

October 30, 2009  
Capitola, California

## CAPITOLA CITY COUNCIL

### MINUTES OF A SPECIAL JOINT CLOSED SESSION MEETING OF THE CAPITOLA CITY COUNCIL AND REDEVELOPMENT AGENCY

Mayor/Chairperson Begun called the Special Joint Closed Session Meeting of the City Council and Redevelopment Agency to order at 4:02 p.m. on Friday, October 30, 2009, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

**PRESENT:** Council Members/Directors Sam Storey, Kirby Nicol, Dennis Norton, and Mayor/Chairperson Robert "Bob" Begun  
**ABSENT:** Council Member/Director Ron Graves  
**STAFF:** City Manager/Executive Director Richard Hill, City Attorney John Barisone, and City Clerk/Secretary Pamela Greeninger

Mayor/Chairperson Begun announced that pursuant to the Notice and Call of the Special Meeting of the Capitola City Council dated October 28, 2009, the City Council/Redevelopment Agency Directors would meet in Closed Session in the City Manager's office on the following matters:

#### CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code §54956.8)

Property: Rispin Mansion Property, 2000 & 2005 Wharf Road  
APNs 035-371-01 & 02  
 Agency/City Negotiator: Rich Hill, City Manager/RDA Executive Director  
 Negotiating parties: Rispin Partners LLC, City of Capitola, and City of Capitola Redevelopment Agency  
 Under Negotiation: Lease and Development Agreement

#### PERFORMANCE EVALUATION (Govt. Code §54957)

Title: City Manager

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

Surf and Sand, LLC vs. City of Capitola  
 Vieira Enterprises vs. City of Capitola (Cabrillo Mobile Estates)  
 Los Altos/El Granada Investors vs. City of Capitola (Castle Mobile Estates)

#### CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code §54957.6)

Negotiator: Rich Hill, City Manager  
 Employee Organizations: Association of Capitola Employees, Capitola Police Captains, Capitola Police Officers Association, Confidential Employees, Mid-Management Group, Building Official, City Manager, Community Development Director, and Public Works Director

#### CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code §54956.8)

Property: 4140 Jade Street, APN 034-641-08  
 City/Agency Negotiator: Rich Hill, City Manager/RDA Executive Director  
 Owner: John and Karen Huffman  
 Under Negotiation: Purchase of Property by the City

Mayor/Chairperson Begun asked if anyone wished to address the Closed Session agenda item at this time.

**11515****SPECIAL JOINT CLOSED SESSION MEETING**

Sandra Williams, resident of Surf and Sand Mobile Home Park, said she was wondering what was being discussed regarding Surf and Sand and the various other mobile home parks in the community that are listed on the Special Joint Closed Session Meeting Notice.

City Manager Hill said the city has several lawsuits pertaining to those mobile home parks that the city council will be discussing.

Mrs. Williams informed the council that she had just returned from Sacramento where she attended the Senate Senior Legislation Hearings where Santa Cruz County was represented. She said many California senators are on the committee and are concerned about what is happening with mobile home parks throughout the state where attorneys are attacking small cities and jeopardizing the senior communities. She commented that the subdivision push that attorneys are doing is going to limit homes for seniors.

Margaret Dixon, resident of Surf & Sand Mobile Home Park, said she knows the city is in the process of scheduling the public hearings on the subdivision application for Surf and Sand Mobile Home Park, and she requested that the subdivision matter be postponed until after the holidays if it is at all possible. Ms. Dixon also said several council members have told the residents to go back and try to do a park purchase with the owner and negotiated. She informed the council that they have been advised by their attorney not to do that now; to wait until the park closure and subdivision plays out.

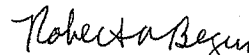
Following public comments, the City Council/Redevelopment Agency Directors recessed at 4:10 p.m. to the Closed Session in the City Manager's Office.

**REPORT ON CLOSED SESSION [520-25]**

A report on the Closed Session held October 30, 2009, will be made at the next regular meeting of the City Council.

**ADJOURNMENT**

The City Council/Redevelopment Agency adjourned at approximately 5:45 p.m. to a Special Joint Meeting to be held on Wednesday, November 4, 2009, at 6:00 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.




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Robert A. Begun, Mayor  
Redevelopment Agency Chairperson

ATTEST:



Pamela Greeninger, City Clerk  
Redevelopment Agency Secretary

MMC

**APPROVED BY THE CITY COUNCIL AT ITS MEETING OF 11/12/09 WITH COUNCIL MEMBER GRAVES  
ABSTAINING**