

AGENDA NO: V

MEETING DATE: 12/10/2012

MINUTES – MORRO BAY CITY COUNCIL
SPECIAL MEETING – DECEMBER 5, 2012
VETERAN’S MEMORIAL HALL – 5:00P.M.

Mayor Yates called the meeting to order at 5:00 p.m.

PRESENT:	William Yates	Mayor
	Carla Borchard	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Jamie Boucher	City Clerk
	Amy Christey	Police Chief
	Mike Pond	Fire Chief
	Joe Woods	Recreation & Parks Director

- I. ESTABLISH QUORUM AND CALL TO ORDER
- II. MOMENT OF SILENCE
- III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENT

Joan Solu, President of the Morro Bay Tourism Bureau introduced their new Director of Tourism, Karin Moss.

Karin Moss related her enthusiasm for the City and the position and is looking forward to getting to getting to work.

Garry Johnson spoke in opposition to a letter he had read that was written by a Morro Bay citizen who criticized the sitting City Council. He thanked Mayor Bill Yates and Councilmember Carla Borchard for all their hard work on behalf of the City and its citizens. He also thanked the Police and Fire Department for the help they gave him in a recent accident he had.

The following speakers spoke in opposition to the approval of the proposed Amendment to the Agreement to Lease and an Amendment to the Outfall Lease between the City of Morro Bay and Dynegy Morro Bay LLC:

Roger Ewing, Melody Demeritt, Henrietta Groot, Barbara Doerr, Julie Tacker, Linda Fidell, Mandy Davis, Marla Jo Bruton, David Nelson, Hershel Parker, Dorothy Cutter, and Robin Cook. Reasons for the opposition included the following: lack of public involvement in the process, not a good business decision, property could be used instead to enhance City’s revenue stream, harm to the Estuary and the environment, notice to public was too short, and should allow the newly elected Council to weigh in on the issue.

Rick Grantham spoke in favor of approving the Execution of the Amendment to the Agreement to Lease and an Amendment to the Outfall Lease between the City of Morro Bay and Dynegy Morro Bay LLC.

V. RESOLUTION 59-12 APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT TO LEASE AND AN AMENDMENT TO THE OUTFALL LEASE BETWEEN THE CITY OF MORRO BAY AND DYNEGY MORRO BAY LLC; (CITY ATTORNEY)

City Attorney Rob Schultz presented his staff report.

Mayor Yates is supportive of this agreement. The Council has been working on this transaction for over 2 years. He is pleased to have finally received the triangle property that has been discussed and negotiated for, for over 15 years.

Councilmember Johnson is in agreement with Mayor Yates. This is not a new item of discussion; Council has been working hard on this for quite some time. She also feels that this Council should have been the body to hear the item as it wouldn't have been fair to have a new Council, who doesn't have the history and background information, have to make the decision.

Councilmember Smukler stated that if his vote was needed for a majority, he would have voted yes as the City needs the money and there are significant property benefits. However, he will be voting no because the unnecessary haste of the process increases risk and missed opportunities. He is also frustrated by the unwillingness of the Council to support discussion of additional options with Dynegy to gain property and easements for future public access and infrastructure improvements. He is concerned about Dynegy's unwillingness to fund 2013 fire protection. He thinks it is important that we begin working with Dynegy and the community to develop a transition plan for the future of the site.

MOTION: Mayor Yates moved for approval of Resolution 59-12. The motion was seconded by Councilmember Borchard and carried 4-1 with Councilmember Smukler voting no.

VI. ADJOURNMENT

The meeting adjourned at 6:00 p.m.

Recorded by:

Jamie Boucher
City Clerk