

City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266



Meeting Minutes - Draft

Tuesday, April 2, 2013

5:00 PM

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

**CITY OF MANHATTAN BEACH
CLOSED SESSION AGENDA
TUESDAY, APRIL 2, 2013 - 5:00 P.M.
CITY COUNCIL CHAMBERS
1400 HIGHLAND AVENUE
MANHATTAN BEACH, CA 90266**

The Closed Session Meeting of April 2, 2013 was called to order at 5:02 pm.

A. CALL MEETING TO ORDER

B. ROLL CALL

Present: 4 - Mayor Lesser, City Councilmember Burton, Councilmember Powell and Councilmember D'Errico

Absent: 1 - Mayor Pro Tem Howorth

C. PUBLIC COMMENT ON CLOSED SESSION AGENDA (Three Minutes Per Person)

Leonard Armato stated his hope for a reasonable solution to the outcome of his legal case. He spoke of the City's duty to minimize adverse impacts; his lack of due process; and the non-impartial conduct of a former City Councilmember.

Mark Abramson questioned the City's approval of the new single family residence at 301/303 25th Street.

Viet Ngo asked that the unknown gentleman attending tonight's Closed Session be identified and alleged violations of the Brown Act.

City Attorney Barrow stated that the gentleman is member of his law firm; that there were no Brown Act violations; and that Mr. Ngo's other allegations have no merit.

D. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

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

1. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)

(Government Code Section 54986.9(a))

Armato v. City of Manhattan Beach LASC Case No. BS142266

2. CONFERENCE WITH LEGAL COUNSEL (ANTICIPATED LITIGATION)

(Government Code Section 54956.9(c))

The City Council will consider initiating litigation (1 potential case).

E. RECESS INTO CLOSED SESSION

The City Council recessed into Closed Session at 5:16 p.m.

F. RECONVENE INTO OPEN SESSION

At 6:00 p.m. the City Council reconvened into Open Session.

G. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Attorney Barrow provided this announcement during the Closed Session Announcement in Open Session.

H. ADJOURNMENT

The April 2, 2013 City Council Closed Session Meeting was continued after the April 2, 2013 6:00 p.m. Regular City Council Meeting.

At 10:52 p.m. City Attorney Barrow read into the record the Closed Session items listed under Item D.

The City Council recessed into Closed Session at 10:53 p.m.

The Closed Session ended at 11:35 p.m. and City Attorney Barrow announced that the Council voted 4-0 defending the Armato lawsuit and that Item #2 was not discussed.

The April 2, 2013 City Council Closed Session Meeting was then adjourned to the April 16, 2013 6:00 p.m. Regular City Council Meeting.