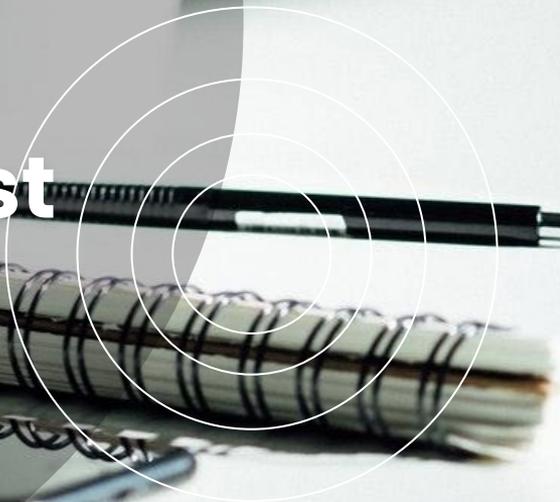




Walking the Line

**Addressing
Complaints Against
Elected Officials**



Panel Members

Moderator



Kelly Trainer Policky
EMPLOYMENT PRACTICES MANAGER
California Joint Powers
Insurance Authority

Panelist



Nelson Fialho
EXECUTIVE DIRECTOR
Renne Public
Management Group

Panelist



Eli Makus
MANAGING PARTNER
Van Dermeyden Makus
Law Corporation

Panelist



Jenica Maldonado
PARTNER
Atkinson, Andelson, Loya,
Ruud & Romo



Overview of the Roles

1 City Manager

2 Legal Counsel

3 Investigator

Imagine...

A Councilmember has been making highly critical comments about multiple Department Heads during public meetings and on social media. That same Councilmember has been contacting staff, asking questions, and, in some cases, directing staff.

Last week, the Finance Director emailed a complaint to the City Manager against the Councilmember. In it, she alleges that the Councilmember has been creating a hostile work environment and is treating her differently because she is the only female Director. She also accused the Councilmember of improperly directing her and other members of the Finance Department in violation of the municipal code.





**What is your initial
response to
receiving this
complaint?**



**How is this
agendized for
the City
Council's
Review?**



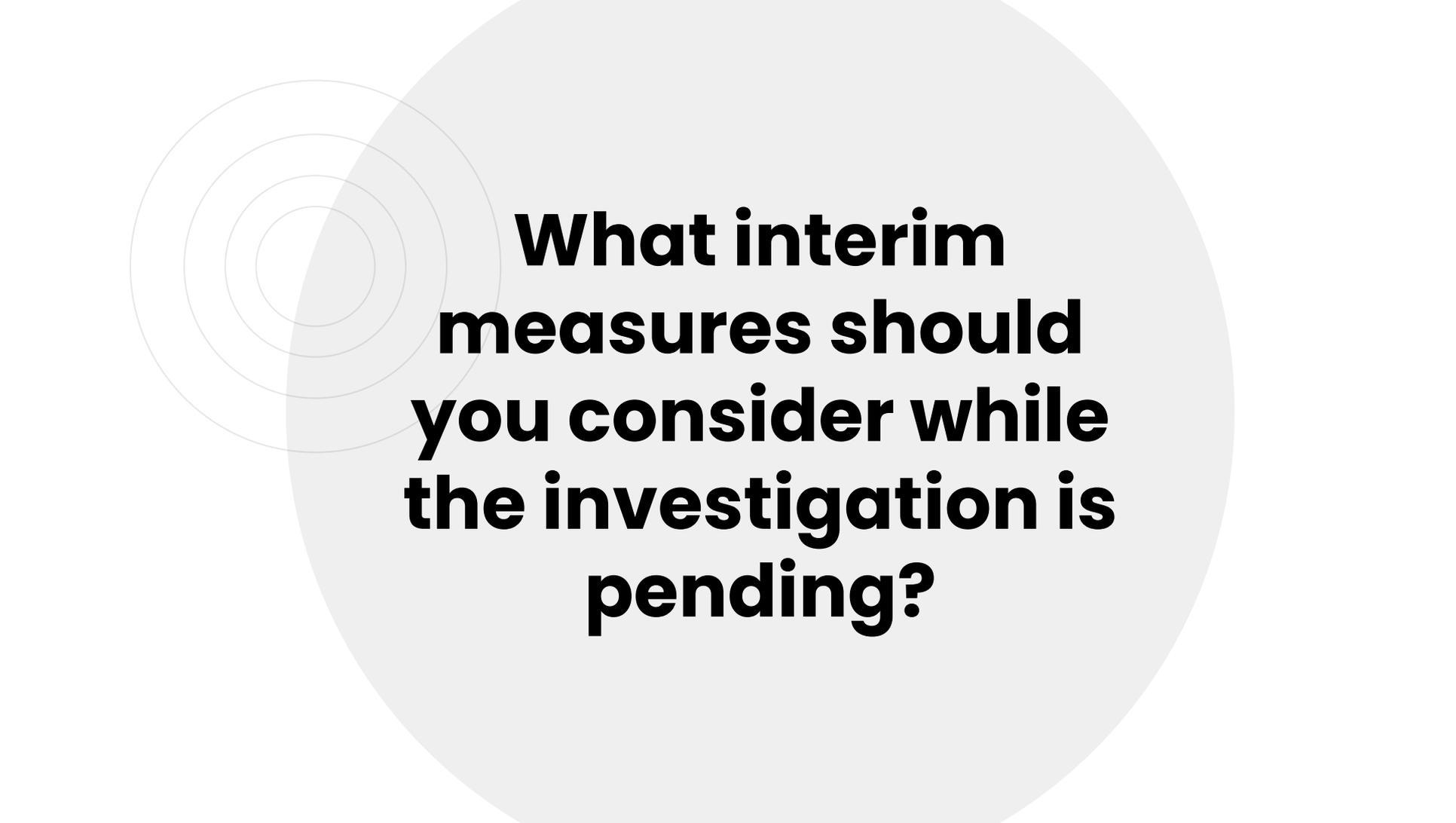
**Does the accused
Councilmember
attend Closed
Session?**



**What decisions
or direction do
you need?**



**What do you need
in an investigator?**



**What interim
measures should
you consider while
the investigation is
pending?**



**Who handles
the logistics
of the
investigation
for the City?**



**How do you
manage
questions and
concerns from
staff?**



**How do you
manage questions
and concerns from
Councilmembers,
including the
accused
Councilmember?**



**How should the
report be
prepared and
delivered to the
City?**

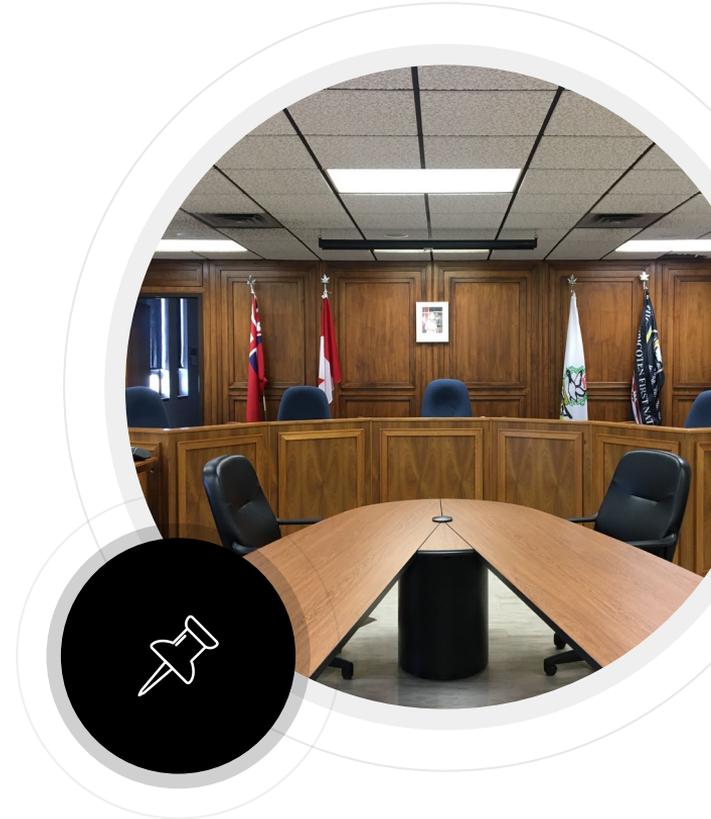


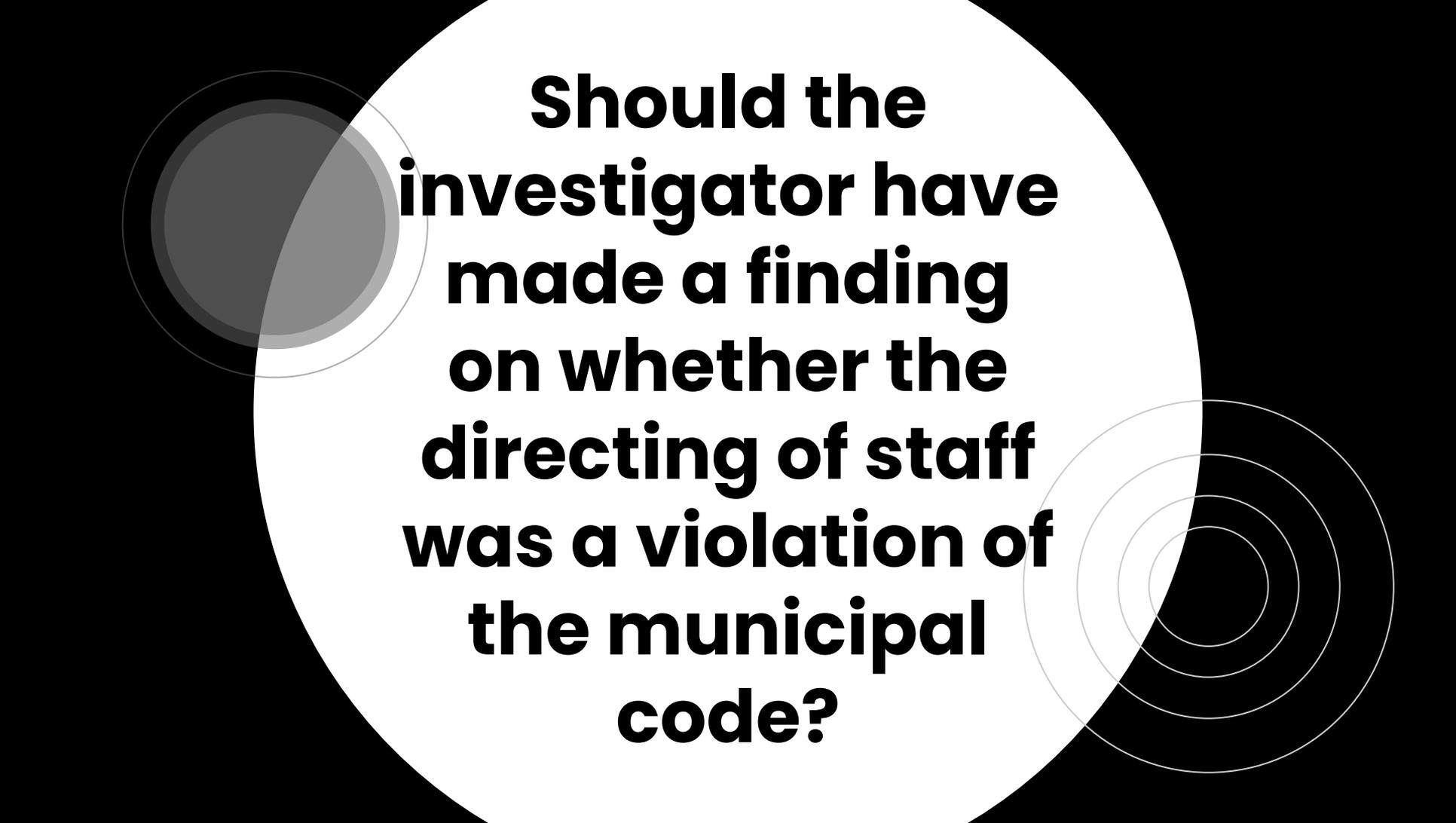
**What are the
options for
disclosing the
investigation
results to the
Council?**

Imagine...

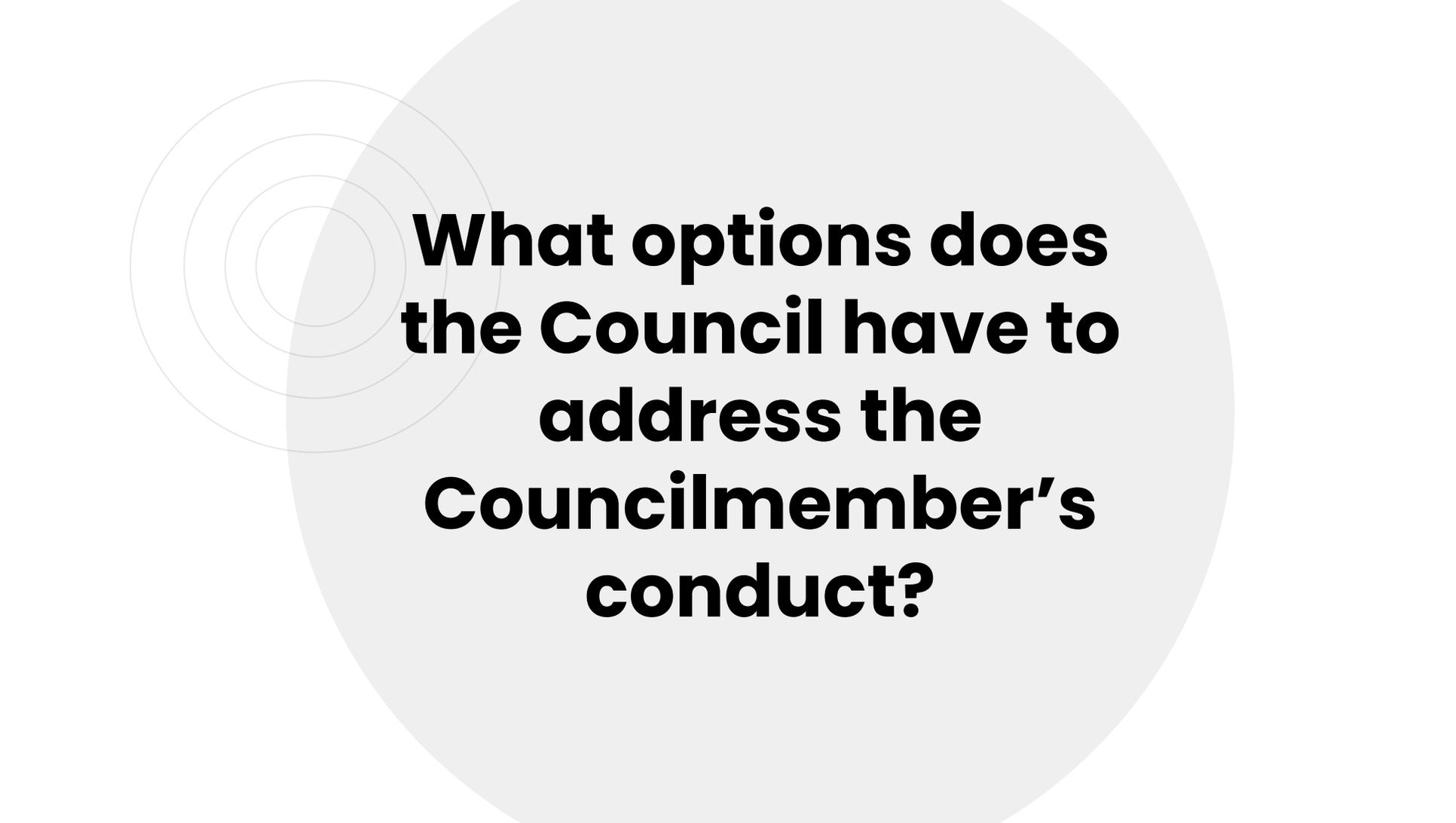
The investigation findings are:

- The Finance Director has not been treated differently than male Department Heads
- The Finance Director has been subjected to unprofessional conduct by the Councilmember – in public meetings, during Closed Session, and in one-on-one dealings
- The Councilmember has issued directions to the Finance Director





**Should the
investigator have
made a finding
on whether the
directing of staff
was a violation of
the municipal
code?**



**What options does
the Council have to
address the
Councilmember's
conduct?**



**How do you
effectively manage
the ongoing
professional
relationship
between
employees and the
Councilmember?**



Audience Q&A

Thank you!

Moderator



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