

EL DORADO COUNTY GRAND JURY 2014-2015

SIGN OF THE TIMES

Case GJ-14-13

District One Supervisor Ron Mikulaco lacks comprehensive awareness of his position as a county supervisor and fails to follow basic and generally accepted principles of good governance. Equally alarming, he is abrasive, combative and insulting to others, and refuses to follow the protocols and processes expected of any elected official, especially an El Dorado County Supervisor.

Complaints and testimony about his lack of appreciation for behavioral norms in and out of county workplaces came from a wide range of county employees, including supervisors, managers and directors as well as individuals spanning a diverse range of agencies and private organizations.

BACKGROUND

Before he was elected, Mikulaco was not known for his background and qualifications, but best known for standing on El Dorado Hills Boulevard with a sign urging drivers to vote for him. At first, that Depression-era sandwich board tactic seemed ineffective to many. Yet, Mikulaco was elected in 2012.

Employees complaining about Mikulaco were asked if they had taken their concerns to the appropriate agency, the El Dorado County Human Resources Department. While some had, others testified that they believe the Human Resources department is ineffective and that their complaints would not remain confidential, which led to a collective fear of retribution and reprisal by Mikulaco. At the same time, Mikulaco, having no such fears, filed grievances with Human Resources about various county employees.

Those concerns led the Grand Jury to initiate a separate investigation of Human Resources, resulting in 2014-2015 Grand Jury Report, *Board of Supervisors Neglects Human Resources*, case GJ-14-07.

METHODOLOGY

The Grand Jury interviewed many individuals.

IMPORTANT NOTE

All testimony and evidence given to the Grand Jury is confidential by law, and it is the Grand Jury's responsibility to keep it that way. California Penal Code §929 provides "... the name of any person, or facts that lead to the identity of any person who provided information to the grand jury, shall not be released."

The Grand Jury will not enumerate in any manner the individuals that may have complained or testified. The specter of retribution related to this report is too great. Supervisor Mikulaco is at the very top of the county hierarchy.

The Grand Jury reviewed documents:

- Formal Human Resources Department complaints.
- Cross complaints by Supervisor Mikulaco upon individuals with whom he has taken issue.
- Expenditures for *executive training* to mentor Mikulaco.

DISCUSSION

Mikulaco apparently does not comprehend his position as a county supervisor, nor does he recognize his proper role as a member of the Board of Supervisors. He perceives that elected officials make decisions in a vacuum, and doesn't seem to understand that staff also make decisions in order to bring helpful information to the board members so they might make informed decisions. His narrow perception does not seem to recognize that other supervisors appreciate having good information, nor does he seem to realize that they find it valuable to have many viable options to consider.

As an example, at a Board of Supervisors meeting on May 5, 2015, during a discussion involving Traffic Impact Mitigation fees, Mikulaco admonished staff for noting that there were funding options the Board might consider that Mikulaco had not previously asked to be addressed, apparently without realizing the benefit of having many viable options. He also lamented that supporting documentation, made available before the board meeting presentation, had 60 pages of attachments, about which he seemed to complain that it had been a waste of his time to actually read them.

Mikulaco consistently exhibits behavior that is disrespectful to county citizens and county employees alike. His behavior appears rooted in male chauvinism, and often is portrayed as bullying and ill-tempered contempt. Several committees, and a number of county and community agencies, have asked that he not have contact with them because of it. Testimony was heard that he has attempted to pressure a community agency into providing campaign contributions.

The County has spent at least several thousand dollars on previously undisclosed *executive coaching* for Mikulaco in an unsuccessful effort to cure him of such behavior. The training was not appropriate for a new member of the governing board of a local agency. It did not address the board's authority and responsibilities, but was aimed specifically at his behavior, because there was some fear that it might lead to liability for the county. On several occasions, other supervisors and County Counsel also have tried – without success – to admonish Mikulaco on proper behavior. Despite those attempted interventions, Mikulaco has repeatedly harassed, belittled and even terrorized many female employees, according to testimony. He exhibits confusing mood swings, has demanded that subordinates be fired without any valid reason, and has been observed hovering outside office doors, apparently eavesdropping.

Mikulaco is the only supervisor, other than the supervisor from District Five, to have a satellite office. District Five's distance and weather disparities justify the need for a local office in South Lake Tahoe. There is no acceptable and reasonable explanation for it to exist for District One, located in El Dorado Hills. Yet, the county entered into an agreement with Mansour Properties for \$19,200 per year plus utilities of roughly \$2,400 per year for Mikulaco's district office. There are additional costs for pro-rated landlord expenses, office furniture and supplies to run the office. Just as peculiar is an El Dorado Hills street sign directing the way to Mikulaco's satellite office. The sign cost the county \$1,700, yet there is no record of how it got there! In addition, Mikulaco has two executive assistants, whereas the standard staff allocation for a county supervisor is only one.

The expenditures for Mikulaco's superfluous office seem downright extravagant when one considers that there were office spaces available in El Dorado Hills that would have cost the county \$1 per year, or that the genuinely essential satellite office for District Five's supervisor in South Lake Tahoe is in a County owned office building. It becomes nothing short of insulting to taxpayers when the District One satellite office is only scheduled to open to the public two days a week, and it has been reported that it is seldom visited. The Grand Jury wonders what possible explanation might justify the nonessential spending of county funds, especially considering the county's budget issues and the current economic climate.

For unknown reasons the other four El Dorado County Supervisors do not recognize Mikulaco's aberrant behavior in any official manner. Instead, they give the appearance of tolerating that behavior and his toxic treatment of others, seemingly without acknowledgment. They turn a blind eye to his antics despite the fact that he has been asked by several committees and county agencies to refrain from having contact with them because of his behavior.

FINDINGS

1. The head of the Human Resources Department agreed with those filing Grand Jury complaints; a complaint would be made public and fear of reprisal was warranted.
2. The county is indeed paying thousands of dollars to an independent company for *executive coaching* in an attempt to modify Supervisor Mikulaco's behavior.
3. The County did sign an agreement with Mansour Properties for the sum of \$19,200 a year plus utilities of roughly \$2400 a year. This does not include the cost of pro-rated landlord expenses, office furniture or supplies to operate this facility.
4. There is a street sign that cost the county \$1,700 to manufacture and install on a public thoroughfare with no record showing how the sign got there.
5. Because of Mikulaco's actions creating a hostile environment, he can no longer serve on various boards, adding to the workload of the other four supervisors.
6. There is a general policy allowing a \$250,000 discretionary budget for each supervisor. It is ordinarily used to cover office supplies and one executive assistant. Other supervisors expressed their concern that Supervisor Mikulaco is ignoring this rule and is spending county funds unnecessarily during hard economic times.
7. Mikulaco himself has filed Human Resources complaints of harassment specifically against other Supervisor's assistants and against agency heads in an effort to impede the county Human Resources staff's efforts to address any complaint involving him.
8. The satellite office is only scheduled to be open for business two days a week and it has been reported that it is seldom visited.
9. Mikulaco informed the Grand Jury that because his campaign for re-election is so important he may forego his *pro forma* turn to chair the Board of Supervisors next year.

RECOMMENDATIONS

1. The Grand Jury believes that the county should avail itself of the early termination clause in the Mansour Property and terminate the District One satellite office.
2. If the District One Supervisor deems it necessary to have a satellite office he should pay for it out of his own pocket. The Grand Jury is concerned that Mikulaco's office could set a precedent for other supervisors to want satellite offices, which would result in more unnecessary expenditures.
3. Mikulaco should reimburse the county for his *executive coaching*.
4. The county needs to have a strong Human Resources department.
5. Mikulaco does not properly perform all the required duties of a Supervisor. We suggest that the Board of Supervisors consider censuring Supervisor Mikulaco because of his unacceptable behavior.

RESPONSES

Responses to both findings and recommendations in this Report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to:

The Honorable Suzanne N. Kingsbury
Presiding Judge of the El Dorado County Superior Court
1354 Johnson Blvd.
South Lake Tahoe, CA 96150

This Report has been provided to the El Dorado County Board of Supervisors.

The Presiding Judge of the El Dorado County Superior Court requests that the responses be sent electronically as a *Word* or *PDF* file to facilitate economical and timely distribution. Please email responses to the El Dorado County Grand Jury at: courtadmin@eldoradocourt.org.