

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, August 6, 2019

4:30 PM

Closed Session

City Council Chambers

City Council Adjourned Regular Meeting

*Mayor Nancy Hersman
Mayor Pro Tem Richard Montgomery
Councilmember Suzanne Hadley
Councilmember Hildy Stern
Councilmember Steve Napolitano*

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A. CALL MEETING TO ORDER

Mayor Hersman called the meeting to order.

B. PLEDGE TO THE FLAG

Management Services, Senior Management Analyst George Gabriel led the Pledge of Allegiance.

C. ROLL CALL

Present 5 - Mayor Hersman, Mayor Pro Tem Montgomery, Councilmember Hadley, Councilmember Stern and Councilmember Napolitano

D. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Mayor Hersman opened the floor to public comment.

Seeing no requests to speak, Mayor Hersman closed the floor to public comments.

**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 LEGAL COUNSEL (INITIATION OF LITIGATION)
(Government Code Section 54956.9(d)(4))**

- a) Based upon existing facts and circumstances, the City Council will be considering joining as amicus in the case of Robert Martin v City of Boise (Case No. 1:09-cv-00540-REB) as an amicus curiae.
- b) In addition, the Council will consider initiating litigation in another matter.

Number of Cases: 2

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

- a) Name of Case: Darby T. Keen (Trustee) v City of Manhattan Beach

Los Angeles County Superior Court
Case No: 19STCP02984
- b) Name of Case: Donald McPherson et al v City of Manhattan Beach et al

(900 Manhattan, LLC)
Los Angeles Superior Court
Case No: BS174550
- c) Claimant: Janna Payne
WCAB Nos: ADJ10868401 and ADJ10991075

F. RECESS INTO CLOSED SESSION

At 4:33 PM, Mayor Hersman announced that City Council would recess into Closed Session.

G. RECONVENE INTO OPEN SESSION

At 6:00 PM, the City Council reconvened into Open Session with all Councilmembers present.

H. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

City Attorney Quinn Barrow announced the following:

Agenda Item No. 1a, by a 5-0 vote, City Council authorized joining an amicus brief effort in support of the City of Boise.

Agenda Item Nos. 11a and b, City Council received reports.

Agenda Item No. 11c, City Council gave direction.

There was no other reportable action taken.

I. ADJOURNMENT

At 6:02 PM Mayor Hersman adjourned the meeting.

Martha Alvarez
Recording Secretary

Nancy Hersman
Mayor

ATTEST:

Liza Tamura
City Clerk