

City Council Adjourned Regular Meeting

Closed Session

Tuesday, August 6, 2019

4:30 PM

City Council Chambers



Mayor Nancy Hersman

Mayor Pro Tem Richard Montgomery

Councilmember Suzanne Hadley

Councilmember Hildy Stern

Councilmember Steve Napolitano

Executive Team

Bruce Moe, City Manager

Quinn Barrow, City Attorney

Derrick Abell, Police Chief

Steve Charelian, Finance Director

Daryn Drum, Fire Chief

Lisa Jenkins, Human Resources Director

Stephanie Katsouleas, Public Works Director

Mark Leyman, Parks and Recreation Director

Anne McIntosh, Community Development Director

Liza Tamura, City Clerk

Sanford Taylor, Information Technology Director

MISSION STATEMENT:

**Our mission is to provide excellent municipal services,
preserve our small beach town character, and enhance the quality of life for our
residents, businesses and visitors.**

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

Your presence and participation contribute to good city government.

By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, this agenda provides an early opportunity for public comments under "Public Comments," at which time speakers may comment on any matter within the subject matter jurisdiction of the City Council, including items on the agenda.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.citymb.info, the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.

Meetings are broadcast live through Manhattan Beach Local Community Cable, Channel 8 (Chapter Spectrum), Channel 35 (Frontier Communications), and live streaming via the City's website.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.

CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Wednesday, July 31, 2019, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED.**A. CALL MEETING TO ORDER****B. PLEDGE TO THE FLAG****C. ROLL CALL****D. PUBLIC COMMENTS (3 MINUTES PER PERSON)**

Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City Council. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda. Each speaker may speak for up to 3 minutes.

Please complete the "Request to Address the City Council" card by filling out your name, city of residence, the item(s) you would like to offer public comment, and returning it to the City Clerk.

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

G. RECONVENE INTO OPEN SESSION

H. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION

I. ADJOURNMENT