

March 4, 2011
 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 9:40 a.m. on Friday, March 4, 2011, in the City Hall Community Room, 420 Capitola Avenue, Capitola, California.

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

ABSENT: Council Member Nicol

STAFF: City Manager Jamie Goldstein, Community Development Director Derek Johnson, City Attorney John G. Barisone, Deputy City Attorney George Kovacevich, and City Clerk Pamela Greeninger *(for announcement regarding Closed Session only)*.

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 March 3, 2011, 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)]

Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates)

Mayor Norton noted there was no one in the audience; therefore, the City Council recessed at 9:41 a.m. to the Closed Session in the City Manager's Office.


REPORT ON CLOSED SESSION [520-25]

The City Council received an update from City Attorney Barisone, Deputy City Attorney George Kovacevich and City Manager Goldstein pertaining to the two pending Surf and Sand lawsuits and the pending Los Altos/El Granada (Castle Mobile Estates) lawsuit list on the Closed Session Agenda. After council discussion staff was provided direction with regard to their continued defense on behalf of the City. The City Council took no reportable action in Closed Session.

There was no discussion regarding the anticipated litigation between Vieira Enterprises, Inc., vs. City of Capitola (Cabrillo Mobile Estates).

ADJOURNMENT

The City Council adjourned at approximately 11:30 a.m. to its next Regular Meeting to be held on Thursday, March 10, 2011, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ATTEST  MMC
 Pamela Greeninger, City Clerk


 Dennis R. Norton, Mayor

MINUTES WERE UNANIMOUSLY APPROVED ON MARCH 24, 2011