

SLT-Conner settlement agreement released

By Kathryn Reed

The 11 main items in the settlement agreement between South Lake Tahoe and City Councilwoman JoAnn Conner essentially return certain policies to what they were prior to the brouhaha that became public last year and then document long-standing protocols.

Six employees brought harassment and bullying allegations against Conner. But Conner is not their boss, so the typical employee-employer rules didn't apply. City Manager Nancy Kerry in trying to protect those employees who work for her took action to stop Conner from being able to interact with them and all employees. This happened a year ago.

Kerry, who has levied bullying accusations against Conner, could sue the councilwoman. Conner is Kerry's boss. But Conner would likely enjoin the city and therefore Kerry would essentially be suing the city, with the taxpayers picking up the bill. At this time Kerry has chosen not to do so, but there is nothing in the agreement that would prevent her from doing so in the future.

After Kerry disabled Conner's card key to city offices and instituted a policy that Conner must only communicate with her or the city attorney, the remaining four councilmembers censured Conner last fall. This is essentially a slap on the wrist saying they don't like her behavior.

When it came time for committee assignments Conner's council colleagues voted to keep her off almost all of them.

Conner soon sued the city and named Kerry in the court filings. Part of what she wanted a judge to rule on was the

censure. El Dorado County Superior Court Judge Steve Bailey said no way, the council has a right to make such a decision.

Conner initially said her constitutional rights were jeopardized. This allegation is not addressed in the agreement. (The agreement came out of a mediation session in June.)

Eventually all of the councilmembers turned in their card keys, so there has been equality for months even though this item is in the settlement.

Also in the agreement is how the mayor runs the meeting. That's been the case for 51 years.

The agreement says Conner can go to pre-agenda meetings. That has always been the case, but for the last year she has chosen not to.

How committee assignments are handled is spelled out in the agreement. Again, this has been the policy for years and is nothing new.

Also not new is how agenda packets are distributed.

The big thing Conner got is to be treated like all the other councilmembers.

In the agreement she is now able to email staff directly. For the last year her emails from her personal and city accounts were routed through the city manager. As with all councilmembers, she now must copy the city manager on the emails.

The major win for the city is Conner agreed to dismiss the lawsuit with prejudice. This means Conner cannot sue the city again on the same grounds.

While Conner signed the eight-page document on Aug. 18, and Mayor Wendy David and Kerry did so Aug. 16, it was not

released until Aug. 24.

Part of the agreement is that none of the parties in the suit may talk about it to anyone, nor may they comment about it on social media or blogs. The exclusion did not include commenting on news sites, just that they can't talk directly to a reporter.

Here is a copy of the settlement.

All of this cost Conner about \$30,000. It took nearly \$100,000 out of the General Fund for the city to defend itself. Conner usually bills herself a defender of the "little people" – that's her phrase, and she has been fiscally conservative until this case.