

Mr. David Cavazos  
City Manager  
City of Santa Ana  
PO Box 1988  
Santa Ana, CA 92702

2016 DEC 28 AM 11: 54

CITY OF SANTA ANA  
CLERK OF COUNCIL

RE; Request for Investigation into conduct of Councilman Sal Tinajero, Ethics Violation

Dear Mr. Cavazos;

One of the things we learned from watching the December 20<sup>th</sup>, 2016, City Council meeting, (one of the only things that we learned from the discomfoting, vitriolic language that dominated the meeting), is that you have the power to initiate an investigation into matters that affect the City of Santa Ana. This was mentioned by the City Attorney in the discussion of a Council Member's otherwise reasonable request to evaluate your job performance. After all, your predecessor was terminated a week after new Council Members were sworn in. Did they have a period of observation on which to base their decision?

We write to ask that you initiate an investigation into the conduct of Council Member Sal Tinajero at the aforementioned meeting of December 20<sup>th</sup>, 2016. He has violated the City of Santa Ana Code of Ethics & Conduct adopted June 2, 2008. Not only has he violated this ordinance on December 20<sup>th</sup>, but in the last several meetings. His comments, made from the dais in response to those made by concerned citizens, accused other officials and City employees both current and past of a variety of fraud, theft, graft, corruption, and dishonesty. Absent the protection from liability for defamation afforded by making those comments at a public agency meeting, Mr. Tinajero would certainly be subject to such liability.

Here, though, he escapes civil liability. But he has violated the Code of Ethics & Conduct by failing to treat his fellow officials, staff and the public with patience, courtesy and civility even when disagreeing with what is best for the community. He also failed to conduct himself in a courteous and respectful manner during the performance of his official City duties. Finally, his comments and conduct does not encourage full participation of all persons and groups, on the contrary it inhibits such participation.

Please keep the undersigned advised of the status of your investigation and its conclusion. One has to assume that the usual claim of confidentiality in personnel matters does not apply to elected officials when it is alleged that they violated their own adopted Code of Ethics & Conduct. We look forward to your public response.