DEVELOPMENT DEPARTMENT)  
<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=10341>

Community Development Director Graham provided the report and responded to Council inquires.

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

Terry Simons, Morro Bay, recommended the City form a design review commission with additional authority to act as historical preservation committee to provide an early input by residents on projects.

Joe Ingraffia, Morro Bay, supported the design district concept and urged the Council to not go back to a 'one-size fits all' approach to raise maximum height of 37'.

Glenn Silloway, Morro Bay, urged Council to accept staff recommendation and form an ad hoc committee that would consider the need to balance preservation of single-story historical buildings with need for workforce housing.

Betty Winholtz, Morro Bay, supported an ad hoc committee with Planning Commissioners, downtown business owners and residents from downtown.

Linda Donnelly, Morro Bay, spoke in support of a design district ad hoc committee that included business owners and residents.

Nattalia Merzoyan, Morro Bay, asked that the City not increase building height and density.

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

MOTION: Council Member Edwards moved to form a downtown design district ad hoc group to address the design or details of the downtown to include height, historic preservation, design, community benefits and other related matters, to include two business owners, couple members of the Chamber, couple members of the Planning Commission, City staff, and Council Members and incorporate the effort into the city goals process. The motion was seconded by Council Member Barton.

Council Member Landrum requested the ad hoc committee include residents. Mayor Wixom agreed. Following those comments, the motion carried 5-0 by roll call vote.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

<https://youtube.com/watch?v=il1Uu29oxwU&feature=shares&t=13008>

Mayor Wixom requested and received full support for a study session on waterfront issues, centered on or near the Vistra power plant site, including offshore wind, potential for connectivity of wind energy to PG&E switchyard, injection wells on Vistra site for WRF project, potential battery storage facility on Vistra property, and master plan process for other portions of the Vistra site with the goal to provide background on these issues, process, outline how community members can engage.

E. ADJOURNMENT

The meeting adjourned at 9:03 p.m.

Recorded by:

*Dana Swanson*

Dana Swanson (Mar 8, 2023 14:10 PST)

Dana Swanson, City Clerk

# A2 CC\_2023-02-14 Regular Meeting Minutes\_v2\_Clean

Final Audit Report

2023-03-08

Created:	2023-03-08
By:	Heather Goodwin (hgoodwin@morrobayca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAq9aMM8DW_-h9W2pyHSnCxDAPyWth7ujb

## "A2 CC\_2023-02-14 Regular Meeting Minutes\_v2\_Clean" History

-  Document created by Heather Goodwin (hgoodwin@morrobayca.gov)  
2023-03-08 - 6:33:12 PM GMT
-  Document emailed to Dana Swanson (dswanson@morrobayca.gov) for signature  
2023-03-08 - 6:33:45 PM GMT
-  Email viewed by Dana Swanson (dswanson@morrobayca.gov)  
2023-03-08 - 10:08:30 PM GMT
-  Document e-signed by Dana Swanson (dswanson@morrobayca.gov)  
Signature Date: 2023-03-08 - 10:10:30 PM GMT - Time Source: server
-  Agreement completed.  
2023-03-08 - 10:10:30 PM GMT