

MINUTES – MORRO BAY CITY COUNCIL
SPECIAL CLOSED SESSION MEETING –
JANUARY 9, 2014
CITY HALL CONFERENCE ROOM – 9:00 A.M.

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Anne Russell	Interim City Attorney
	Susan Slayton	Acting City Manager

ESTABLISH QUORUM AND CALL TO ORDER

SUMMARY OF CLOSED SESSION ITEMS - The Mayor read a summary of the Closed Session items.

CLOSED SESSION PUBLIC COMMENTS - Mayor Irons opened the meeting for Public Comment.

Bill Martoney spoke on the potential Hayashi litigation. He asked if George Nagano was involved in this or not as he is “quasi” representing the Naganos. With regards to nitrates, there are nitrate markers which need to be determined to be human sewage or farming/ag sewage. If the City comes after the farmers for water rights, we have to realize their water rights are superior to the City’s. And farming behind Morro Bay has been going on forever; we might be getting false readings due to snow pea farming.

The public comment period was closed.

The City Council moved to Closed Session and heard the following items:

CS-1 GOVERNMENT CODE SECTION 54956.8 - PROPERTY TRANSACTIONS:
Conference with Real Property Negotiator.

- Properties: APN Nos. 066-461-002, 066-461-015, and Portions of APN No. 066-331-039 (Lila Keiser Park and Various Parking Lots)
City Negotiator: Anne Russell, Interim City Attorney
Negotiating Parties: Dynegy Morro Bay, LLC and City of Morro Bay
Negotiations: Price and Terms of Payment

CS-2 GOVERNMENT CODE SECTION 54957(b)(1) – PUBLIC EMPLOYMENT:

Title: Interim City Manager
Title: Interim City Attorney

CS-3 GOVERNMENT CODE SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Deciding to initiate litigation (one matter).

- City of Morro Bay v. Hayashi and Sons

CITY COUNCIL CONVENED TO OPEN SESSION – The City Council convened to open session; Interim City Attorney Anne Russell reported that with regards to Item CS-3, Government Code Section 54956.9(d)(4), Conference with Legal Counsel – anticipated litigation: City of Morro Bay v. Hayashi and Sons, Council approved and directed staff to execute a First Extension of Tolling and Standstill Agreement with the Hayashi's. With regards to CS-1, Government Code Section 54956.8, Property Transactions (Lila Keiser Park and various parking lots), Dynegy Morro Bay, LLC and City of Morro Bay and CS-2, Government Code Section 54957(b)(1), Public Employment: Interim City Manager and Interim City Attorney, no reportable action was taken.

ADJOURNMENT

The meeting adjourned at 10:37am.

Recorded by:

Jamie Boucher
City Clerk