

MINUTES – MORRO BAY CITY COUNCIL
SPECIAL CLOSED SESSION MEETING –
AUGUST 24, 2015
CITY HALL CONFERENCE ROOM – 4:00 P.M.

AGENDA NO: A-2

MEETING DATE: September 8, 2015

PRESENT:	Jamie Irons	Mayor
	John Headding	Councilmember
	Christine Johnson	Councilmember
	Matt Makowetski	Councilmember
	Noah Smukler	Councilmember
STAFF:	David Buckingham	City Manager
	Shannon Chaffin	Assistant City Attorney
	Scot Graham	Community Development Director

ESTABLISH QUORUM AND CALL TO ORDER

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.

Ken MacMillan, owner of DiStasio's Restaurant, introduced his wife Judy and son Mark who also participate in the restaurant. He thanked Council for making special arrangements to hear Item CS-1 as time is of the essence. He is attempting to purchase 781 Market Street, but has not been able to close escrow because the City has a lien on the property, which puts them in first position. His loan is a SBA loan and therefore, cannot be in a subordinate position. The original escrow expired on Friday, but he was able to get a two week extension. He recommended that the Council take one of two options: 1) eliminate the lien for the elevator by coming to a separate agreement with City; or 2) agree to subordinate the City's loan.

Seeing no further comment, the public comment period was closed.

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

CS-1 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
PURSUANT TO GOVERNMENT CODE 54956.9(d)(1)

United States Bankruptcy Court Case No. 15-10705-B-11F
re: Charlotte Ellen Salwasser, Debtor.

CS-2 GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL
PROPERTY NEGOTIATOR:

Property: Outfall Facilities Previously Used by Dynegy, located adjacent to the easterly side of Morro Rock.

Negotiating Parties: Eric Markell

Agency Negotiators: David Buckingham, City Manager and Joseph Pannone, City Attorney

Negotiations: Price and Terms of Payment

The City Council reconvened to Open Session.

The Council did not take any reportable action pursuant to the Brown Act.

ADJOURNMENT

The meeting adjourned at 5:45 p.m.

Recorded by:

Brooke Austin
Deputy City Clerk