

**From:** [Shelby S](#)  
**To:** [City Clerk](#)  
**Subject:** [EXTERNAL] public comment for 03/27/26 City Council closed session --need for Brown Act disclosure compliance  
**Date:** Saturday, May 23, 2026 7:54:28 PM  
**Attachments:** [image.png](#)

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To the Mayor and Councilmembers--  
Upon review of the 05/19/26 post closed-session announcement regarding the *Greenway Golf* existing litigation, it appears the City has not complied with the Brown Act.

As shown by the image attachment at the end of this comment, the posted announcement shows this Council took two separate, unanimous 5-0 votes during the opening week of the trial, yet completely hid the substance of both actions under the identical generic phrase: "*Council provided direction to the City Attorney.*"

It is my understanding that this is a de facto violation of California Government Code Section 54957.1.

The Brown Act strictly mandates that the public report must disclose the *substance* of the action or agreement approved, not just that a vote occurred for an undisclosed direction.

Taking multiple distinct 5-0 votes at this critical juncture—following Day 2 of the trial and immediately prior to the Mayor taking the stand the next morning—represents binding commitments of public assets and trial parameters. (*See reference links below*)

Disclosing the basic substance—such as stating whether you voted to reject a settlement proposal or authorize a specific procedural motion—does not fall under "exposing confidential strategy"--. It constitutes fulfilling your statutory duty.

Accordingly, the City cannot hide behind the excuse that being more specific would "harm the city's case." The Brown Act already protects private *deliberations* inside the room. But final *decisions* and votes belong to the public.

Therefore:

1. Formal Demand for Cure and Correct

Please let the record show that this statement serves as my formal demand to cure and correct this violation pursuant to Government Code Section 54960.1. I demand that the City Council, within 30 days, amend the official minutes of the May 19th meeting to explicitly state the actual substance of both 5-0 votes.

2. Compliance with the Brown Act Moving Forward

This Council's formal votes or further trial commitments in the coming

days are legally required to include the specific substance of those actions immediately upon reconvening. Now that you are on notice, please ensure all upcoming post closed-session announcements comply with the Brown Act.

The public is watching this trial very closely.

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DATE OF CLOSED SESSION: May 19, 2026  
CONVENE TIME: 5:00 p.m.  
RECESS: 6:24 p.m.  
RECONVENE: 10:18 p.m.  
ADJOURNMENT: 11:15 p.m.

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**PRE-MEETING ANNOUNCEMENT**

LEGISLATIVE BODY: CITY COUNCIL

**SUBJECT OF CLOSED SESSION:**

3-A CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)  
Case Name: City of Alameda v. Greenway Golf Associates, Inc.  
Court: Alameda County Superior Court  
Case No: 22CV011964

**POST-MEETING ANNOUNCEMENT**

Action: Council provided direction to the City Attorney.

**VOTE 1:**

	AYE	NO	ABSENT	ABSTAIN
Mayor Ezzy Ashcraft	X			
Vice Mayor Pryor	X			
Councilmember Boller	X			
Councilmember Daysog	X			
Councilmember Jensen	X			

**VOTE 2:**

	AYE	NO	ABSENT	ABSTAIN
Mayor Ezzy Ashcraft	X			
Vice Mayor Pryor	X			
Councilmember Boller	X			
Councilmember Daysog	X			
Councilmember Jensen	X			

**Refs:**

<https://law.justia.com/codes/california/code-gov/title-5/division-2/part-1/chapter-9/section-54957-1/>  
<https://firstamendmentcoalition.org/asked-and-answered/reporting-closed-sessions-decisions/>  
<https://www.aalrr.com/EdLawConnectBlog/brown-act-confidentiality-of-closed-session-information>  
<https://www.oaklandcityattorney.org/wp-content/oca-reports/public-legal-opinions-and-public-reports/2020-01-30-Public-Legal-Opinion-Regarding-Brown-Act-JAN-30-2020-Requirements-to-Report-in-Open-Session-Closed-Session-Actions-on.pdf>

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Shelby  
510-435-9263

*"The righteousness of the oppressed will not go unheard."*

**From:** [Shelby S](#)  
**To:** [City Clerk](#)  
**Subject:** [EXTERNAL] Public Comment 05/27/26 --3-A 2026-5981 --City Council Closed Session RE Corica lawsuit--seems neither the litigation nor outside counsel expenses were lawfully authorized. What now?  
**Date:** Thursday, May 21, 2026 8:22:09 PM

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There's this little thing called the California Constitution that requires all litigation and public expenditures (including on outside counsel) to be PRE-approved by the legislative body. the City Atty is an employee who cannot spend money in excess of his authority--which is only to act upon City Council's orders.

In addition, there are public disclosure requirements from the Brown Act that require the item, the vote and the issues to be clearly disclosed to the public. I don't see that here. I see some indications that some general funds were moved around after the fact, but that is far from a preapproval directive from City Council.

\$2 million so far on retaliatory litigation WITHOUT a formal vote ahead of time from council? Ruh-roh!

--

Shelby

510-435-9263

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