City of Manhattan Beach

1400 Highland Avenue
Manhattan Beach, CA 90266

Meeting Minutes - Draft

Wednesday, January 3, 2018

4:30 PM

Closed Session

City Council Chambers

City Council Adjourned Regular Meeting

Mayor David Lesser
Mayor Pro Tem Amy Howorth
Councilmember Steve Napolitano
Councilmember Nancy Hersman
Councilmember Richard Montgomery

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A. CALL MEETING TO ORDER

At 4:37 PM, Mayor Howorth called the meeting to order.

B. PLEDGE TO THE FLAG

Mayor Howorth led the Pledge of Allegiance.

C. ROLL CALL

Present 5 - Mayor Howorth, Mayor Pro Tem Napolitano, Councilmember Hersman, Councilmember Montgomery, and Councilmember Lesser

D. PUBLIC COMMENTS (3 MINUTES PER PERSON)

None.

E. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

City Attorney Quinn Barrow announced the following Closed Session.

I. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

City Designated Representatives:
 Acting City Manager Bruce Moe
 Human Resources Director Teresia Zadroga-Haase
Employee Organization:
 Manhattan Beach Mid-Management Employees' Association

II. **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 the City Attorney, based upon existing facts and circumstances, there is a significant exposure to litigation against the City.

Number of Cases: 1

III. **PUBLIC EMPLOYEE: RESIGNATION/DISMISSAL/RELEASE (Government Code Section 54957)**

IV. **PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)**

Title: Interim City Manager

F. RECESS INTO CLOSED SESSION

At 4:38 PM, Mayor Howorth announced that City Council would recess into Closed Session.

G. RECONVENE INTO OPEN SESSION

At 6:08 PM, the City Council reconvened into Open Session with all Councilmembers present.

At 6:09 PM, Mayor Howorth recessed the Adjourned Regular Meeting - Closed Session to immediately after the Regular City Council Meeting.

At 8:45 PM, Mayor Howorth reopened the Adjourned City Council Meeting - Closed Session.

At 8:46 PM, Mayor Howorth announced that City Council would recess into Closed Session.

At 9:42 PM, the City Council reconvened into Open Session with all Councilmembers present.

H. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

Mayor Howorth announced that regarding Item No. III:

After careful consideration, the Manhattan Beach City Council by a 5-0 vote has exercised its option to terminate the employment agreement with City Manager Mark Danaj.

The action is effective immediately and is without cause under the terms of its contract.

Pursuant to his contract, Mr. Danaj will receive up to 12 months of pay and benefits at his current rate paid on a monthly basis. However, the contract also obligates Mr. Danaj to seek new employment which would offset the City's resilience obligation.

The disposition of Mr. Danaj's home loan will be set forth as in the housing assistance agreement.

The City respects the privacy of its employees and former employees and since this is a personnel matter, there will be no further comments.

Finance Director Bruce Moe will continue to serve as Acting City Manager.

Please contract City Attorney Quinn Barrow at (310)802-5060 for any questions.

City Attorney Quinn Barrow announced that the City Council gave direction to its negotiator regarding Item No. I and that there was no reportable action taken regarding Item No. II.

I. ADJOURNMENT

At 9:44 PM Mayor Howorth adjourned the meeting.

Martha Alvarez
Recording Secretary

Amy Howorth
Mayor

ATTEST:

Liza Tamura
City Clerk