

*FROM THE DESK OF
JEFFREY GIBA
MORENO VALLEY CITY COUNCIL MEMBER
DISTRICT TWO*

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Dear Moreno Valley Staff,

I wanted to take this opportunity to thank all of the individuals, who continue daily to provide excellent service for the people, businesses, etc. of Moreno Valley. It is through your persistent efforts and best-in-class customer service that we will maintain our fair city as a destination people choose to live, work, and play.

As the elected Councilmember of the 2nd District, I represent approximately 55,000 of those residents, along with hundreds of businesses, and others looking to enjoy the benefits of partnering with Moreno Valley in a positive fashion.

In order for myself and my fellow elected colleagues to serve our diverse group of constituents in the most efficient manner, the City of Moreno Valley employs what is commonly referred to as the "Council-City Manager" form of governance. Under this arrangement, the City Council appoints certain full-time executives such as the City Manager, City Attorney and City Clerk, and entrusts them to run the day-to-day administrative duties of the City. These duties are carried out under the policy directives established by the City Council.

However, the Council bears an additional responsibility: supervising their appointees. And in order to do this - to verify that our system of checks and balances is working - the City of Moreno Valley established under its municipal code (our local laws) in 1984 the following provision (in relevant parts, Section 2.08.070):

*The city council and its members shall deal with the administrative services of the city only through the city manager, **except for the purpose of inquiry**, and neither the city council nor any member thereof shall give orders to any subordinates of the city manager. **For purposes hereof, "inquiry" means any and all communications short of giving orders, directions or instructions to any member of the administrative staff. Such members shall give all information reasonably requested by any councilmember.** The city manager shall take his or her orders and instructions from the city council only when sitting in a duly convened meeting of the city council and no individual councilmember shall give any orders or instructions to the city manager.*

In other words, individual City Council Members have the right (and our constituents might say "duty") to ask questions of staff without interference from our executive management subordinates, and staff has the **duty** to respond to all reasonable requests in a timely manner.

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Unfortunately, our City Manager earlier this year, and our City Clerk just recently, sent out directives (under rather suspect rationales) to their subordinates violating this law without ever consulting the full Council. Specifically, these two executives seem to have promoted themselves as the gatekeepers of all communications, and hence information, between myself and our dedicated city staff, defeating the point of the check and balances put in place over 30 years ago. This simply cannot stand: my constituents, and indeed the entire community including yourselves, deserve better. While it is deeply regrettable that the short-sightedness of these executives have put staff in the middle of this conflict, I assure you the City Council, driven by the further input we will undoubtedly receive from the community-at-large and prudent legal advice, will begin to sort things out soon.

In the meantime, public employees have the obligation to follow the laws of the land, even in the face of contradictory missives from their superiors. As such it is my expectation that my reasonable direct inquiries for information, whether by email, text, telephone, or face-to-face meeting, etc., will be responded to by all staff, confidentially if needed; and hope that any attempt by our City Manager or City Clerk (or anyone else) to interfere with this process will be immediately reported to my office either through my cell phone at 951-334-6623, or via interoffice mail at City Hall in an envelope marked "Confidential".

It is my utmost desire that this situation not needlessly distract you from your mission of public service, and I suspect for the vast majority of you things will go forward without any effect on your daily routines. Moreno Valley has been through much tougher times, and we'll get through this shortly as well. Keep up the great work in making our city the place where dreams soar!

Best Regards,



***Jeffrey J Giba
City Council Member, District Two***