



Jeff Mitchell, Under the Dome: City agrees to settle Callan case, won't disclose the amount

JEFF MITCHELL

Under the Dome

Ending what by all accounts was an embarrassing civic nightmare, the City Council on April 10 voted unanimously — with Mayor Dennis Donohue and Councilwoman Kimbley Craig absent — to settle a federal civil rights lawsuit brought by the molestation victim of a Salinas Police community services officer.

The case, which made national headlines, saw former CSO Scott Callan sentenced to three years in the state pen for sex crimes against a 15-year-old city police explorer.

In closed session that night, the City Council moved to settle the lawsuit brought by the guardian of the victim but won't disclose how much it is paying.

We all want to know what the tab will be. On April 11, The Dome filed a California Public Records Act request for information about the settlement. On Thursday, City Attorney Vanessa Vallarta emailed to say that she could only give the so-called "report out" verbiage that was delivered to a citizen-empty Rotunda after the council's closed session on April 10.

Argh!

Vallarta said because other parties to the settlement hadn't yet signed off on the deal, she couldn't divulge the settlement amount.

Well, that's fine and it's fair to say we're glad she's being a diligent officer of the court.

However, The Dome thinks Salinas taxpayers deserve better.

Even giving a conditional estimate, as in "It could be this much if all parties sign off," would be better than no information.

Stay tuned. As soon as The Dome knows, you'll know.

Loan collection time

The Dome understands that after Tuesday's meeting the City Council will go into closed session to consider a plan — possibly a lawsuit — to get former City Manager Artie Fields to repay his \$120,000 housing assistance loan.

Fields, who departed the city last year to become the city manager in Inglewood, has paid back about \$11,000 but is asking for the city to cut him some slack.

In a March 8 letter to the City Council obtained by The Dome via the state Public Records Act, Fields says paying back the loan will be tough going forward, given the state of the housing market in California.

Fields said he anticipated that, should he leave Salinas, the loan would be retired following the sale or refinancing of the south Salinas home he purchased.

"While I purchased the house at a significant discount, it has continued to lose much of its value and is now 'under water' by approximately \$300,000. Although many property owners in this same situation have chosen to walk away from their homes, I have remained committed to my obligations to the city. However, due to my current finances, which obligate me to make partial payments on two homes and pay rent in the apartment where I now live, I am unable to pay off the (Salinas) loan or increase my payments at this time," Fields wrote.

Let in the sunshine (ordinance)

In a recent column The Dome waxed on darned near poetically as it urged the city of Salinas to adopt a local "sunshine ordinance" which would help citizens by guaranteeing a higher level of governmental transparency.

But before the ink had a chance to dry on that column, The Dome got an email from Terry Francke, a Carmichael-based lawyer who is considered the guru of California's Brown Act and on governmental transparency in general.

When Terry speaks, people listen and city attorneys across the state start reaching for their Xanax.

In his email, Francke gently corrected The Dome on the assertion that sunshine ordinances in California were typically found more in metropolitan areas. Not true, says Francke:

"Dear Jeff,

As a matter of fact, most existing and proposed sunshine ordinances are in cities smaller than Salinas: Richmond, Benicia, Vallejo, Milpitas, Gilroy (existing); Berkeley, Dixon, Patterson (proposed).

- Terry Francke."

Point well taken.

The Dome adds the little East Bay city of Alameda (population 75,000) to that list.

Francke served as an expert contributor to the 1994 revisions to the Ralph M. Brown Act and Proposition 59 of 2004 which made open government a basic right of citizens under the California Constitution. He is general counsel for Californians Aware (www.calaware.org).

Salinas residents interested in pursuing a local sunshine ordinance should check CalAware's website or talk with Terry himself. There's a ton of good references to be had.

Under The Dome, over airwaves

On Friday, The Dome and The Salinas Californian renewed a partnership which saw Under the Dome — the newspaper and website column — become Under the Dome the radio program. (What's next, T-shirts?)

Working with veteran radioman Mark Carbonaro at KION 1460-AM, the half-hour show will be a live, no-holds-barred discussion of local government and politics.

We'll be on the air shortly after 8 a.m. on Fridays. Let us know what you think.

Jeff Mitchell covers Salinas City Hall and local politics. Send tips or story ideas by email to: jemitchell@theCalifornian.com; or by phone: 831-754-4281. He can be heard live on the air Fridays at 8 a.m. on KION 1460-AM. You also can follow Under the Dome on Twitter at twitter.com/CalUnderTheDome.