

MINUTES – MORRO BAY CITY COUNCIL
SPECIAL CLOSED SESSION MEETING –
DECEMBER 9, 2014
CITY HALL CONFERENCE ROOM – 5:00 P.M.

AGENDA NO: A-3

MEETING DATE: 1/13/2015

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	John Headding	Councilmember
	Matt Makowetski	Councilmember
	Noah Smukler	Councilmember
STAFF:	David Buckingham	City Manager
	Joe Pannone	City Attorney
	Eric Endersby	Harbor Director

ESTABLISH QUORUM AND CALL TO ORDER

Mayor Irons called the meeting to order at 4:00pm.

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

CLOSED SESSION PUBLIC COMMENTS - Mayor Irons opened the meeting for public comments for items only on the agenda.

Nancy Bast read a letter urging the Council to direct the City Attorney to withdraw the City's Objection to the Tentative Statement of Decision. It is her feeling that the community is supportive of that action.

Nicole Dorfman read a letter respectfully requesting the Council instruct the City Attorney to file with the Court a withdrawal of the City of Morro Bay's Objections to Proposed Statement of Decision. The court's decision in question states that an EIR would need to be conducted prior to development per CEQA requirements.

Dorothy Cutter requested Council uphold Judge Crawford's decision to require an EIR.

Nick Franco, District Superintendent of California State Parks supports working with/continuing the relationship/partnership with the City. He feels that would be healthy for the community. He hopes to work together in the RFP process. He would like to see the Marina and Café operate separately. With an operating agreement, revenues can stay local which is preferable.

Bob Fowler spoke representing MMBS, LLC, who has an application in to renegotiate the terms of their lease at 124-128/124W-128W. They have put in their first phase of docks at the cost of \$400,000. They are getting ready to start phase #2 and are looking to finance that at approximately \$400,000. They are requesting two fifteen year extensions, the first for phase #2 and the other for landside improvements. The extra time on their lease will help them with their ability to acquire financing.

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 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR:

- Property: Lease Site 105.1W-105.2W, Degarimore's Central Coast Marine Fuel and Ice, 1099 Embarcadero
Agency Negotiators: Joseph W. Pannone, City Attorney and Eric Endersby, Harbor Director
Property Negotiators: Michael and Orietta Degarimore
Under Negotiation: Lease Negotiations, Price and Terms of Payment
- Property: Lease Site 124-128/124W-128W, Morro Bay Landing, 1215 Embarcadero
Agency Negotiators: Joseph W. Pannone, City Attorney and Eric Endersby, Harbor Director
Property Negotiators: MMBS, Inc/Robert Fowler
Under Negotiation: Lease Negotiations, Price and Terms of Payment
- Property: Morro Bay State Park Marina
Agency Negotiators: Joseph W. Pannone, City Attorney and Eric Endersby, Harbor Director
Property Negotiators: California Department of Parks and Recreation
Under Negotiation: State Park Marina Operating Agreement, Terms of Agreement

CS-2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

- Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.: 1 Matter

CS-3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- Paragraph (1) of subdivision (d) of Section 54956.9
Name of Case: Save the Park et al v. City of Morro Bay with Real Party in Interest Daniel Reddell et al., CV 120085

The City Council recessed the Closed Session to the conclusion of the regular City Council meeting. The City Council reconvened to Open Session.

ADJOURNMENT

The Closed Session was reconvened and adjourned at 11.45p.m; Council adjourned with no further action.

Recorded by:

Jamie Boucher
City Clerk