

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes

Tuesday, October 29, 2013

4:00 PM

Adjourned Regular Meeting - Closed Session

City Council Chambers

### City Council

*Mayor David J. Lesser*  
*Mayor Pro Tem Amy Howorth*  
*Councilmember Wayne Powell*  
*Councilmember Mark Burton*  
*Councilmember Tony D'Errico*

**A. CALL MEETING TO ORDER**

*The Closed Session meeting of October 29, 2013, was called to order at 4:18 p.m.*

**B. PLEDGE TO THE FLAG**

*Mayor Pro Tem Howorth led the Pledge of Allegiance.*

**C. ROLL CALL**

**Present:** 5 - Mayor Lesser, Mayor Pro Tem Howorth, Councilmember Powell, Councilmember Burton and Councilmember D'Errico

**D. CERTIFICATION OF MEETING AND AGENDA POSTING**

*City Clerk Tamura confirmed that the meeting was properly posted. The agenda was posted to the website and e-notified on Wednesday, October 23, 2013, and posted to the City bulletin boards at Joslyn and Manhattan Heights Community Centers on Thursday, October 24, 2013.*

**E. PUBLIC COMMENT ON CLOSED SESSION**

*Viet Ngo spoke about the existing Federal lawsuit against the City and stated the lawsuit should be disclosed to the public and not discussed in Closed Session.*

*City Attorney Barrow noted the City has given a copy of the complaint to Mr. Ngo who is aware of the case. The litigation will be discussed by City Council at a future Closed Session meeting.*

**F. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

*City Attorney Barrow read into the record the following Closed Session items:*

*CONFERENCE WITH LEGAL COUNSEL (ANTICIPATED LITIGATION)  
Government Code Section 54956.9 b (1) A point has been reached where, in the opinion of the City Council on the legal advice of the City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation in 1 case.*

**G. RECESS INTO CLOSED SESSION**

*The City Council recessed into Closed Session at 4:22 p.m.*

**H. RECONVENE INTO OPEN SESSION**

*The City Council reconvened into Open Session at 5:34 p.m.*

**I. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION**

*The City Attorney announced that there was no reportable action taken.*

**J. ADJOURNMENT**

*The October 29, 2013, City Council Closed Session Meeting was adjourned at 5:35 p.m. to the 6:00 p.m. Joint City Council/Cultural Arts Commission Meeting on October 29, 2013, in the Police/Fire Conference Room, in said City.*

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**Quinn Barrow**  
**Recording Secretary**

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**David J. Lesser**  
**Mayor**

**ATTEST:**

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**Liza Tamura**  
**City Clerk**