

South Lake Tahoe city attorney resigns

By Kathryn Reed

Jacqueline Mittelstadt is moving on – this time by choice.

She gave notice Wednesday. Her exact last day still needs to be negotiated, but it will be a matter of weeks.



Jacqueline
Mittelstadt

Mittelstadt came on as South Lake Tahoe's city attorney in June. Three months later on a split decision the City Council began the process to fire her for reasons that remain murky and were not fully aired in open session.

Two months down the road, in early November, the council reversed course and decided to keep Mittelstadt as assistant city attorney and bumped Patrick Enright into the city attorney's seat.

What direction the council will take now is unknown. This had been the first time two city attorneys were on staff. Mittelstadt said there is more than enough work to keep two attorneys busy.

Enright was not available for comment. Mayor Kathay Lovell and Mayor Pro Tem Hal Cole were not aware of Mittelstadt's impending departure until *Lake Tahoe News* called.

"The city seems more divisive then I've ever seen it. It comes from the top down," Cole said. "There is a morale problem in the City Council and I see that trickling down into the whole organization. It seems like personality becomes more important than policy."

Mittelstadt sat down with *Lake Tahoe News* on Wednesday to talk about her brief stint here. She said many have encouraged her to stay until after the election in November when three seats are up on the council. But she isn't willing to take that gamble.

Asked what she would do if she were mayor or city manager for the day, Mittelstadt said, "I would invite disagreement, open dialog, be forthright in what I say. My actions would be consistent with my words. Above all, I have the philosophy of doing the right thing, what is in the best interest of the community."

She simply said, "I don't fit into the culture here."

Mittelstadt says there's nothing she would have done differently that could have avoided the brouhaha last fall.

"I followed the direction the City Council gave to me and that's what city code required me to do," Mittelstadt said.

Financial issues about the use of out outside counsel, whether contracts were in place, whether bids for this work were sought, and how City Manager Dave Jinkens could hire outside counsel without the city attorney or council knowing all came to light upon investigations by Mittelstadt and Enright.

Life for Mittelstadt unraveled from there. Like Cole said, personalities seemed to become more dominant than policy.

She says there is a need for outside counsel because of their specialties. But she also said the city was in the habit of paying \$30 per email from an attorney.

Mittelstadt has a number of job offers on the table. She won't say if it's public or private practice she is looking at or where.

She leaves with a heavy heart, having made friends, joined Soroptimist, and having fallen in love with the beauty of Lake Tahoe.