

**City of Manhattan Beach
City Council
Adjourned Regular Meeting**

Thursday, January 12, 2023 3:00 PM

Mayor Napolitano: We're live okay. Welcome everyone to our 3:04 PM Special Closed Session Council Meeting. Where we will call the meeting to order and do the Pledge to the Flag led by Councilmember Howorth.

Councilmember Howorth: Thank you Mr. Mayor. I'm going to rise, I actually have a flag right here in front of me. So place your right hand over your heart and begin.

All: I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mayor Napolitano: Okay, that takes us to roll call.

City Clerk Tamura: Councilmember Franklin.

Councilmember Franklin: Present. Here.

City Clerk Tamura: Councilmember Howorth

Councilmember Howorth: Here

City Clerk Tamura: Councilmember Lesser

Councilmember Lesser: Present

City Clerk Tamura: Mayor Pro Tem Montgomery

Mayor Pro Tem Montgomery: Here

City Clerk Tamura: Mayor Napolitano

Mayor Napolitano: Here. Present.

Mayor Napolitano: All right. That takes us to public comments. Is there comments on anything within the jurisdiction of the City of Manhattan Beach and City Council? We'll open up to public comments up to three minutes per person. Anyone on Zoom, Martha?

Sr. Deputy City Clerk Alvarez: There's no request for public comments for this meeting.

Mayor Napolitano: Okay. So I'll turn it over to our City Attorney Barrow. Are you there Quinn?

City Manager Moe: I just got a text from Quinn. Apparently he's having technical difficulties. So he asked me to say, we the City Council will now go into Closed Session for the Brown Act on litigation items identifies on the agenda under Government Code Section 54956.9 (d)(1).

Mayor Napolitano: Is this an excuse to raise legal fees, so he can afford better internet?

City Manager Moe: That's attorney client privilege. We can't answer that.

Mayor Napolitano: Alright.

City Manager Moe: So we'll now recess into Closed Session.

Mayor Napolitano: We'll recess into Closed Session and come back after we are done. Record out and we'll see you in Closed Session room. Bye.

[Closed Session]

Sr. Deputy City Clerk Alvarez: We're live.

Mayor Napolitano: Okay. We're back. Mr. City Attorney.

City Attorney Barrow: I see a quorum back in the chambers. The City Council went into Closed Session to discuss the three pieces of litigation identified on the agenda. With respect to the Kaufman and the Drum case, the City Council gave direction on a five to zero vote to special counsel. With respect to the third item, the City Council gave direction to special counsel on a four to one vote with Councilmember Montgomery voting no. There was no other reportable action taken. At this time it'd be appropriate to adjourn to.

Mayor Napolitano: Is that true on the first item as well?

Councilmember Franklin: Yeah, two, five to oh.

City Attorney Barrow: Yeah, that's my notes five oh.

Mayor Napolitano: Oh you said two. Okay. I only heard you talk about two actions.

City Attorney Barrow: Oh, the first two were five, oh.

Mayor Napolitano: Oh, first two. Okay.

City Attorney Barrow: I grouped them together.

Mayor Napolitano: Got it. Okay. All right, without any further to do. We will adjourn to our 6pm meeting on January 17th. Correct?

City Attorney Barrow: Yes, that will be our next Council meeting, six o'clock on Tuesday.

*Transcription provided by Jamie Morita, Administrative Clerk, Department of Management Services, City of Manhattan Beach.