



**CITY COUNCIL EXECUTIVE SESSION MEETING AGENDA**  
**Monday, March 21, 2016 - 5:15 PM**  
**Council Chambers - 169 SW Coast Highway, Newport, Oregon 97365**

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The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

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1. CALL TO ORDER AND ROLL CALL
2. EXECUTIVE SESSION PURSUANT TO ORS
  - 2.A. ORS 192.660(2)(h) to Consult with Legal Coucsel Regarding Litigation or Litigation Likely to be Filed  
[Letter from Steve Rich.pdf](#)
3. ADJOURNMENT





Steve Rich  
 City Attorney  
 CITY OF NEWPORT  
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## MEMO

DATE: March 17, 2016  
 TO: City Council and City Manager  
 FROM: Steve Rich, City Attorney   
 SUBJECT: Farmers Market

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A letter dated March 15, 2016, regarding the referenced matter was received by the City from Michael Robinson, the attorney for Bret Fox.

The letter, a copy of which the council received as part of their agenda packet for the March 21, 2016, council meeting, argues that a "Decision" was made by the City Council. The letter articulates Mr. Robinson's belief that the decision was a land use decision was not timely or adequately noticed.

It is my opinion that it is appropriate, under ORS 192.660(2)(h) and (f), for this matter to be the subject of an executive session of the Council to discuss with legal counsel the City's rights and responsibilities, and the legal merits, risks and ramification of adversarial proceedings contemplated by the letter from the attorney for Mr. Fox.

I am requesting that this matter be scheduled for an Executive Session at 5:15 PM on March 21, 2016.