

Statement

Please be aware that my legal counsel and investigator have been denied the opportunity to interview these witnesses and ask follow up questions to the statements made of the Complainant and the witnesses. As the questions asked, are directive and incomplete.

Additionally, the motivation for the two and likely the third to make up and state what they have said, is very clear.

At no time did I state any of those things to Al Zalinka or Patty Solano. I don't even know them very well to say such things and know the labor law very clearly. It is unfortunate that those two had been drug into this, as I find Al Zalinka to be a very upstanding person. Yet, he was ordered to do and say the things that he did and he reluctantly did so to save his job. Patty on the other hand is a different story; she flatly fabricated this entire story. Please call Please contact Retired Parks Director Ralph Nunez and ask him if this is true. He was with me and Nola Tainter the entire time of the festival.

As we all knew, the allegations of "Hostile Work Environment" was unfounded and has no merit. The law is pretty clear on this charge, yet the City did not do their homework or follow the established Labor or Federal EEOC process in determining this early on. The reason why, is so that they can exact an agenda. I have been working in management and labor for 30 years and have handled these exact cases at least a dozen times in my career. Every occasion was dismissed without merit on just a "Prima Fascia" investigation. Then Coaching and Counseling of both the Complainant and Accused occurs to try to bridge the gap and resolve the issue. If it continues after as an "ongoing" and "pervasive" act, and only when the Complainant is a member of a protective class, as described by law, does these sort of investigation occur. Well, that never happened. The Mayor and Adams jumped on the horse and began to sprint, causing significant liability to the tax payers of this city and to Complainant and themselves personally.

The discussion with Lori Stone is somewhat accurate, but does not even state I said anything derogative about CM Barber, just that I was not happy with him.

Interestingly enough neither Solano, nor Stone state I used foul language in our alleged discussions, yet for some unknown reason, I did with Zalinka, who was not asked or cannot recall what specific words were used.

Yet, again, there are no witnesses to any of these alleged discussions, so by osmoses than I must be guilty of something.

These and other type of finishing and clarifying questions must be asked and answered, yet I , like Soubirous have no opportunity to ask.

What is not asked or even discussed is the multiple discussions with CM Barber on the Baseball issue and his direct authorization to work with ACM Lorson and Director Zalinka on this issue to see what can

or cannot be done. I mention those in my interview. Conveniently CM Barber forgot about this. Additionally, I asked what was going on several occasions, as the Major League folks could not get the city to respond to them and they had come to Nola Tainter and I asking for information.

Lorson states that she had had at least two meeting with me to update me, which never happened. Nola Tainter keeps my calendar and attends all these meetings, and she will testify that Lorson's statement is not correct and we never had any meetings with her outside of the group meeting with all related staff and MLB Consultants. All of which CM Barber authorized.

Gumport completely interpreted Charter 407 wrong. Please read below for what it really states. For him to stretch and create such a new meaning of interference and to miss quote the "Direct or Indirect" portion of the section is a parochial mistake that his done so to inflame the reader and support his conclusion. This section goes to the appointment or dismissal of any of his administrative staff, not to giving a "Direct" order. This is covered later in the last paragraph where it states than neither the Mayor, nor the City Council or any of it's members shall give a Direct Order to the Administrative Staff..... Zalinka clearly states I did not do this, but staff has always taken it that way. Gumport concludes that even though I did not give a direct order, "staff takes a question" as a order to do or provide something. As a result, I am guilty. Gumport then opines that I am guilty because of what Al and other staff take my and the entire discussions of inquiry as guilty of Directing staff in an indirect manner. This being the case, then every member of the City Council and Mayor is in violation, repeatedly. We then shut down the government. Staff runs everything without oversight and question.

These complaints are poor governance as perpetrated by Mayor Rusty Bailey and Councilman Steve Adams. It is Déjàvu to the first complaint against me over a disputed fire extinguisher in September 2012.

There are always to side to every story. I ask that you discover those two sides and decide for yourself.

I work for the people of Ward 4 and not for the Mayor or any other Councilman. My bosses tell me what they need and I work to get that for them. I am a steward of the public funds and will insure to the best of my ability to provide oversight and expose things that are not proper and ask for clarification and, if necessary, audits to protect the tax payers funds.

These issues that Soubirous and I have been charged with is misappropriations of Public Funds for Political Gain and it is about exacting retaliation for our not being the "Go along to get along" guys, like many of the rest. The funds issue will be handled in another venue, as Adams and Bailey appropriated the funds without authority of the council. Evidence will be produced to prove this up. What happened is Barber files the complaint then funds the investigation under his 50K expense authority and they split up the contracts into four separate ones to equate to \$200k authorization.

Interestingly enough the hired gun law firm and investigator failed to insert my interview “Eratta”, correction sheet into the investigation materials and even failed to incorporate the right statements in to Gumpart’s statements, where I said “Surely Not” and the stenographer records “Sure”. Gumpart does this so that he can make a point in his opinion on his questions as to the effect of my statements on CM Barber being able to do his job. However, I have attached is separately.

More to come.

Paul Davis

Councilmember – Ward 4

City of Riverside