

PRESENT:	Carla Wixom Laurel Barton Cyndee Edwards Jennifer Ford Zara Landrum	Mayor Council Member Council Member Council Member Council Member
ABSENT:	None	
STAFF:	Yvonne Kimball Chris Neumeyer Dana Swanson Greg Kwolek Scot Graham Daniel McCrain Amy Watkins Ted Schiafone Janeen Burlingame Nancy Hubbard	City Manager City Attorney City Clerk Public Works Director Community Development Director Fire Chief Police Chief Harbor Director Management Analyst Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Wixom called the meeting to order at 5:37 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/XZojRHvTniU?si=9BdCPSIC4bRLumk7&t=120>

CITY MANAGER REPORTS, ANNOUNCEMENTS AND PRESENTATIONS

<https://youtu.be/XZojRHvTniU?si=YPI-oOFccDNU-0Rx&t=385>

- Introductions – Maintenance Division Manager, Carlos Mendoza and Senior Engineer, Austin Della

PRESENTATIONS

- Michael Boswell, Cal Poly professor, presentation on update of City Climate Action Plan
Mr. Boswell was unable to attend so this item was rescheduled for a future meeting.

PUBLIC COMMENT

<https://youtu.be/XZojRHvTniU?si=iDm2JarEus7pVnmU&t=688>

Becky Jorgeson, Hope's Village, asked to provide a full presentation on potential solutions to the homeless situation and was seeking approval to bring a tiny house village to Morro Bay.

Jamie Irons, Morro Bay, commented on misunderstandings and mischaracterizations related to contract negotiations and approval by previous and current City Councils.

Linda Winters, Morro Bay, advised those living in mobile home parks located in the flood plain to be prepared for the possibility of another flood this winter.

Marlys McPherson, Morro Bay, announced the Historical Society would be reenacting the Coroner's inquest into an unusual historical event on October 22nd at 3:00 p.m. at Calvary Lutheran Church.

Eric Foor, Morro Bay, offered comments on the City's obligations under the Preamble to promote the general welfare.

Glenn Silloway, Morro Bay, announced a book signing event co-sponsored by Morro Bay Open Space Alliance on October 23rd at 6:30 p.m. at the San Luis Obispo Library featuring author Ben Goldfarb who will discuss efforts to reestablish beavers in the watershed of the estuary.

Nicole Dorfman, Morro Bay, announced the screening of a short documentary film exploring offshore wind impacts on marine life on Sunday, October 22, at 2:00 p.m. in the Morro Bay Community Center. For more information, email mbfridaygroup@proton.me.

Members of Morro Bay 4H led by Tammy Haas announced projects, activities, and meeting schedule. Contact morrobay4hclub@yahoo.com for more information.

Terry Simons, Morro Bay, urged the Council to agendaize discussion of Los Osos CSD's application to tie into State Water.

Paul Donnelly, Morro Bay, was interested in the Climate Action Plan update and goal to reduce greenhouse emissions.

Betty Winholtz, Morro Bay, invited residents to attend El Chorro Regional Dog Park's celebration on October 21st from 10:30 a.m. - 2:30 p.m.

An unnamed resident spoke in opposition to the proposed battery energy storage facility, adding Diablo Canyon offered proven technology and should be expanded.

An unnamed resident suggested the protections in place at Diablo Canyon would be difficult to implement for a BESS facility in Morro Bay.

Les Montgomery, Salinan Tribal Council, suggested a more inclusive name that represented all indigenous people be used for the proposed marine sanctuary.

Violet Sage Walker, Chairwoman for Northern Chumash Tribal Council, urged the Council to reexamine its opposition to the proposed marine sanctuary.

Carol Mintzer, Chair of the Santa Lucia Chapter of the Sierra Club, supported Morro Bay being included in the marine sanctuary and urged the Council to consider a resolution of support at its next meeting.

Giana Patchen, Campaign Manager for the Northern Chumash Tribal Council, asked the City to reconsider its position on the proposed Chumash Marine Sanctuary and inclusion of waters from Los Osos to Cambria.

Mayor Wixom closed public comment.,

A. CONSENT AGENDA

<https://youtu.be/XZojRHvTniU?si=OVIXZY4Xd7PEWYpA&t=3198>

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 MEETING;
(CITY CLERK)

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FOR THE SEPTEMBER 26, 2023, JOINT CITY COUNCIL
AND PLANNING COMMISSION SPECIAL MEETING; (CITY CLERK)

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FOR THE SEPTEMBER 26, 2023, CITY COUNCIL MEETING;
(CITY CLERK)

RECOMMENDATION: Approve as submitted.

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

RECOMMENDATION: Approve as submitted.

A-5 ADOPT RESOLUTION NO. 66-23 APPROVING AN INCREASE TO THE CITY'S
CONTRIBUTION TO EMPLOYEE HEALTH CARE COVERAGE; (HUMAN
RESOURCES/RISK MANAGER)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 66-23 approving amended Memoranda of Understanding (MOUs) as agreed to by each represented bargaining group [Morro Bay Police Officers Association ("MBPOA"), Service Employees International Union Local 620 ("SEIU Local 620") and Morro Bay Firefighters Association IAFF 3725 ("MBFFA") establishing an increase to the City's contribution to employee health care coverage effective December 1, 2023 for the January 2024 health plan year, extending the same benefits to unrepresented Confidential, Management and Executive employees, and directing staff to return with the associated budget amendment.

A-6 ADOPTION OF RESOLUTION NO. 67-23 AUTHORIZING THE CITY OF MORRO BAY
TO ENTER INTO A 2023/2024 SURRENDERED AND ABANDONED VESSEL
EXCHANGE GRANT CONTRACT WITH THE STATE OF CALIFORNIA DIVISION OF
BOATING AND WATERWAYS IN THE AMOUNT OF \$38,000.00 FOR REMOVAL OF
ABANDONED/SURRENDERED VESSELS AND HAZARDS TO NAVIGATION;
(HARBOR DEPARTMENT)

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 67-23 authorizing the Harbor Director to execute the attached 2023/2024 Surrendered and Abandoned Vessel Exchange (SAVE) Grant Contract Agreement #C23SO605 with the California Division of Boating and Waterways (DBW) for \$38,000.00 for the funding of removal of abandoned/surrendered vessels and hazards to navigation.

A-7 PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER AS "DATING AND
DOMESTIC VIOLENCE AWARENESS MONTH"; (ADMINISTRATION)

RECOMMENDATION: Approve as submitted.

Mayor Wixom opened public comment for the Consent Agenda.
<https://youtu.be/XZojRHvTniU?si=nf7vQxsvalZ12J3A&t=3201>

Terry Simons, Morro Bay, commented on Item A-5.

The public comment period was closed.

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

There was Council concurrence to hear Item C-1 prior to the public hearing items.

C. BUSINESS ITEMS

C-1 CONSIDERATION OF CONDITIONAL APPOINTMENT OF STEVE CONWAY AS INTERIM ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR AND CONDITIONAL APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MORRO BAY AND STEVE CONWAY; (HUMAN RESOURCES)
<https://youtu.be/XZojRHvTniU?si=xIF1Zeq-Bvh95UKx&t=3408>

Human Resources Manager Hendricks provided the report.

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

Terry Simons, Morro Bay, was supportive of efforts to recruit and retain quality personnel and urged the City to make every effort to support staff with competitive wages and benefits.

Betty Winholtz, Morro Bay, hoped the assignment would be strictly financial and that Council would consider the new position have one responsibility so as not to overburden staff.

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

MOTION: Council Member Edwards moved to appoint Steve Conway as the Interim Assistant City Manager/Administrative Services Director contingent upon successfully passing the City's background check, and authorize the City Manager to execute the attached employment agreement following the same. The motion was seconded by Council Member Ford and carried 5-0.

B. PUBLIC HEARINGS

B-1 PUBLIC HEARING FOR AND CONSIDERATION OF MORRO BAY GARBAGE SERVICE RATE ADJUSTMENT APPLICATION AND ADOPTION OF RESOLUTION NO. 68-23; (PUBLIC WORKS DEPARTMENT)
<https://youtu.be/XZojRHvTniU?si=eoRiErFeYBUGPini&t=3820>

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

Mayor Wixom opened the Public Hearing.
<https://youtu.be/XZojRHvTniU?si=95IQSUG6A4fQiEMw&t=5149>

City Clerk Swanson reported that 711 written protests had been received prior to the meeting, none of the protests had been validated, and that number did not constitute a majority protest.

Mayor Wixom opened Public Comment.

Terry Simons, Morro Bay, offered suggestions for improved efficiency to help the garbage collector reduce its workload.

Betty Winholtz, Morro Bay, commented on the proposed rate increase, urged the City to find creative ways to reduce the financial impact on residents, and inquired as to how the franchise fees being collected were used.

Paul Donnelly, Morro Bay, commented on the Prop 218 process, suggesting those who submitted protests should not have to pay the increased rates, and agreed with previous commenters that limiting service to every other week would also reduce emissions.

Eric Foor, Morro Bay, appreciated the questions and suggested alternatives to reduce the cost of service.

Linda Donnelly, Morro Bay, thanked those who submitted protests and walked the streets to share information.

The public comment period and Public Hearing were closed.

Mr. Kwolek, Ms. Burlingame, and Jeff Clarin from Waste Connections responded to additional Council questions.

City Clerk Swanson announced 12 additional protests were received at the public hearing, which had not been validated, for a total of 723 protests which did not constitute a majority protest.

MOTION: Council Member Barton moved, provided there was no majority protest against the proposed rate increase, to adopt Resolution No. 68-23, approving Morro Bay Garbage Service rate adjustment application as there is not a majority protest against such increase; and authorize the City Manager to execute an amendment to the City's franchise agreement with Morro Bay Garbage Service, Inc. to replace the maximum rate schedule in the agreement with the newly adopted rate structure. The motion was seconded by Council Member Edwards and carried 5-0 by roll call vote.

The Council took a brief recess at 7:36 p.m. The meeting reconvened at 7:45 p.m. with all members present.

B-2 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 661 AMENDING TITLE 17 OF THE MORRO BAY MUNICIPAL CODE TO ADD CHAPTER 17.31 ESTABLISHING OBJECTIVE DESIGN STANDARDS; (COMMUNITY DEVELOPMENT)
<https://youtu.be/XZojRHvTniU?si=TvfpDmytpFC8pKW5&t=7203>

Community Development Director Graham provided the report and, along with Contract Planner Hubbard, Kimmie Nguyen & Randy Russom from RRM Design responded to Council inquiries.

Mayor Wixom opened the Public Hearing.

Mayor Wixom opened Public Comment.
<https://youtu.be/XZojRHvTniU?si=sFvR29G7JOjq7yyy&t=8972>

Terry Simons, Morro Bay, echoed Mr. Graham's comments about the robust hearings at Planning Commission and encouraged the Council to approve the guidelines while retaining the ability to have traditional guidelines.

Betty Winholtz, Morro Bay, requested the Council consider the changes submitted as agenda correspondence and direct staff to come back with simulations to clarify what's being proposed.

An unnamed resident urged the City to reduce height limits and asked if there was a way to retain Council review as part of the standards.

The Public Hearing was closed.

Staff responded to additional questions from Council.

MOTION: Council Member Landrum moved to wait until the Zoning Code amendments are done. Mayor Wixom seconded the motion for discussion.

Council Member Edwards expressed concern about timing and suggested many of the questions raised would be answered in the Zoning Code amendments. Following individual comments, the motion carried 3-2 by roll call vote with Council Members Edwards and Ford opposed.

Staff offered to bring the ordinance back with Zoning Code amendments at the November meeting.

D. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS
<https://youtu.be/XZojRHvTniU?si=L6ABxuOPNr5z5GmN&t=11531>

Council Member Ford requested consideration of whether or not to support the marine sanctuary and direct staff to prepare a report explaining why the City didn't support it in the past and whether those concerns have been incorporated into the current proposal. There was Council support to bring this item forward at the next meeting.

Council Member Landrum asked that staff look into how the BESS project might affect insurance costs for the City and homeowners. Staff offered to ask Vistra if that information was available.

Council Member Landrum asked staff to consider ways to involve community members as volunteers.

Council Member Landrum requested and received support for discussion of policy around Council Member use of City facilities and resources.

Mayor Wixom requested and received full support for a workshop or Joint City Council / PWAB meeting regarding the City's water portfolio.

E. ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Recorded by:

Dana Swanson
Dana Swanson (Oct 25, 2023 10:07 PDT)

Dana Swanson
City Clerk

A2 CC_2023-10-10 Regular Meeting Minutes

Final Audit Report

2023-10-25

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