

The Committee on Ways and Means met on Monday, March 20, 2023 at 6:00pm in the City Council Chambers at City Hall.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor John Hanlon, presiding; Councilors Darren Costa, Vivian Nguyen and Stephanie Smith.

The Committee met on an Order offered by Councilor Michael Marchese, as President: An order requesting the approval of an appropriation of \$250,000 from Budgetary Fund Balance into the Solicitor's Litigation/Professional Services account.

City Solicitor Colleen Mejia was also present.

Councilor Costa mentioned previous attorney invoices he received that had a number of redactions in which he was seeking more information and asked if the information could be obtained in Executive Session. Solicitor Mejia explained that all City employees and appointed – elected officials including herself were subject to the US Attorney and Department of Justice inquiry. She stated that she doesn't have all information or access to it. Solicitor Mejia provided an overview of the discrimination inquiry which was occurring based on media accounts. She stated that the City hired a law firm that was the best of the best which had a former US Attorney and former Assistant US Attorney representing the City. Councilor Smith referenced the inquiry start timeframe and remarked that she didn't believe any of the new City Councilors would be involved in the inquiry. Councilor Smith questioned the amount of time the lead attorneys were working on it and wondered if there were any duplications or if it was work that the Junior Associates could have performed at a cheaper cost. Solicitor Mejia assured the Committee that the Junior Associates were doing grunt work and that there were no duplications by the lead attorneys. She explained that the first phase was to provide the US Attorney office with documents they requested and that she expected that the next phase would begin in a few weeks in which they would begin interviewing City employees who will be represented by the attorneys hired. Solicitor Mejia indicated that the attorneys hired had also conducted an internal review of the documents provided to the US Attorney's office and found a few deficiencies that are now being corrected as it relates to policies and training. Councilor Smith inquired to who the School Department had representing them in this inquiry and Solicitor Mejia noted that they also had hired a former US Attorney. Solicitor Mejia informed the Committee that the School Department had budgeted \$200,000 this fiscal year for legal representation and is proposing a budget for next fiscal year for legal representation in the amount of \$696,000. She remarked that the City could have saved some money if the Schools had utilized the same Attorneys as the City had hired. Councilor Smith stated that the City Council should be privy to this information and mentioned that we are one City. She asked Solicitor Mejia if she could have the US Attorney's office provide a letter to the City Council confirming what the elected officials can see or not see as it related to this inquiry especially where they need to answer to their constituents regarding these costs. Councilor Costa asked who the attorneys would be representing and Solicitor Mejia responded that they would be representing anyone in their scope of employment with the City of Everett. The Committee inquired into the reason for the May legal invoices and Solicitor Mejia explained that it had

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nothing to do with the inquiry and that invoice was a result of a City Council requesting a response to allegations made against the Mayor by media sources. Chairman Hanlon asked if the \$250,000 would be sufficient to the end of the fiscal year and Solicitor Mejia noted that she had received a February legal invoice in the amount of \$99,000 which would deplete her current account and indicated that she was unsure if she would need more money or not. Chairman Hanlon asked when the Solicitor expected all of this to end and Solicitor Mejia responded that hopefully it would end in late Spring. Councilor Smith requested further time on the matter. Councilor Costa requested that Solicitor Mejia have the US Attorney's office provide a letter to the City Council confirming what the elected officials can see or not see as it related to this inquiry – that contact information at the US Attorney's office be provided – legal invoices related to the inquiry from the School Department be provided – and that the CFO provide updated information on May legal invoices to the City.

The Committee voted: to request further time with a further request that the following be provided prior to the next meeting - that Solicitor Mejia have the US Attorney's office provide a letter to the City Council confirming what the elected officials can see or not see as it related to this inquiry – that contact information at the US Attorney's office be provided – legal invoices related to the inquiry from the School Department be provided – and that the CFO provide updated information on May legal invoices to the City

Respectfully Submitted,

John W. Burley
Clerk of Committees