

SLT city attorney being paid not to work

By Kathryn Reed

Even though Jacqueline Mittelstadt is still listed on South Lake Tahoe's website as the city's attorney, she is not doing the job.

She said she received a call Sept. 8 from special counsel for the city who told her, "I am not allowed to return to work.'

Access to her computer has been turned off. The locks on her door have been changed.

Patrick Enright, assistant city attorney-redevelopment counsel, has been appointed interim city attorney.

All of this happened behind closed doors Tuesday. When contacted the next day, Enright was not forthcoming with information about what happened at the meeting, though he said he was in the meeting for part of the discussion.

City Council members are not talking either.

The question remains whether the council's actions are a violation of the Brown Act, which says action taken in closed session must be reported in open session. Clearly, action was taken.

Mittelstadt said she was not told how long she will be on paid leave of absence.

Sources told Lake Tahoe News it is non-disciplinary leave.

In order to terminate Mittelstadt the council must do so at a regularly scheduled meeting. A council member could seek consensus from his peers at the Sept. 15 meeting to have the

item placed on the Oct. 6 agenda.

If that were to happen, she would be given 30 days notice that in another 90 days she is off the payroll and out of a job. This means Mittelstadt, who has only been working since June, would be paid almost five months at more than \$10,000 a month to not work.

Why the council is ready to ax Mittelstadt has not been revealed. Before she was hired on a 5-0 vote the council members were enthusiastic to have her on board.

Earlier this week she told LTN, "The City Attorney's Office noted some internal irregularities in the city and reports of which were not necessarily well received."

Any grievances that may have been filed against Mittelstadt or Enright or by them must be resolved before the council could terminate their employment.