

# ACT Alameda Citizens Taskforce

May 19, 2011

Dear Mayor Gilmore and Members of the Alameda City Council;

The Alameda Citizens Task Force believes that the city should not reimburse Councilmember Lena Tam for her legal expenses incurred during the investigation of her release of confidential information to SunCal and others.

Given her role as a councilmember, Ms. Tam has a duty to protect the interests of the city. Her actions took place in the Spring of 2010, in the months following SunCal's failed attempt to wrest control of Alameda Point via Measure B, and against the backdrop of SunCal's escalating threats of legal action should their alternate plan not be accepted by the ENA deadline of July 20, 2010.

Under the City Charter, Section 7-2, the city manager "shall have the power and it shall be his or her duty ... (M) To investigate the conduct and proceedings of any officer or board of the City when he shall deem the same necessary". The city manager acted within her authority when she contacted Michael Colantuono, a highly respected public law attorney, who then conducted an investigation in the belief that the information received by SunCal would damage the city's financial interests.

In addition, her choice of John Keker, a very highly paid criminal attorney, to represent her, has unfortunately resulted in a potential costly debt to our city.

Finally, it should be emphasized that while the District Attorney's Office failed to prosecute Ms. Tam, it did not fully exonerate her of any wrongdoing either.

Sincerely,

Nancy Hird  
Gretchen Lipow

Co-coordinators  
Alameda Citizens Task Force