

December 20, 2010
 Capitola, California

CAPITOLA CITY COUNCIL

MINUTES OF A SPECIAL CLOSED SESSION MEETING

Mayor Norton called the Special Closed Session Meeting of the Capitola City Council to order at 12:00 p.m. on Monday, December 20, 2010, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California. He noted that all City Council Members were present.

PRESENT: Council Members Stephanie Harlan, Michael Termini, Kirby Nicol, Sam Storey, and Mayor Dennis Norton

ABSENT: None

STAFF: City Manager Jamie Goldstein, City Attorney John Barisone, and Deputy City Attorney George Kovacevich

CLOSED SESSION [520-25/570-40]

Mayor Norton announced that pursuant to the Notice and Call of the Special Closed Session Meeting of the Capitola City Council dated December 13, 2010, the City Council would meet with its Legal Counsel in Closed Session in the City Manager's office on the following matters:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9a)

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [Superior Court of the State of California for County of Santa Cruz, Case #CV 167716]

Surf and Sand, LLC vs. City of Capitola, et al (Surf & Sand Mobile Home Park) [U.S. District Court N.D., Case No. C09-05542 RS (Judge Richard Seeborg)]

Los Altos/El Granada Investors vs. City of Capitola, et al (Castle Mobile Estates) [U.S. District Court N.D., Case No. CV 04-05138 JF (Judge Jeremy Fogel)]

Mayor Norton noted there was no one in the audience; therefore, the City Council recessed at 12:02 p.m. to the Closed Session in the City Manager's Office.

REPORT ON CLOSED SESSION [520-25]

The City Council received an update from Deputy City Attorney Kovacevich, City Attorney Barisone and City Manager Goldstein pertaining to the two pending Surf and Sand lawsuits and the pending Los Altos/El Granada (Castle Mobile Estates) lawsuit referenced above and provided direction with regard to their continued defense on behalf of the City. The City Council took no reportable action in closed session.

ADJOURNMENT

The City Council adjourned at approximately 1:10 p.m. to its next Regular Meeting to be held on Thursday, January 13, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



Dennis Norton, Mayor

ATTEST:  MMC
 Pamela Greeninger, City Clerk

MINUTES WERE UNANIMOUSLY APPROVED BY THE CITY COUNCIL ON 1/13/2011