

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – JUNE 27, 2023
VETERAN'S MEMORIAL HALL – 5:30 P.M.

AGENDA NO: A-3
MEETING DATE: August 8, 2023

PRESENT:	Carla Wixom Laurel Barton Cyndee Edwards Jennifer Ford Zara Landrum	Mayor Council Member Council Member Council Member Council Member
ABSENT:	None	
STAFF:	Greg Carpenter Chris Neumeyer Dana Swanson Sarah Johnson-Rios Greg Kwolek Scot Graham Amy Watkins Ted Schiafone Nancy Hubbard	Interim City Manager City Attorney City Clerk Assistant City Manager/Admin Services Dir. Public Works Director Community Development Director Police Chief Harbor Director Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Wixom called the meeting to order at 5:30 p.m., with all but Council Member Barton present. Council Member Barton joined the meeting at 5:34 p.m.

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/2T3ipMc_Ttg?t=103

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

https://youtu.be/2T3ipMc_Ttg?t=464

PRESENTATIONS

https://youtu.be/2T3ipMc_Ttg?t=563

- Presentation of “Parks Make Life Better Month” Proclamation to Recreation Services Manager, Kirk Carmichael

PUBLIC COMMENT

https://youtu.be/2T3ipMc_Ttg?t=879

Ed Spera, Morro Bay, repeated his concerns about traffic speeds on Main Street between Olive and Piney Way.

Judy Salamacha, Morro Bay resident and member of the Chamber & Maritime Museum Board of Trustees, announced the arrival of the San Salvador on August 11, 2023. Visit <https://my805tix.com/e/sansalvador> for tickets and more information.

Rigmore, Morro Bay, spoke to Item B-1 and urged the Council to support staff recommendation to deny the appeal and allow Mr. Green's project to move forward.

Carocha, Yslash Carocha's Gallery & Art Studio, announced available classes and events. Visit www.yslash.net for more information.

Linda Winters, Morro Bay, announced Assembly Member Addis is introducing the Mobilehome Residency Law Protection Act, new legislation that would protect mobile home park residents.

Ray Riordan, Chair of the Morro Bay Chamber of Commerce Board of Directors, recognized Movement for Life and Project Surf Camp.

Terry Simons, Morro Bay, expressed appreciation for the Public Works Department's timely completion of the City Park project.

Art Lutschaunig, Morro Bay, spoke in support of the proposed project at 1175 Scott Street (Item B-1).

Betty Winholtz, Morro Bay, offered reflective thoughts on the Regional HIP presentation at the Special Meeting held earlier today.

Mayor Wixom closed public comment.

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

A. CONSENT AGENDA
https://youtu.be/2T3ipMc_Ttg?t=2068

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 AGREEMENTS FOR STATE AND FEDERAL ADVOCACY REPRESENTATION TO SUPPORT CITY OF MORRO BAY INTERESTS AND FUNDING OPPORTUNITIES; (INTERIM CITY MANAGER/ ASSISTANT CITY MANAGER/ ADMINISTRATIVE SERVICES DIRECTOR)

RECOMMENDATION: Staff recommends the Council authorize the City Manager to:

- 1. Execute a 36-month (July 1, 2023 – June 30, 2026) agreement with Townsend Public Affairs, to support the City with State of California advocacy efforts, subject to City Manager approval substantively similar to the corresponding attachment, and**
- 2. Execute 36-month (July 1, 2023 – June 30, 2026) agreement with The Ferguson Group, to support the City with federal advocacy efforts, subject to City Manager approval substantively similar to the corresponding attachment.**

A-2 APPROVAL OF A NEW LICENSE AGREEMENT WITH CAL POLY CORPORATION FOR DEDICATED DOCKAGE SPACE ON THE NORTH T-PIER FOR A FLOATING RESEARCH AND EDUCATIONAL DOCK; (HARBOR DIRECTOR)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 43-23 approving a two-year License Agreement with Cal Poly Corporation ("Cal Poly") for dedicated dockage space on the North T-Pier for a floating research and

educational dock, to include an option to extend the agreement for two two-year period.

- A-3 APPROVAL OF AMENDMENT NO. 7 TO CONTRACT SERVICES AGREEMENT WITH ALESHIRE & WYNDER, LLP FOR CITY ATTORNEY SERVICES; (INTER CITY MANAGER)

RECOMMENDATION: City Council approve Amendment No. 7 to the contract services agreement with Aleshire & Wynder, LLP for city attorney services.

- A-4 PRESENTATION OF ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT AND ALLOCATION OF WATER EQUIVALENCY UNITS (WEU) FOR FISCAL YEAR (FY) 2023/24; (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council:

- 1. Receive and file staff findings and strategies resulting from the Annual Water Supply and Demand Assessment;**
- 2. Allocate 50 WEUs for residential development (30 SFR and 20 MFR) and 65 for commercial development for a total of 115 WEUs for FY2023/24; and**
- 3. Approve Resolution No. 44-23 to allocate 50 WEUs for residential development and 65 for commercial development for a total of 115 WEUs for FY 2023/24.**

- A-5 PROCLAMATION DECLARING JULY 2023 AS PARKS MAKE LIFE BETTER MONTH; (ADMINISTRATION)

RECOMMENDATION: Approved as submitted.

Mayor Wixom opened public comment for the Consent Agenda.

https://youtu.be/2T3ipMc_Ttg?t=2073

Betty Winholtz, Morro Bay, asked for clarification regarding the percentage of water allocated to Morro Bay from the State Water Project (Item A-4).

The public comment period was closed.

Staff briefly responded to questions raised during public comment.

Council Member Landrum pulled Items A-1, A-3 and A-4.

MOTION: Council Member Ford moved approval of Items A-2 and A-5 on the Consent Agenda. The motion was seconded by Council Member Barton and carried 5-0.

- A-1 APPROVAL OF AGREEMENTS FOR STATE AND FEDERAL ADVOCACY REPRESENTATION TO SUPPORT CITY OF MORRO BAY INTERESTS AND FUNDING OPPORTUNITIES; (INTERIM CITY MANAGER/ ASSISTANT CITY MANAGER/ ADMINISTRATIVE SERVICES DIRECTOR)

https://youtu.be/2T3ipMc_Ttg?t=2328

Mayor Wixom announced the grant funding recently received and encouraged staff to pursue grant writing opportunities through these companies.

- A-3 APPROVAL OF AMENDMENT NO. 7 TO CONTRACT SERVICES AGREEMENT WITH ALESHIRE & WYNDER, LLP FOR CITY ATTORNEY SERVICES; (INTER CITY MANAGER)

https://youtu.be/2T3ipMc_Ttg?t=2564

Mr. Neumeyer responded to Council inquiries regarding upcoming anticipated legal expenses and how that would fit into the new rate structure.

- A-4 PRESENTATION OF ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT AND ALLOCATION OF WATER EQUIVALENCY UNITS (WEU) FOR FISCAL YEAR (FY) 2023/24; (PUBLIC WORKS DEPARTMENT)
https://youtu.be/2T3ipMc_Ttg?t=2745

Utilities Division Manager Hanson responded to Council inquiries regarding WEU allocation for varying residential vs. commercial development.

MOTION: Mayor Wixom moved approval of Items A-1, A-3 and A-4. The motion was seconded by Council Member Edwards and carried 5-0.

B. PUBLIC HEARINGS

- B-1 APPEAL FILED RELATED TO PLANNING COMMISSION APPROVAL OF A PROPOSED COMMERCIAL/RESIDENTIAL PROJECT THAT INCLUDES A SINGLE HOTEL SUITE (WITH 4 BEDROOMS), PLUS MANAGER'S RESIDENTIAL UNIT TO BE LOCATED AT 1175 SCOTT STREET; (COMMUNITY DEVELOPMENT DEPARTMENT)
https://youtu.be/2T3ipMc_Ttg?t=2891

Mayor Wixom announced she would recuse herself from this item due to the perception of a conflict of interest by having a family business located in the area.

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

Mayor Pro Tem Ford opened the Public Hearing.

https://youtu.be/2T3ipMc_Ttg?t=2940

Terry Simons, Appellant, requested the project be approved as a 3-unit hotel plus security residence subject to certain requirement, was concerned with granting of special privilege, disputed the proposed suite constitutes a single hotel room, and commented on the need for more creative parking solutions.

Sean Green, Applicant, disagreed with the basis of the appeal and had confidence in the thorough review by staff and unanimous support of the Planning Commission. He asked that Council deny the appeal and approve the project as proposed.

Mayor Pro Tem Ford opened Public Comment.

https://youtu.be/2T3ipMc_Ttg?t=4635

Cal Myers, Morro Bay, spoke in support of Mr. Green's project.

Betty Winholtz, Morro Bay, spoke in favor of the appellant and asked that the issues raised in her agenda correspondence be addressed.

Travis Kinney urged the Council to allow Mr. Green's project to move forward.

Margaret Carman, Morro Bay, asked the Council to uphold appeal and deny the project.

Andrew Goodwin, Project Architect, clarified the size of a hotel room or suite is not codified but is dictated by the economics of the project.

The public comment period and Public Hearing were closed.

Staff responded to additional Council inquiries.

MOTION: Council Member Barton moved to adopt Resolution No. 45-23, denying the appeal and upholding the Planning Commission approval of the Coastal Development Permit CDP21-025, Conditional Use Permit CUP21-07 and Parking Exception PKG22-05 for the proposed new mixed-use project located at 1175 Scott Street. The motion was seconded by Council Member Edwards and carried 4-0-1 with Mayor Wixom having recused herself.

Mayor Wixom returned to the dais at 7:05 p.m.

- B-2 ADOPTION OF RESOLUTION NO. 46-23 DIRECTING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE CLOISTERS LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS DEPARTMENT)
https://youtu.be/2T3ipMc_Ttg?t=5688

Council Member Edwards recused herself from this item and left the dais.

Public Works Director Kwolek provided the report.

Mayor Wixom opened the Public Hearing.

Mayor Wixom opened Public Comment; seeing none, the public comment period was closed.

The Public Hearing was closed.

MOTION: Mayor Wixom moved to conduct the public hearing and approve the levy of the annual assessment for the Cloisters Landscaping and Lighting Maintenance Assessment District (LLMAD) by adopting Resolution No. 46-23. The motion was seconded by Council Member Landrum and carried 4-0-1 by roll call vote with Council Member Edwards having recused herself.

- B-3 ADOPTION OF RESOLUTION NO. 47-23 DIRECTING THE LEVY OF THE ANNUAL ASSESSMENT FOR THE NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (PUBLIC WORKS DEPARTMENT)
https://youtu.be/2T3ipMc_Ttg?t=5841

Public Works Director Kwolek provided the report.

Council Member Edwards returned to the dais at 7:10 p.m.

Mayor Wixom opened the Public Hearing.

Mayor Wixom opened public comment; seeing none, the public comment period was closed.

The Public Hearing was closed.

MOTION: Mayor Wixom moved to conduct the public hearing and approve the levy of the annual assessment for the North Point Natural Area Landscaping and Lighting Maintenance District (LLMAD) by adopting Resolution No. 47-23. The motion was seconded by Council Member Barton and carried 5-0.

The Council took a brief recess at 7:10 p.m. The meeting reconvened at 7:20 p.m. with all members present.

C. BUSINESS ITEMS

C-1 CONTINUED DISCUSSION ON THE INTERSECTION IMPROVEMENTS AT STATE ROUTE 41, STATE ROUTE 1, AND MAIN STREET; (PUBLIC WORKS DEPARTMENT)
https://youtu.be/2T3ipMc_Ttg?t=6596

Public Works Director Kwolek provided a brief report and, along with John Rogers from GHD Transportation, Paul Valadao from Caltrans, and Emily Creel from SWCA Environmental Consultants, responded to Council inquiries.

The public comment period for Item C-1 was opened.
https://youtu.be/2T3ipMc_Ttg?t=10453

Rita Johnson, Morro Bay, spoke in favor of a roundabout.

Terry Simons, Morro Bay, previously spoke in favor of a roundabout and suggested solving this intersection issue would open the door for significant development up the Hwy. 41 corridor.

James Costanzo, Morro Bay, stated there was not enough information to make a decision and expressed concern about having a roundabout in close proximity to the school.

Linda Winters, Morro Bay, asked that pedestrian safety for nearby residents be the first consideration and that crosswalks be moved away from the intersection to improve pedestrian safety.

Bev Shaw, Morro Bay, believed a solution was needed to space the students so they don't cross in a constant stream. She opposed the No Build option and opined the double stop light would back things up even more.

Donald Repucci, Morro Bay, opposed a roundabout at this location.

Jamie Irons, Morro Bay, encouraged the Council to go with the roundabout option.

June Swall, Morro Bay, expressed concern about pedestrian safety and was advised a roundabout may lead to more accidents that are less severe.

Betty Winholtz, Morro Bay, supported the No Build alternative with pedestrian safety improvements.

Linda Donnelly, Morro Bay, favored the No Build alternative with pedestrian safety improvements.

Margaret Carman, Morro Bay, was concerned about cost and urged the Council to not put the City in debt.

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

MOTION: Council Member Edwards moved to recommend the roundabout alternative to Caltrans for approval and, if approved, direct City staff to begin design phase and pursue additional funding opportunities. Additionally, recommend staff

include simulation and educational materials for both vehicles and pedestrian usage of the roundabout in the design phase and cap the City's funding at \$2.5 Million to meet the release of the SLOCOG money. The motion was seconded by Council Member Ford for discussion.

Mayor Wixom did not believe there was congestion that warranted a \$12 Million project, and expressed concern about cultural resources, imminent domain, traffic disruptions and harm to businesses. She did not support the use of Measure Q/E funds for the project.

Council Member Landrum did not believe the project was justified and opined the 4-way stop required drivers to be more aware.

There was Council consensus to go past 9:30 p.m. to finish this item.

Following discussion, the motion carried 3-2 with Council Member Landrum and Mayor Wixom opposed.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
https://youtu.be/2T3ipMc_Ttg?t=14576

Council Member Ford requested consideration of a \$1,000 sponsorship for Water Braiding, a film project produced by R.A.C.E. Matters, designated out of community grant funds. She received support to bring this item back to the first meeting in August.

E. ADJOURNMENT

The meeting adjourned at 9:37p.m.

Recorded by:

Dana Swanson
Dana Swanson (Aug 9, 2023 15:44 PDT)

Dana Swanson
City Clerk

A3 CC_2023-06-27 Regular Meeting Minutes

Final Audit Report

2023-08-09

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