

16.1: URGENT ITEM BY COUNCILLOR BOSTOCK

ITEM 16.1: MOTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT the Motion by Councillor Bostock be ACCEPTED as an urgent item.

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THAT:

- 1. Council APPOINT a Committee of five Councillors to act as Council's liaison conduit with Clayton Utz.**
- 2. All information sent to Clayton Utz is ENDORSED by Council and any communication received from Clayton Utz is directed through Council.**

Councillor's Reason:

1. There is a possibility that the City of Albany will face a claim for unfair or constructive dismissal from our previous CEO, Ms Faileen James. If such a claim is received the City must ensure that it is in the best possible position to mount an effective defence, which will require the presentation of all relevant facts to our lawyers. Such a presentation is only possible if a Committee of Council is responsible for the accumulation and correlation of the available material.

It is unlikely that any single Councillor will be in possession of all the relevant information and impossible for members of staff to be so informed.

2. For Council to be fully informed of the progress of the case, all communication with Clayton Utz must be directed through it. No individual, including the Mayor, can act on behalf of Council without its formal agreement and any actions taken without such agreement carry no force in law.