

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, August 12, 2014

5:00 PM

Adjourned Regular Meeting - Closed Session

City Council Chambers

## City Council Meeting

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

**A. CALL MEETING TO ORDER**

*The Closed Session Meeting of August 12, 2014, was called to order at 5:00 PM.*

**B. PLEDGE TO THE FLAG**

*Mayor Amy Howorth led the Pledge to the Flag.*

**C. ROLL CALL**

**Present** 5 - Mayor Amy Howorth, Mayor Pro Tem Wayne Powell, Councilmember Mark Burton, Councilmember Tony D'Errico, and Councilmember David J. Lesser

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

*City Clerk Tamura confirmed the meeting was properly posted.*

**E. PUBLIC COMMENTS**

*None.*

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

*At 5:01 PM City Attorney Barrow read into the record the following Closed Session items:*

**1. CONFERENCE WITH LEGAL COUNSEL (ANTICIPATED LITIGATION)**

**Government Code Section 54956.9 (d)(2)**

**A point has been reached where, in the opinion of the City Council on the advice of its City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation against the City.**

**Number of Potential Cases: 1**

**2. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)**

**Government Code Section 54956.9(d)(1)**

**Charles Samuel Couch v City of Manhattan Beach**

**Case Number 2:13-cv-07554 GAF-AGR<sub>x</sub>**

**G. RECESS INTO CLOSED SESSION**

*The City Council recessed into Closed Session at 5:02 PM.*

## **H. RECONVENE INTO OPEN SESSION**

*The City Council reconvened into Open Session at 6:05 PM.*

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

*The City Attorney announced the City Council went into Closed Session regarding conference with Legal Counsel regarding existing litigation, Charles Samuel Couch vs. City of Manhattan Beach. He further stated that City Council gave direction and there was no reportable action taken.*

## **J. ADJOURNMENT**

*At 6:06 PM Mayor Howorth adjourned the August 12, 2014, Adjourned Regular Meeting-Closed Session to the August 12, 2014, 6 PM Regular City Council Meeting in the City Council Chambers in Manhattan Beach City Hall.*