

Conner, South Lake Tahoe reach settlement

By Kathryn Reed

South Lake Tahoe City Councilwoman JoAnn Conner has agreed to drop her lawsuit against the city.

In December, Conner filed the lawsuit seeking to have the censure imposed on her in October by her four council colleagues be overturned. The censure came about because the council believed Conner's behavior toward staff was unprofessional and that she was a bully who needed to be controlled.



JoAnn Conner

Also named in the lawsuit was City Manager Nancy Kerry. She is one of two employees who the council actually directly oversees. A councilmember suing her employee in California was unprecedented.

The two sides met in June to mediate the dispute after a couple hearings in El Dorado County Superior Court.

"It's not signed yet, so whomever is discussing it, is in a violation of what is intended to the agreement and could cause the deal to fail," Jacqueline Mittelstadt, Conner's attorney, told *Lake Tahoe News* on Aug. 2.

Conner was also asking to have the judge rule that the ban on

her speaking to city staff be illegal. Protocols since Conner has been on the council always said the elected officials were not to go to staff they don't actually manage. This is to avoid political favor and not have employees be micromanaged. After all, the council's job is to set policy, not manage people other than the city manager and city attorney.

Other items in the suit pertained to Conner wanting to email any staff member. This was after Kerry mandated all of Conner's emails go through her or the city attorney. Kerry set this policy based on what she determined to be inappropriate correspondence.

Kerry also took away Conner's key card allowing her access to city offices. Council mailboxes were moved so the need for councilmembers to go into a key card area was eliminated.

Conner also wanted the court to weigh in on when a policy about parades should be heard (Conner in the past has put on a parade in the city limits) and wanted the judge to make her colleagues assign her to committees.

The council at its meeting Aug. 2 met in closed session. Afterward it was reported that a settlement had been reached. Specifics have not been released. When the deal is signed, the details will be made public.

One detail is that no money will be exchanged.

Kronick, Moskovitz, Tiedemann & Girard was hired by the city to handle the case. The council allocated \$100,000 and to date has spent \$87,450.

It isn't known how much Conner has spent on this case. Mittelstadt has to charge her \$400 an hour because that is what was billed to the city for the censure hearing that legally had to be reimbursed to the plaintiffs. Government Codes 87460 and 87461 regulate monetary gifts/loans for political officials. Legally Mittelstadt cannot reduce her fee

to Conner or waive any of costs. Previously, Mittelstadt told *Lake Tahoe News* that Conner was on a payment plan. Conner has posted on social media a desire to establish a legal defense fund of sorts.