

**MAYOR VS COUNTY EXECUTIVE**

**BOOK 1**

**PAUL LAUB**

**MAUILAUB@AOL.COM**

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## THE TAIL THAT WAGGED THE DOG

### A THREE PART COMPILATION:

Notebook #1 (Green) A current compilation of News stories from various news sources regarding current struggles in obtaining and maintaining City executives in Monterey County California. This is NOT in depth but is current;

Notebook #2 (Yellow) An in depth look at Executives Stilwell and Guillen both former executives of the City of Carmel-by-the- Sea California. These are not exhaustive studies but are clear enough as to some of the problems. They also are compilations from the local newspaper. I do know both of these individuals;

Notebook #3 (Purple) A photocopy of an article I wrote about Douglas Schmitz, a former, executive of the City of Carmel-by- the Sea. I personally know all of the information submitting individuals involved and have been given their permission to write their story. I was the publisher of this newspaper Freedom of Speech.

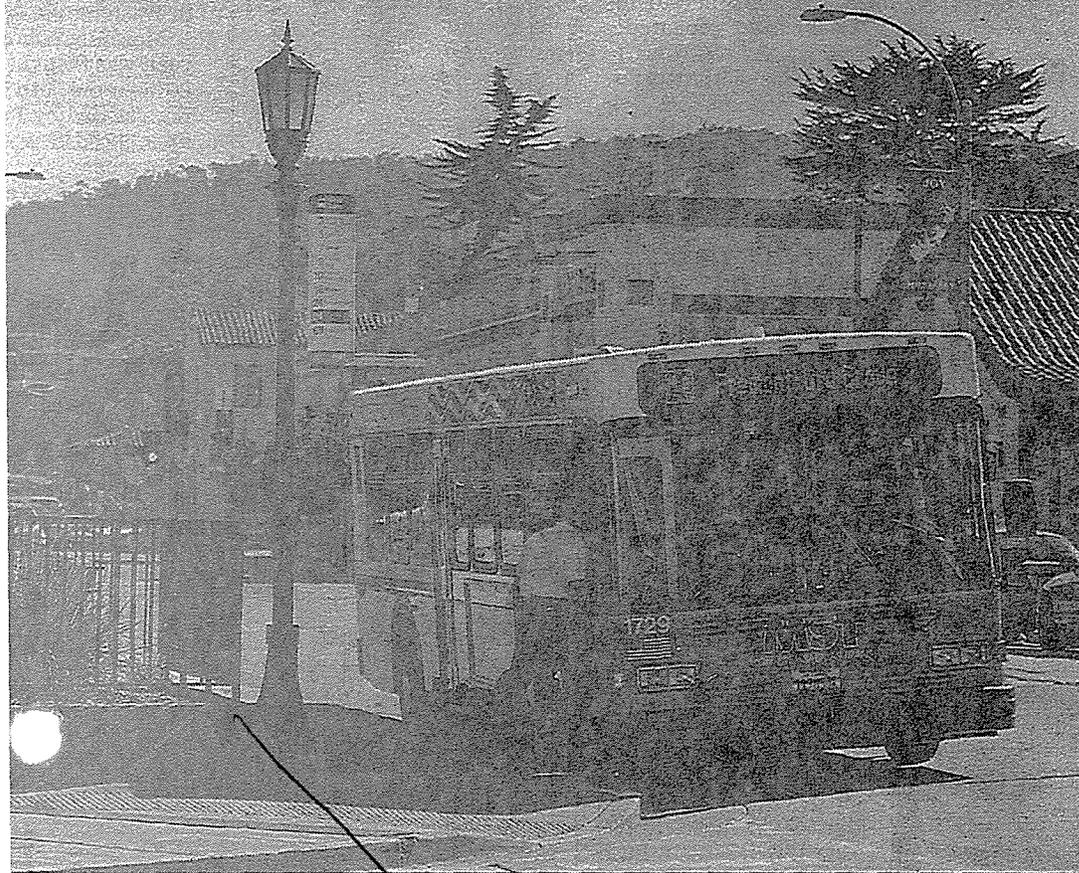
Interestingly, Stilwell was considered to be so bad that he made Schmitz look good, decades old malfeasance was forgotten and he was hired back. He bailed after only one year.

Some obvious "takeouts" from these stories:

- 1) Cities struggle in obtaining and keeping Executives. They move often and seem to leave jurisdictions "in the lurch". There seems to be much pressure for the Executives to try to get into other bigger, perhaps better paying and more prestigious Jurisdictions.
- 2) There is an absence of transparency as to why they left previous positions. Often lawsuits follow and rarely are all of the true reasons stated. Confidentiality is cited. One gets the impression that the new Jurisdictions are painted a perhaps rosier picture so that they will take away the problem of the old jurisdiction. It seems that it is somewhat like giving a bad tenant a good recommendation so that they will move.
- 3) Some of the executives have been seen as "pulling the wool" over the eyes of the council" and the Councils, not being experts logically rely on their hired executive that gives them incorrect data. Invariably the Councils are held responsible, by the people, for the failings of the Executive.
- 4) The loyalty of the executive is to their boss who is the "Council", and not the people.
- 5) The new hires often seem to not be familiar with the culture (s) of the new Jurisdiction.

# ount for veterans

wed 2 Dec 2015



VERN FISHER — MONTEREY HERALD FILE

ering a new discount fare for veterans.

## or initiative as result of Measure Q

ers in November 2014.

"We're grateful voters passed Measure Q helping to preserve bus service," Harvath said. The veterans discount represents the intent of the measure in action, he said.

Harvath said an additional service for veterans is in the early planning stages. It would involve a veterans shuttle to get them to services they need, like health care and job training. He stressed that although it would be targeted to veterans, it would be available to others.

Harvath said MST was also looking at a veteran mentorship program, where they would reach one another about navigating and accessing the bus system.

"They're more responsive to others who have served as they have," Harvath said.

A number of minor fare adjustments are also being imple-

compliance with the federal Americans with Disabilities Act. These include a fare reduction to \$2.50 that will be applied to Line 20 (Monterey-Salinas) and Line 43 (South Salinas-Salinas).

Lines 7 (Del Rey Oaks-Monterey), 8 (Ryan Ranch-Sand City) and 47 (Hartnell-Alisal Campus) will see a fare increase to \$2.50; however, those eligible for MST's discount fare — seniors 65 and older, youth 18 and under, people with disabilities, Medicare card holders and veterans — will continue to pay 75 cents on those "senior shuttle" routes with funds provided by Measure Q.

For more information, see the revised bus fare table brochure aboard MST buses, call MST customer service at 1-888-MST-BUS1 or visit [www.mst.org](http://www.mst.org).

*James Herrera can be reached*

## WHAT TO DO

To receive an MST photo courtesy card, veterans can visit any of MST's three customer service locations:

- MST Bus Stop Shop, 201 Pearl St., Monterey
- Salinas Transit Center customer service window, 110 Salinas St., Salinas
- Marina Transit Exchange customer service window, 280 Reservation Road, Marina

Veterans are required to have one of the following proofs of identification:

- DD Form 214
- U.S. Department of Veterans Affairs ID card
- Veterans of Foreign Wars ID card
- Membership card from the American Legion
- Disabled American Veterans ID card
- California driver's license or ID card with "veteran" designa-

# manager search begins

## Interim expected to be named by Dec. 16

By Tommy Wright

[twright@montereyherald.com](mailto:twright@montereyherald.com)  
[@wrightscribe on Twitter](#)

**PACIFIC GROVE** » Mayor Bill Kampe says the Pacific Grove City Council hopes to make a decision on an interim city manager at its next meeting Dec. 16.

Current City Manager Tom Frutchey was recently selected to become Paso Robles' new city manager. The Pacific Grove City Council held a special meeting Monday night to discuss the city's options for selecting an interim and permanent city manager while also focusing on continuity plans for projects like the Project Bella hotel and the local water project.

Kampe said the search for a new permanent city manager will likely take four to six months.

"The iterations go about one month at a time to go through the major steps of the process," Kampe said by phone Tuesday. "Ultimately, it also depends on availability and scheduling of folks."

In addition to a new city manager, Pacific Grove is also searching for a new police chief. Kampe said the city isn't ready to announce an interim police chief quite yet, but said the search is going well.

The city will likely have to wait until after finding a new permanent city manager before it can bring in a new permanent police chief to replace Vicki Myers.

"Recruitment for a full-time police chief is a little more challenging because ultimately that police chief is going to want to know who their boss is," Kampe said. "Until we have a full-time city manager, we're probably not going to be able to recruit a police chief."

The city will ask two search firms to find candidates for the permanent city manager position, and will try to have an interim starting by early January. Frutchey is expected to leave in mid-January.

"That was the stated goal, to have some overlap (between Frutchey and an interim city manager)," Kampe said.

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...passed the plan to the California Coastal Commission,

Commission. She called it a "drastic measure."

...has run into science. ... I understand how painful this is to everyone." He pointed out that most beaches in California ban beach fires.

"I think it's time to act," Talmage said. "We can't sit here and do nothing. It's

The council also adopted a housing element with amendments; established a Carmel Hospitality Improvement District; and approved the first reading of an ordinance amending the appeals hearing process of the city's Personnel Ordinance.

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## Manager

FROM PAGE 2

Kampe said the council would like to find an interim candidate with past experience as a city manager, as well as somebody with knowledge of the area. While Kampe said he's hopeful the council will choose an interim city manager

Dec. 16, he acknowledged it could take a few weeks before they officially start.

"It could take a few days to really go through the process of reaching an agreement and they may need some transition time and we'll be in the middle of the Christmas holidays," Kampe said.

*Tommy Wright can be reached at 726-4375.*

## CALHOUN SIGNS CONTRACT TO BE TEMP CITY ADMINISTRATOR

By MARY SCHLEY

**TWO DAYS** after Doug Schmitz abruptly resigned his post as city administrator on Halloween, the Carmel City Council decided in closed session to ask Police Chief Mike Calhoun to take on the role — for now. This week, the council approved a \$175,000 contract with Calhoun for his dual jobs.

His previous contract as police chief gave him a base salary of about \$154,700, and the new salary is the same Schmitz was receiving.

According to the contract signed by Calhoun and Mayor Jason Burnett, and approved by the city council Nov. 30, he is responsible for both jobs until the city finds a new city administrator, at which point his role will revert to that of police chief.

The contract includes Calhoun's promise "to remain in the exclusive employ of the city," and says he can't do any "teaching, writing or consulting" without first obtaining permission from the council. (It does not address what activities Calhoun is allowed to engage in while operating his painting business, Finishes by Michael Calhoun, though he always lists the business on his required forms showing potential conflicts of interest.)

The contract also acknowledges he can take time off during regular business hours to compensate for after-hours work, though it's his intent to maintain regular business hours.

In addition to his base salary, Calhoun is entitled to a city vehicle 24 hours a day (which he already has), 85 percent of the medical premiums for him and any dependents, dental and vision coverage, retirement contributions, almost four-and-a-half weeks of vacation time, 80 hours of management leave, tuition reimbursement, \$1,200 for uniforms, sick leave, \$500 per month in deferred compensation, and a cell phone for city business.

The agreement provides four months' salary as severance if the city terminates the agreement while Calhoun is still willing and able to do the jobs.

### Two jobs, too many

While he can serve as both police chief and interim city administrator, it's unlikely Calhoun could permanently hold both jobs — not only because each is a full-time position in itself, but because the state has considered them "incompatible public offices," as the police chief usually reports to and serves at the will of the city administrator.

The council has been meeting in closed session to decide how to go about finding its next city administrator. Former Mayor Sue McCloud has suggested hiring a headhunter to find the right person for the job.

The council has been meeting in closed session to decide how to go about finding its next city administrator. Former Mayor Sue McCloud has suggested hiring a headhunter to find the right person for the job.

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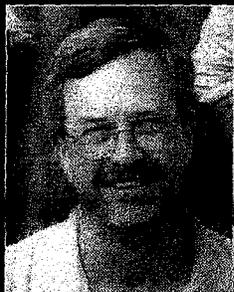
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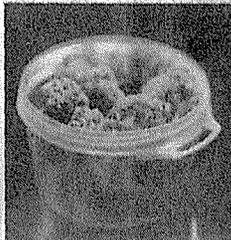
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SEASIDE

## Previous job dogs city manager pick

### Malin denies wrongdoing; appointment expected Thursday

By James Herrera

[jherrera@montereyherald.com](mailto:jherrera@montereyherald.com)  
[@jamerra1 on Twitter](https://twitter.com/jamerra1)

**SEASIDE** » Craig Malin says he left his job as city administrator in Davenport, Iowa, in June because he had accomplished what he set out to do and then some.

Yet, the reason for his depart-

ure has become a point of contention as he travels to Seaside to become the new city manager. His employment agreement is expected to be approved at Thursday's City Council meeting.

According to news reports from Iowa, Davenport Mayor Bill Gluba called for Malin and the city attorney to step down be-

cause the two had "overstepped their authority" in connection with a contract for extending a road that would lead to a future casino project.

"The paper (Quad City Times in Davenport) published information which was false," said Malin in a phone conversation Monday. "We're working on a resolution."

Malin said the resolution could involve litigation if his request for a retraction is not met.

"I expect the Times will get the retraction demand next week," said Malin.

Dan Bowerman, the interim executive editor at the Quad City Times, declined to comment on the matter.

According to the news reports, Mayor Gluba said Malin and the city attorney made the decision to

spend funds without city consent.

In late June it was announced that Malin had agreed to a deal to leave his role with the city.

Malin contends there was no wrongdoing and says the city attorney "signed off on the final draft."

"I wasn't fired, I left on my own," Malin said.

Pointing to his nearly 14 years in Davenport, Malin said he

**MANAGER** » PAGE 4

GROUNDBREAKING

ECONOMY

ing back later and allowing marijuana cultivation.

Also on the agenda:

▪ The council will consider a policy for Monterey to prefer unique businesses over chain restaurants and stores at Fisherman's Wharf.

▪ The council will vote on an electronic cigarette ban, which would prohibit vaping in places where smoking is banned.

Monterey currently bans smoking on the Recreational Trail, city beaches and covered parking lots, among other locations. The state prohibits smoking in places of employment, playgrounds, daycare facilities, schools, public transit systems and public buildings. The new ordinance would also ban smoking on Monterey Municipal Wharf No. 2.

▪ The council will consider extending free parking for Monterey County residents at the city-owned Cannery Row garage during the holiday season.

While the garage is free to all locals after 4 p.m., the Cannery Row Business Association would like to extend the free parking for Monterey County residents to all day until after Christ-

OR EXAMPLES OF LESSONS FROM THE BIBLE.

He is preceded in death by his wife, Harriet Jeffries.

A memorial service will be held at Bayside Community Mortuary on Friday, December 4th at 12pm.



Community Mortuary

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1610 Noche Buena Street, Seaside  
www.baysidecommunitymortuary.com

mas. The proposal would also make parking in the Cannery Row garage free in 2016 from Nov. 25 to Dec. 26. The garage was free to locals during the holiday season the past three years.

### Carmel

The Carmel City Council will hold a public hearing Tuesday on the first reading of its ordinance declaring beach fires a public nuisance.

Last month the council, on a 3-2 vote, declared beach fires a nuisance because of excessive smoke, which has affected air quality in the Scenic Road area. This month the California Coastal Commission will hear the city's request for an amended coastal development plan when it meets in Monterey.

Also on Tuesday's agenda:

▪ A public hearing on

### IF YOU GO

**What:** Monterey City Council meeting

**When:** 4 p.m. Tuesday

**Where:** Council Chambers, 580 Pacific St., Monterey

**What:** Carmel City Council meeting

**When:** 4:30 p.m. Tuesday

**Where:** City Hall, Monte Verde Street between Ocean and Seventh avenues, Carmel

adoption of a 2015-2023 Housing Element.

▪ A hearing on establishing a Carmel Hospitality Improvement District.

▪ Consideration of an ordinance regarding the prohibition of marijuana dispensaries.

*Herald correspondent Tom Leyde contributed to this report. Tommy Wright can be reached at 726-4375.*

## Manager

FROM PAGE 1

achieved his personal goal of getting his kids through school. He said he exceeded what he set out to accomplish for the city.

"It was my plan all along because I committed to 13 to 14 years" with the city, he said.

During his tenure, the city of 100,000 saw crime cut by

more than half and was recognized by CNN Money as one of the country's Top 10 most affordable cities.

Malin holds three master's degrees, is a certified planner and has been recognized three times as the leading local government practitioner by the International City/County Management Association.

"I have had a blessed career so far," said Malin. "I'm not embarrassed about any of the success that Davenport

has achieved and am very proud of the work I've done."

Seaside used Bob Murray and Associates to assist in the recruitment process. Malin was selected as the unanimous finalist among 49 applicants for the city manager position.

Malin said his wife has family scattered up and down the California coast and they have vacationed in the area before.

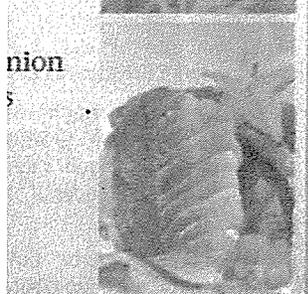
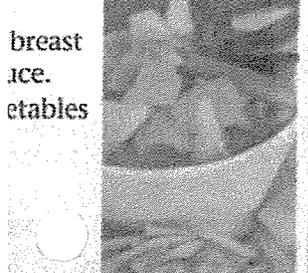
He said it may take some time to find a home here because it is not the best time weather-wise to be selling a home in the Midwest.

Malin takes the reins from city manager John Dunn on Jan. 19 but will be in Seaside from Friday through Dec. 16. He encourages anyone with questions to email him at craighthomasmalin@gmail.com.

*James Herrera can be reached at 726-4344.*

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**HUNGER GAMES: MOCKING  
JAY PART 2 (PG-13):**  
11:00, 2:00, 5:00, 8:00

**GOOD DINOSAUR (PG):**  
11:30, 2:15, 4:45, 7:15

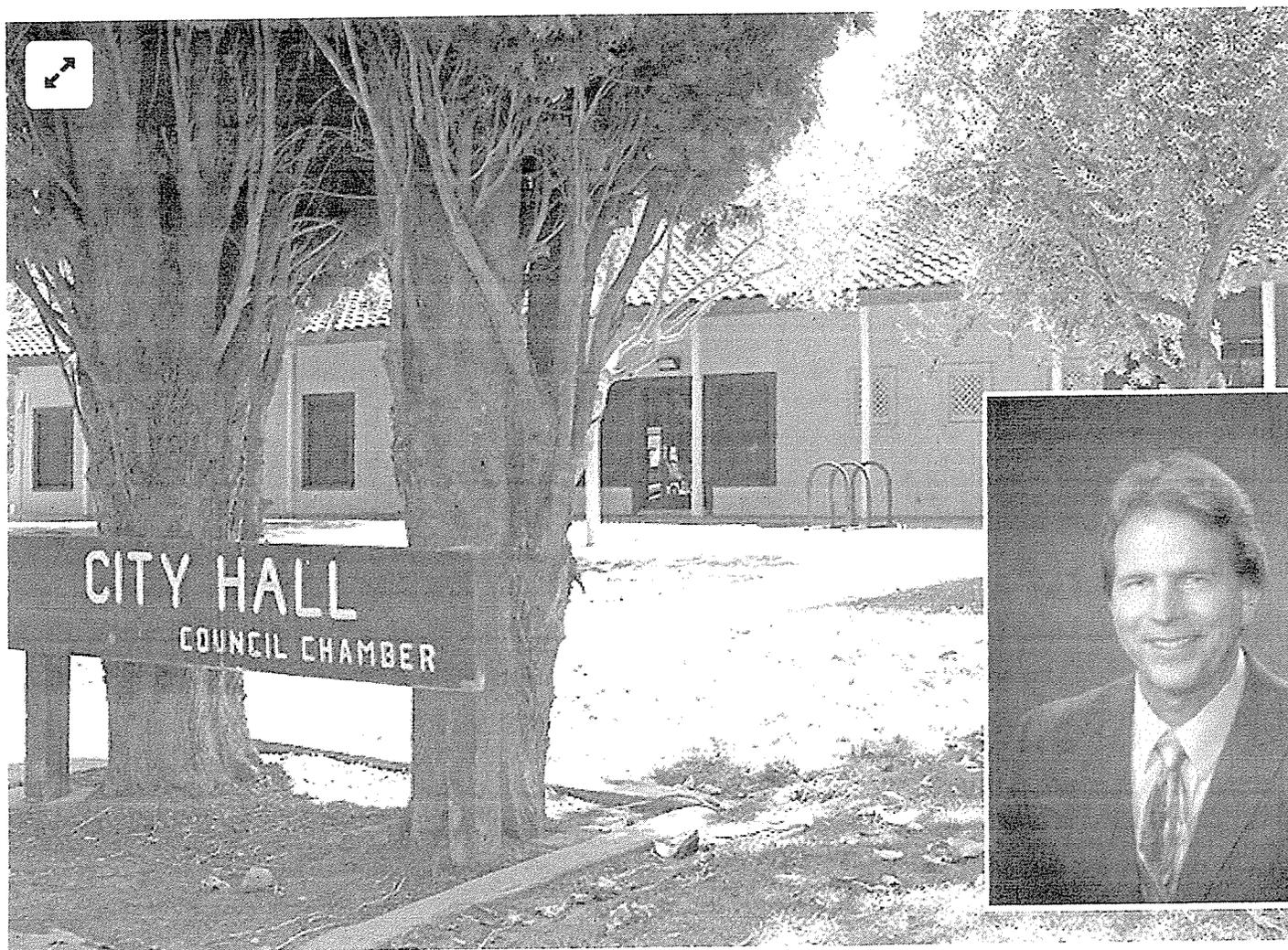
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## King City selects new city manager with checkered past.

Ana Ceballos Oct 23, 2015



For months, King City officials scoured for a candidate to replace City Manager Michael Powers, who announced his retirement several months ago.

After extensive background checks were done on all the candidates, city officials announced on Oct. 22 that Steve Adams, who has 32 years of experience in local government administration—and a checkered past—was picked to lead a city that has been beset with controversy since February 2014.

Adams left his city manager position in Arroyo Grande under a cloud of controversy in October 2014. He told King City officials he decided to “resign and look for other opportunities,” after he was accused of having an inappropriate relationship with a city employee.

Adams was found at Arroyo Grande City Hall with Community Development Director Teresa McClish, with messy hair and his shirt partly untucked, by police. McClish's husband had called police when she didn't arrive home by 11pm and asked them to check for her car at City Hall.

“They told me that they were sitting in his office, talking and killing time to make sure they were OK to drive,” Arroyo Grande Deputy City Attorney Michael McMahon told the *San Luis Obispo Tribune*.

Arroyo Grande officials later determined no city personnel rules were broken. But in January, Adams claimed the city terminated him and threatened to sue if he did not get his severance package.

Knowing this, King City's City Council unanimously concluded Adams was the best person for the job, as he has had a consistent track record of success with several cities.

“Based on the results of the interview process and our reference calls, it became evident that we are fortunate to have attracted someone with Steve's experience and character,” Mayor Rob Cullen said in a press release.

During his 14 years at Arroyo Grande, Adams fought through a recession and upgraded the city's streets, infrastructure and facilities; financial reserves increased; and affordable housing projects were constructed.

The King City community panel appointed to help select the new city manager reviewed the accusations as well, and determined Adams was "highly-qualified" and described him as someone who is "capable of building trust," "approachable," and someone who "clearly cared about his staff."

"I know there are significant challenges to be addressed, but I look forward to working together with such a dedicated City Council, hard-working staff, and proud community to make the quality of life the best possible to everyone that lives, works and visits here," Adams said in a press release.

City Council will consider Adams' contract at the Oct. 27 meeting, and a potential start date for him would be on Nov. 9.

Ana Ceballos



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## Council fires city manager

Charles M. Kelly  Fri November 20, 2015 05:49pm



The Avalon City Council fired City Manager Ben Harvey this week, following a performance evaluation Tuesday that was closed to the public. Harvey said he wasn't fired for cause and no reason was given. He said that basically, three council members decided they would rather have a different leader.

Council members Joe Sampson, Richard Hernandez and Mayor Anni Marshall voted to terminate Harvey. Council members Oley Olsen and Cinde MacGugan-Cassidy voted against firing Harvey.

Chief Administrative Officer/City Clerk Denise Radde is the interim city manager. Sampson referred questions on the matter to Radde.

Marshall said she wasn't at liberty to say why the council voted to terminate Harvey. "I personally believe we want to have a city manager who resides on the Island full time," Marshall said.

Marshall said the council was "kind of" estimating a four-month search for Harvey's successor.

Marshall said the council would meet this weekend to plan the city manager search.

"I really want the community to know that it is going to be business as usual," Marshall said.

Council member Oley Olsen, one of the dissenting voters, said, "I thought that he was doing a great job."

Olsen said he was worried that Harvey's dismissal would have a negative impact various city projects. He also said he was worried about the cost of looking for a new city manager.

Council member Cinde MacGugan-Cassidy expressed similar concerns in an email:

"Along with Mayor Pro Tem Olsen, I was in the minority of this decision where my vote was not to terminate his employment. In looking at the bigger picture and what is best for our community making this decision could dramatically and negatively effect the immense progress that has been made the past two years. Ultimately, I did not feel as though Mr. Harvey's flaws outweighed the progress he has led for our city," according to MacGugan-Cassidy.

She also raised concerns about the personnel resources and money required to find Harvey's successor.

"Our community should be aware that this decision could also require the City to have to retain additional consulting services to direct the daily operations during this time. I believe in the process of democracy however I am very sad for our community that this decision was made. My City of Avalon flag will be flying at half staff for some time to come," according to MacGugan-Cassidy.

Harvey was hired in September 2013. He was one of 40 individuals who applied for the job. Harvey and Radde were the two finalists.

"I leave with my head held high," Harvey said. He said his accomplishments during his tenure as city manager included bringing the Whatever USA event to Catalina, improving water quality in Avalon Bay, and digging Avalon out of a "financial hole." As of 2012, the average tenure for a U.S. city manager was about seven years, according to the International City/County Management Association.

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Catalina Islander

## Pacific Grove hires interim city admin

By KELLY NIX

THE FORMER city manager of Avalon on Catalina Island has been hired on an interim basis to manage the City of Pacific Grove.

On Dec. 19, 2015, acting in closed session, the P.G. City Council approved a contract for Ben Harvey to take the post this month, after city manager Tom Frutchey steps down to take a post in Paso Robles.

Meanwhile, the city has also retained a headhunting firm to start searching for a permanent replacement for Frutchey — a process that will take a minimum of four months, according to Mayor Bill Kampe.

Until that person is named, Harvey, who was city manager of Avalon for slightly more than two years before he was fired in November 2015, will be in charge.

"We all agreed Harvey was the right fit, based on his intellect and energy," councilwoman Casey Lucius told The Pine Cone. "His experiences in Avalon will also apply here in P.G. He also explained what happened in his last job, which put us all at ease."

Councilman Dan Miller, who at times has

been critical of Frutchey, said Pacific Grove is "lucky to have" Harvey.

"I liked him from the start," Miller said. "I think the citizens of Pacific Grove will be served well."

Before his job on Catalina Island, Harvey was a public affairs manager for Southern California Edison from December 2006 to August 2013, according to his LinkedIn page.

Council members Miller, Ken Cuneo, and Rudy Fischer were part of a city subcommittee tasked to help find an interim city manager.

Fischer said Harvey had "great references," and dealt with many of the same issues that Pacific Grove is facing.

Mayor Bill Kampe said Harvey and the council had a "very candid discussion" regarding Harvey's "Avalon situation, and felt very positively about what we learned." Kampe was prohibited from providing detail since the meeting was in closed session.

He said details of Harvey's salary are still being worked out.

"There are CalPERS constraints on salary and benefits, so we don't have a lot of latitude," Kampe said.

## Central Ave. to get median, bump-outs

By KELLY NIX

2016 WILL not only bring New Year's resolutions, it will bring a new gateway to Pacific Grove.

Construction crews next week will start making improvements to Pacific Grove's Central Avenue entrance with landscaping, medians and other features to make it safer and more pleasing to the eye.

"Part of the Central Avenue project is not only to enhance the visual appearance of this important gateway, but also to improve pedestrian safety," according to a report that Pacific Grove Public Works Superintendent Daniel Gho provided to the city council.

Among the "traffic calming improvements" will be the installation of "bulb outs" or curb extensions, to slow traffic and to make it easier for pedestrians to cross the road, Gho told The Pine Cone.

Drivers regularly travel faster than the 25 mph speed limit on Central, and the city says there have been numerous accidents in the past few years, including a vehicle-versus-pedestrian accident in 2010.

Drivers traveling on Central often whiz by pedestrians trying to cross the road at the crosswalks in the area.

As part of the project, several median

islands and curb extensions will be built on Central between David and Dewey (where Happy Girl Kitchen is located), according to the plans. There will also be "expansive" curb extensions at First Street and Central to shorten the crosswalk across First, and a dedicated turn lane from Central to First. A center median island will be built at that intersection to make sure drivers go slower, and landscaping will be installed.

While the city considered stop signs, a traffic light and even a roundabout on that stretch, Gho said traffic studies showed that the area didn't warrant those measures.

The city got three construction bids and opted to select the Santa Clara-based Anderson Pacific Engineering, which said the project could be done for \$269,609 plus a 10 percent contingency. The construction will be paid for with money the city collects in gas taxes.

Construction will eliminate some of Central's parking spaces, but the spaces will be restored once the project is finished, Gho said.

"We anticipate this project being done by the end of February or the end of March, depending on the rain," he said. "Then we will finish up all the asphalt work [including sturry sealing the road] in early spring."

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