

MINUTES - MORRO BAY CITY COUNCIL  
SPECIAL CLOSED SESSION MEETING –  
FEBRUARY 24, 2021 – 3:30 P.M.  
TELECONFERENCE

AGENDA NO: A-4  
MEETING DATE: March 9, 2021

*City Council conducted this meeting in accordance with Section 3 of California Governor Newsom's Executive Order N-29-20 issued on March 17, 2020 in response to the present State of Emergency in existence due to the threat of COVID-19. This meeting was held via teleconference for all participants.*

PRESENT:            John Headding                    Mayor  
                         Dawn Addis                        Council Member  
                         Laurel Barton                     Council Member  
                         Robert Davis                     Council Member  
                         Jeff Heller                        Council Member

ABSENT:            None

STAFF:             Scott Collins                     City Manager  
                         Chris Neumeyer                 City Attorney  
                         Joseph Pannone                 Special Legal Counsel  
                         Scot Graham                     Community Development Director  
                         Joe Mueller                      Utility Divisions Manager  
                         Rob Livick                        City Engineer  
                         Eric Casares                     WRF Projects Manager  
                         Steve Mimiaga                 Construction Manager

**ESTABLISH QUORUM AND CALL TO ORDER**

Mayor Headding called the meeting to order at 3:30 p.m. with all but Council Member Davis present. Council Member Davis joined the meeting at 3:50 p.m.

**SUMMARY OF CLOSED SESSION ITEMS** – The Mayor read a summary of Closed Session items and announced Item CS-4 was being pulled from the agenda.

**CLOSED SESSION PUBLIC COMMENT** – Mayor Headding opened public comment for items on the agenda; seeing none, the public comment period was closed.

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

**CS-1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR – GOVERNMENT CODE SECTION 54956.8**

Property:            Assessor Parcel No. 066-331-046  
Property Negotiators:    Vistra Energy  
Agency Negotiators:    Scott Collins, City Manager; Rob Livick, City Engineer; Scot Graham, Community Development Director and Chris Neumeyer, City Attorney  
Under Negotiation:    Price and Terms of Payment – Easement Acquisition

**CS-2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

- Paragraph (1) of subdivision (d) Government Code Section 54956.9
- Name of Case: City of Morro Bay vs. Vistra Energy Corp., Case No. 20CV-0127, San Luis Obispo County Superior Court

**CS-3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) or (d)(3) & (e)(1): One Matter

**CS-4 CONFERENCE WITH LABOR NEGOTIATORS**

A closed session will be held, pursuant to Government Code § 54957.6, with City negotiator and designated labor representative Colin Tanner, special labor counsel, regarding labor negotiations with employee

organizations: 1) Morro Bay Firefighters' Association, 2) Service Employee's International Union - SEIU Local 620, and 3) Morro Bay Peace Officers' Association.

Item CS-4 was continued to a future meeting.

RECONVENE IN OPEN SESSION – The City Council reconvened in Open Session. The Council did not take any reportable action in accordance with the Brown Act.

ADJOURNMENT - The meeting adjourned at 4:58 p.m.

Recorded by:

Dana Swanson  
City Clerk