

MINUTES - MORRO BAY CITY COUNCIL
REGULAR MEETING – SEPTEMBER 26, 2023
VETERAN'S MEMORIAL HALL – 5:30 P.M.

AGENDA NO: A-3
MEETING DATE: October 10, 2023

PRESENT: Carla Wixom Mayor
Laurel Barton Council Member
Cyndee Edwards Council Member
Jennifer Ford Council Member
Zara Landrum Council Member

ABSENT: None

STAFF: Yvonne Kimball 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
Dan McCrain Fire Chief
Tony Mosqueda Police Commander

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 – Mayor Wixom announced a Closed Session Meeting was scheduled for Wednesday, September 27, 2023.

https://youtu.be/rRCpsODh1_0?si=C17Etl_N7qv84qii&t=64

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

https://youtu.be/rRCpsODh1_0?si=ytV6QIR4joenTJTC&t=79

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

<https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/6280>

PRESENTATIONS

https://youtu.be/rRCpsODh1_0?si=yMQJhoMnLCUIzwGi&t=1509

- National Hispanic Heritage Month Proclamation presented to C.R. Lara, President of Latino Outreach Council.

PUBLIC COMMENT

https://youtu.be/rRCpsODh1_0?si=wEmd7Setaj_JG3LW&t=1776

Cheryl Wigman Craig, Morro Bay, spoke regarding a code enforcement complaint lodged against their property.

Karen Aguilar, Morro Bay, stated another El Nino was anticipated and suggested the community begin flood preparedness.

Jane Heath, Morro Bay resident and business owner, commented on the importance of appropriate public discourse and urged residents to refrain from personalizing debate.

Linda Winters, Morro Bay, shared Assemblymember Addis sponsored AB318, a bill that will help preserve Mobilehome Residency Laws Protection Program.

Terry Simons, Morro Bay, hoped going forward the City would continue to make every effort to enhance compensation policies to aid in employee retention.

Sharon O'Leary, Morro Bay, commented on Monday Night Dinners and expressed appreciation to the City Food Bank Coalition for their support.

Jeff Eckles, Morro Bay, appreciated the information presented at the Special Joint City Council/Planning Commission meeting.

Betty Winholtz, Morro Bay, asked if the IPR well locations were identified in the EIR and reminded the public to submit protests against the proposed garbage rate increase.

Christi Van Cleve, Morro Bay, attended and appreciated the Joint City Council/Planning Commission Meeting. She announced the public comment period on the proposed Chumash Marine Sanctuary closes October 25th.

Mayor Wixom closed public comment.

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

A. CONSENT AGENDA
https://youtu.be/rRCpsODh1_0?si=HKn9KY24tcieRef2&t=3177

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 SEPTEMBER 12, 2023, CITY COUNCIL SPECIAL CLOSED SESSION MEETING; (CITY CLERK)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF SB-1 FUNDING PROJECT LIST FOR FY 23/24 PAVEMENT MANAGEMENT PLAN PROJECT; (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 63-23 approving the Fiscal Year 2023/24 project list for use of Senate Bill 1 (Road Repair and Accountability Act of 2017) Road Maintenance and Rehabilitation Account (RMRA) funds.

A-3 APPROVAL OF CONTRACT AMENDMENTS WITH CANNON CORPORATION AND ADVANTAGE TECHNICAL SERVICES, INC. FOR KINGS TANKS AND BLANCA TANKS REHABILITATION PROJECT; (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council approve amendments to the Professional Services Contracts with Cannon Corporation (Cannon) and Advantage Technical Services, Inc. (ATS) for the completion of the Kings Tanks and Blanca Tanks Rehabilitation Project in the amounts of \$30,373 and \$100,170 respectively and authorize the City Manager to execute the contract amendments.

- A-4 ADOPTION OF ORDINANCE NO. 660 AMENDING SECTION 3.24.100, AND REPEALING AND REPLACING SECTION 3.24.110, OF CHAPTER 3.24 OF THE MORRO BAY MUNICIPAL CODE, UPDATING THE TRANSIENT OCCUPANCY TAX APPEALS PROCESS; (CITY MANAGER/CITY ATTORNEY/ASSISTANT CITY MANAGER/ADMIN SERVICES DIRECTOR)

RECOMMENDATION: Staff recommends the City Council adopt by second reading and by title only, with further reading waived, Ordinance No. 660 Amending Section 3.24.100, and Repealing and Replacing Section 3.24.110, of Chapter 3.24 of the Morro Bay Municipal Code, Updating the Transient Occupancy Tax Appeals Process.

- A-5 ADOPTION OF RESOLUTION NO. 60-23 WITH ADDED CONDITIONS OF APPROVAL, DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION APPROVAL OF CUP22-06, CDP22-004 AND TTM 22-04 FOR THE PROJECT AT 1140 ALLESANDRO (THE "PROJECT"); (COMMUNITY DEVELOPMENT DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 60-23 as presented.

- A-6 ACCEPTANCE OF \$50,000 GRANT FROM CALRECYCLE FOR MARINE FLARE AND HAZARDOUS WASTE COLLECTION EVENTS FOR THE PUBLIC; (HARBOR DEPARTMENT)

RECOMMENDATION: Staff recommends Council adopt Resolution No. 65-23 approving the application and accepting the award of \$50,000 grant funds for the purpose of hosting marine flare and hazardous waste collection events for the public.

- A-7 PROCLAMATION RECOGNIZING SEPTEMBER 15 – OCTOBER 15, 2023 AS "NATIONAL HISPANIC HERITAGE MONTH"; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

Mayor Wixom opened public comment for the Consent Agenda.

https://youtu.be/rRCpsODh1_0?si=sFX4p68UK_rTlq4E&t=3182

Jonathon King, Morro Bay, requested the Council pull Item A-5 and vote to uphold the appeal and deny approval of the Allesandro project.

Terry Simons, Morro Bay, raised issues regarding Item A-5.

Betty Winholtz, Morro Bay, spoke to Item A-4, questioning the selection process and cost of a tax administrator. Regarding Item A-5, she raised issues on sections of the resolution being presented.

The public comment period was closed.

Council Member Landrum pulled Items A-4 and A-5.

MOTION: Council Member Ford moved approval of Items A-1 through A-3, A-6 and A-7 on Consent. The motion was seconded by Council Member Landrum and carried 5-0.

- A-4 ADOPTION OF ORDINANCE NO. 660 AMENDING SECTION 3.24.100, AND REPEALING AND REPLACING SECTION 3.24.110, OF CHAPTER 3.24 OF THE MORRO BAY MUNICIPAL CODE, UPDATING THE TRANSIENT OCCUPANCY TAX APPEALS PROCESS; (CITY MANAGER/CITY ATTORNEY/ASSISTANT CITY MANAGER/ADMIN SERVICES DIRECTOR)
https://youtu.be/rRCpsODh1_0?si=QUSbr6JFZir8LWns&t=3843

Staff responded to Council inquiries.

MOTION: Council Member Landrum moved approval of Item A-4. The motion was seconded by Council Member Edwards and carried 5-0

- A-5 ADOPTION OF RESOLUTION NO. 60-23 WITH ADDED CONDITIONS OF APPROVAL, DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION APPROVAL OF CUP22-06, CDP22-004 AND TTM 22-04 FOR THE PROJECT AT 1140 ALLESANDRO (THE "PROJECT"); (COMMUNITY DEVELOPMENT DEPARTMENT)
https://youtu.be/rRCpsODh1_0?si=nvWljByRAkAGJjiH&t=3951

Staff responded to Council inquiries.

MOTION: Council Member Barton moved approval of Item A-5. The motion was seconded by Council Member Edwards and carried 5-0.

B. PUBLIC HEARINGS - NONE

C. BUSINESS ITEMS

- C-1 DISCUSSION OF WATERFRONT MASTER PLAN UPDATE AND AUTHORIZATION TO SUBMIT A GRANT APPLICATION FOR CALIFORNIA COASTAL COMMISSION LCP LOCAL ASSISTANT GRANT PROGRAM FUNDING; (COMMUNITY DEVELOPMENT)
https://youtu.be/rRCpsODh1_0?si=L0l_DK0S4ZzS6dJN&t=4538

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

The public comment period for Item C-1 was opened.
https://youtu.be/rRCpsODh1_0?si=7uto2L0KadyNROq6&t=5388

Terry Simons, Morro Bay, expressed concern about outsourcing this effort.

Betty Winholtz, Morro Bay, suggested the focus are stay within the pedestrian bridge to Tideland Park to make sure that gets done, then expand based on available grant funding.

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

MOTION: Council Member Landrum moved to adopt Resolution No. 64-23 authorizing staff to submit a grant application for California Coastal Commission LCP Local Assistance Grant Program to fund the update of the City's 1996 Waterfront Master Plan in the amount of \$500,000. according to the scope outlined in the staff report. The motion was seconded by Council Member Barton and carried 5-0.

MOTION: Council Member Landrum moved to direct Community Development Director Graham to include the following items in the grant application: scope to include

both sides of the Embarcadero from Tidelands Park to the pedestrian bridge across Morro Creek, discussion with Cayucos regarding an option in the RFP to include the old wastewater treatment plant property, and include Offshore Wind. The motion was seconded by Mayor Wixom.

Council Member Ford requested a friendly amendment to add the creation of an ad hoc committee. Following discussion, Council Member Ford withdrew her friendly amendment.

The Motion carried 5-0.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
None

E. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Recorded by:

Dana Swanson
Dana Swanson (Oct 11, 2023 14:10 PDT)

Dana Swanson
City Clerk

A3 CC_2023-09-26 Regular Meeting Minutes

Final Audit Report

2023-10-11

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