



AGENDA NO: C-2

MEETING DATE: February 11, 2020

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL
FOLLOWING POSTING OF THE AGENDA IS ATTACHED
FOR PUBLIC REVIEW PRIOR TO THE MEETING**

Dana Swanson

From: betty winholtz [REDACTED]
Sent: Monday, February 10, 2020 12:49 PM
To: John Heading; Robert Davis; Marlys McPherson; Jeffrey Heller; Dawn Addis
Cc: Dana Swanson
Subject: city council agenda item c-2

Dear City Council:

The purpose of the **Fiscal Impact** section of the staff report is to inform the public of the cost of the proposed action. To state, "The cost of acquisition of the easements is within the overall budget" serves no purpose. It does not answer the question: What is the fiscal impact?

Attachment A is the proposed route of the collection system. There is no Color Key. There are capital letter abbreviations in the Timeline Key which are not explained. I assume one of them is the proposed pump station next to Lemos. Also, I cannot tell where the proposed well on Vistra property is. The odd, white, geometric shapes on the Map are also not identified.

#11 and #12 state in the Key that preference work times are October through May. Yet, #11 is proposed to begin August 1 and #12 is proposed to begin September 1. Why does this not line up? What do the Quintana businesses prefer?

The **Background** section describes in acres the temporary and permanent land grab for eminent domain. There is no discussion on the well. Since you are asking for it as an injection well easement, does this mean the injection studies are done and it is known that they can be placed on the west side of Route 1? Is it for only one well?

Being a frequent user of the bike trail behind the power plant, it seems to me that 7 acres of permanent acquisition is excessive. Does this mean you won't be using the bike trail at all? Which leads into my next comments.

Exhibits A and B are legal descriptions and associated plats of the easements. These documents are not signed and dated by the professional land surveyor who prepared them, a legal requirement. This document should not be presented to the city council, the public, or the parties involved, Vistra and PG&E, until they are.

The course descriptions of the easements (bearings and distances) are not coincidental with the alignment courses show on the pipeline plan sheets. Will the pipelines actually be placed within those easements or will they be wandering in and out of them? Will the contractor be able to stay in the easements during construction? Do the security fences need to be removed and replaced? It would be helpful to show where the pipes will be situated within these easements on the exhibits to see the extra area you want to take. Surveyors is a sub-consultant to Waterworks Engineers, so shouldn't the two documents agree with one another?

I **disagree** with the conclusion that the City meets the requirements of eminent domain:

1. The City needs a secondary sewage treatment plant, but it does **not** of necessity require the Water Reclamation Facility (WRF).
2. The WRF is **not** planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Special Condition 2e of the CDP requires property owner **consent** [my bold] for the issuance of the coastal permit. Does coastal staff know of this action?

I am sorry that city staff and city council continue to have a phobia about noticing and holding public hearings. Will public testimony be taken for the record even though this hearing is being held as a Business Item rather than a Public Hearing Item?

Sincerely,
Betty Winholtz



AGENDA NO: C-3

MEETING DATE: February 11, 2020

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Dana Swanson

From: Benan Akkare [REDACTED]
Sent: Tuesday, February 11, 2020 9:04 AM
To: Council
Subject: Tobacco ban

Council member,

My name is Ben Akkare and I own Tobacco Plus and Morro Bay Mkt. I am writing concerning the proposed tobacco regulations. You may not be aware that as of Feb. 6 all flavored vapor is banned by the FDA. Currently the only pods we can sell are tobacco and menthol which are preferred by ex smokers. I think it is important to follow FDA guidelines to give ex smokers an option. If you have any questions please contact me. [REDACTED]

Sent from my iPhone

Dana Swanson

From: Jim Curnutt [REDACTED]
Sent: Monday, February 10, 2020 11:56 AM
To: John Heading; Marlys McPherson; Dawn Addis; Jeffrey Heller; Robert Davis; Council
Cc: Scott Collins
Subject: Agenda Item C-3 February 11, 2020

Dear City Council:

With regards to agenda item c-3 concerning an ordinance to regulate the sale of tobacco, vaping, sale of e-cigarettes (vaping products) a review of the tabled agenda item a-9 from last Council Meeting please consider the following;

The sale of all vaping products containing tobacco as well as cannabis, marijuana (THC), cannabidiol (CBD) should be prohibited/banned in the City of Morro Bay. Marijuana dispensaries should not be exempt for the sale of vaping products. Many of the same health hazards exist with cannabis products as with tobacco. If indeed the City of Morro Bay is concerned with the health hazards of vaping THC and CBD products must be included. The Principal of Morro Bay High School, Principal Pruitt has stated in numerous interviews in local newspapers the vaping problems on campus are mainly for CBD and THC pens (cannabis)

The legal age to purchase and use tobacco is 21, but an 18 year old individual can easily obtain a legal medicinal marijuana card from many SLO County doctors for "various medical conditions". Pay \$45 to \$60 for a cursory exam and get the card. Ironic - legal to buy/smoke marijuana at 18 but minimum age for tobacco purchase/consumption is 21.

Staff previously reported that there was no need to prohibit the sale of THC or CBD vaping products in Morro Bay since such ban "would however not apply to THC/CBD as those products are actually regulated in California" - by who? The State of California? The proposition legalizing the sale and use of cannabis products allows the cities, municipalities, and counties to determine their own local ordinances. Allow or prohibit sales, products, deliveries, among other other facets of the cannabis industry.

Your proposed ordinance needs more study and refining - you need the State of California and the Federal Government to qualify and enact their findings and regulations first. Don't jump the gun.

Respectively yours.
Jim Curnutt
Morro Bay



AGENDA NO: C-4

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Dana Swanson

From: Lynda Merrill [REDACTED]
Sent: Friday, February 07, 2020 7:37 AM
To: Council
Subject: Agenda Item #4) Restroom Management, very important

Dear Mayor and Councilmembers:

Public Restroom Management Morro Rock and Embarcadero: I encourage you to spend the \$20,000 to improve the condition of the Restrooms , also matching funds to build the new Coleman Restroom ASAP!

Hire an additional workman F-S, May through October, this year.

Porta Pottys are necessary , especially at the Rock, so workmen can close down for cleaning, Coleman Park needs a Porta.

Adding auto-flush is important, as has been stated in the staff report!

Thank you for your understanding of the importance of providing clean restrooms for our visitors and locals (docents who educate otter lovers all day, several weekends a summer, have complained to me), people should feel comfortable using our public facilities. Unfortunately, MB has a reputation for having unclean restrooms (surfers report). I feel that following the staff report suggestions will improve the conditions.

Sincerely,

Lynda Merrill, wildlife advocate

[REDACTED]