

# **City of Manhattan Beach**

*1400 Highland Avenue  
Manhattan Beach, CA 90266*



## **Meeting Minutes - Draft**

**Wednesday, September 14, 2016**

**2:00 PM**

**CALL AND NOTICE OF A SPECIAL MEETING - CLOSED SESSION**

**City Council Chambers**

## **City Council Special Meeting**

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

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**[www.citymb.info/  
city-officials/city-clerk/city-council-meetings-agendas-and-minutes](http://www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes)**

**A. CALL SPECIAL CLOSED SESSION MEETING TO ORDER**

**B. PLEDGE TO THE FLAG**

*Mayor D'Errico led the Pledge of Allegiance.*

**C. ROLL CALL**

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

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

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

**E. PUBLIC COMMENTS (2 MINUTES PER PERSON)**

*None.*

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

*City Attorney Quinn Barrow read into the record that pursuant to Government Code Section 54956.9(d) (1) the City Council will recess into Closed Session to discuss existing litigation concerning the Manhattan Village Mall, as identified on the agenda with legal counsel.*

**CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)  
(Government Code Section 54956.9 (d)(1))**

**Name of Cases:**

**Sensible Citizens of Manhattan Beach v. City of Manhattan Beach  
Los Angeles County Superior Court  
RREEF AMERICA REIT CORP. BBB II  
Case Numbers. BC 570884 and BS 152854**

**The Sensible Citizens of Manhattan Beach filed two lawsuits challenging the City Council's approval of the Mall renovation project, and the parties have engaged in settlement discussions. Trial is scheduled for November 2, 2016.**

**G. RECESS INTO CLOSED SESSION**

*At 2:02 PM the City Council recessed into Closed Session.*

**H. RECONVENE INTO OPEN SESSION**

*At 2:45 PM the City Council reconvened into Open Session.*

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

*City Attorney Quinn Barrow announced that the City Council discussed the item identified on the agenda and by a 5-0 vote gave direction to its Subcommittee with respect to the Manhattan Village Mall Litigation and there was no other reportable action taken.*

**J. ADJOURNMENT**

*At 2:46 PM Mayor D'Errico adjourned the City Council Special Meeting.*

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**Martha Alvarez**  
**Recording Secretary**

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**Tony D'Errico**  
**Mayor**

**ATTEST:**

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