

SPECIAL MEETING OF THE CITY COUNCIL

Mayor's Closed Session Announcement

DATE OF CLOSED SESSION: November 5, 2019

CONVENE TIME:

ADJOURNMENT:

November 5, 2019

9:30 pm

11:53 pm

PRE-MEETING ANNOUNCEMENT

LEGISLATIVE BODY: CITY COUNCIL

SUBJECT OF CLOSED SESSION:

**CONFERENCE WITH LEGAL COUNSEL - LIABILITY CLAIMS (Pursuant to
Government Code § 54956.95)**

CLAIMANT: Malia Vella

AGENCY CLAIMED AGAINST: City of Alameda

POST-MEETING ANNOUNCEMENT

The City Council met in Closed Session to discuss:

Considered w/ 3 B.

VOTE: see 3B.

AYE

NO

ABSENT

ABSTAIN

Mayor Marilyn Ezzy Ashcraft

Vice Mayor John Knox White

Vice Mayor John P. Vella Councilmember Vella

Councilmember Vella
Councilmember Daysong

Councilmember Dayso
Councilmember Oddo

On April 16, 2018, three un-recused Council members (Spencer, Ezzy Ashcraft and Matarrese) declined to reimburse Council Member Vella for attorney's fees she incurred in connection with the City's Administrative Investigation relating to the Keimach matter. One day later, on April 17, 2018, Council Member Vella filed a formal claim against the City, alleging defamation, invasion of privacy and again requested reimbursement of attorney's fees. In sum, Council Member Vella requests reimbursement of approximately \$93,000 in attorney's fee, which she incurred in connection with the City's Administrative Investigation. The City never formally acted-on or rejected the April 17th claim; thus, it is deemed rejected by operation of law after 45 days of inaction by the City. (Gov. Code Section 945.6(a)(2)).

This Council is not prepared to further reimburse Council Member Vella for attorney's fees incurred during the City's administrative investigation (the \$93,000 requested) or pay additional public funds to settle Council Member Vella's other claims. Thus, the Council directed the City Attorney to formally reject the pending claims. Additionally, the Council directed the City Attorney to release the tape made by Keimach with appropriate redactions as authorized by law, in response to pending Public Records Act requests. The Council has, in particular, authorized the preparation of a transcript, entirely at the City's expense, for purposes of redaction and public release. Council further authorized the City Attorney to execute appropriate conflict waivers to permit attorneys from the law firm of Remcho Johansen & Purcell to represent the City in these matters, under the direction of the City Attorney.