

South Lake Tahoe won't come clean on nepotism questions

By Kathryn Reed



Nepotism, according to the dictionary, is “patronage bestowed or favoritism shown on the basis of family relationship, as in business and politics.”

It's alive and thriving among employees of South Lake Tahoe (full and part time), as well as extending to City Council members and city commissioners.

Since June 30, *Lake Tahoe News* has been emailing city officials in an attempt to have disclosure of all the relationships – spousal, in-laws, children – whatever the connection, be it blood or through marriage.

Even by invoking the Public Records Request Act more than once, the city has not provided the information requested.

Initially, Human Resource Director Janet Emmett deferred the request to City Attorney Patrick Enright. After multiple emails and phone calls to Enright, a response came from him via City Manager Dave Jinkens.

The July 22 email from Jinkens says, “The city attorney provided me with information relating to your recent request for the names of persons employed by the city who are married.

“The request for information relating to marital status and blood relations is exempt from disclosure under Government

Code section 6254(c), which excludes from disclosure 'personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.' This includes information like Social Security numbers, home telephone numbers, home addresses, marital status, health issues etc. A 2007 California Supreme Court case in 2007, I am told, affirmed the exemption from disclosure of personnel information. Additionally, police officers have a special section [Penal Code section 832.8] which prohibits the disclosure of personal data, including marital status, family members, educational and employment history, home addresses and similar information."

But the truth is, providing relationship status really has nothing to do with personnel records. The city's refusal to disclose relationships based on this code is bogus.

Lake Tahoe News responded to Jinkens the same day by emailing, "Thank you for your email. However, not only did I ask for spouse and blood relations, but also relations through marriage like son-in-laws, as well as parent-child relationships. I would like that for seasonal, part-time workers, as well as full time. Those types of relations don't seem to be precluded from public disclosure based on the information you sent me.

"In addition to that information, I respectfully ask for the email with the names of the people it was sent to, which is a public document, that was sent by Janet Emmett the day of my initial request [nearly three weeks ago?] to all of the employees affected by my inquiry. If you need a formal Public Records Request Act, I will do so. If this can suffice, thank you.

"At the same time, I am now asking for a list of all city employees and their job titles. I think this would be pretty easy to get to me by 5pm today. If not, then I'd like an explanation."

To this Jinkens reply was, "I will ask the city attorney to reply. I have given you the best answer I have on the matter."

Enright did not respond as of this posting. None of the council members weighed-in on the subject either and they were copied on the email.

Connecting the dots

The city's website lists some of the employees, but not all. It doesn't list most of the police and fire department employees, though police employees are on a separate website. The fire department doesn't list its employees on its website. A list of part time and seasonal workers has not been secured.

On the city's website it has the Palazzos. They met on the job. Ellen is the assistant city clerk; Gene is the director of Housing-Redevelopment.

Lori Marino is the grants administrator and her husband, Jim, is an assistant city engineer.

Maryanne Brand is an accounting manager. Her husband, Phil, is a housing rehabilitation specialist.

Debi Schild is a senior permit technician in the Building Department. Her husband, Walt, is employed by Public Works.

LTN learned Krista Eissinger, airport secretary, is the sister of police Officer Andy Eissinger.

Tony Silva, airport maintenance supervisor, is married to a police officer who has a different last name.

Nick and Heather Carlquist, not a common last name, are police officers. One is active, the other reserve. Their relationship is not known. Brad and Brian Williams are brothers who are police sergeants. There is a J. Broadfoot (dispatcher) and a T. Broadfoot (officer) listed on the SLTPD website.

Three of the council members are related to people affiliated with the city. Mayor Kathay Lovell is the mother of police Officer Ryan Wagoner.

Councilman Bill Crawford is married to planning Commissioner Jonnie Crawford.

Councilman Bruce Grego is married to planning Commissioner Geraldine Grego.

The Planning Commission hears an issue before it is referred to the City Council.

Three couples with city ties are engaged. One is Nancy Kerry, manager of Housing-Redevelopment, and airport Commissioner Howie Nave.

These are just the relationships *Lake Tahoe News* knows about. It's been a common practice through the years for the Parks and Recreation Department to hire the children of employees.

Problems with nepotism

Most cities have detailed nepotism policies. Most don't have anywhere near the number of familial ties South Lake Tahoe has – especially in a city with about 220 full-time employees.

The nepotism issue was brought up in the June El Dorado County Grand Jury Report, saying their investigation could not track down a nepotism policy for the city.

No training has been provided by the Human Resources Department in how to deal with nepotism.

It's common knowledge by workers that people who are related cannot supervise one another. This is standard in most workplaces.

But problems arise. For instance, Ellen Palazzo is a notary, but ethically she should not be notarizing a document her

husband signed. It would not be illegal for her to do so. To keep it all clean, she has never notarized anything for him.

With two married couples having ties to the Finance Department, who is watching what's spent by the departments their spouses work in?

Case law points to several incidents of third party discrimination. That would be when an employee working for one of the married or otherwise related individuals is not comfortable going to the spouse of their boss for fear of recrimination.

This creates a hostile, as well as dysfunctional work environment.

This story about Oakland's hiring mess clearly illustrates what happens when nepotism, aka favoritism, runs rampant in a city.

Here is what a law website has to say about nepotism.

A fired spouse in another locale contended their constitutional right to marry was at stake and filed a lawsuit. Read this for more on the topic.

Here is another take on married couples in the workplace.

Issues with nepotism

How all relationships came about is not known. Did they get hired because they are a couple? Did they meet on the job? Was one hired and then got their relative on the inside track at the city?

The South Shore is small. There are a limited number of qualified people for certain positions. There are a limited number of potential significant others. But none of this means the city has to be in the business of hiring relatives.

Good hiring practices mean casting a wide net for potential hires, not asking the person in the neighboring cubicle if they know someone to hire. It means hiring based on performance, not just because someone is local or is related to someone.

The issue of nepotism goes beyond how city employees are affected.

With all the relations in South Lake Tahoe government, how is a member of the public to know when she files a complaint, that the person investigating it isn't related to the person being accused?

Cities hide behind the shield of personnel records not being privy to public review. So how is the public to know hiring isn't biased and that the relative is truly the best, most experienced candidate? That question then begs, why is a relative even being considered?

Without transparency in city government, the public – for who they work and who pays their salaries – is left in the dark.