

Local News

## County to pay \$925,000 to ex-personnel chief

1/1/04

By CHUCK SCHULTZ

NEWS-PRESS STAFF WRITER Santa Barbara County has agreed to a \$925,000 settlement with its former personnel director, Ann Goodrich, who alleged she was fired in August in retaliation for complaining about the county administrator's derogatory remarks about women, minorities and Islam.

The settlement signed Monday by Ms. Goodrich and a county lawyer is one of the largest ever involving a county employee.

While acknowledging no wrongdoing, it averts a possible lawsuit against the county government by Ms. Goodrich over her firing.

She was hired to head the Human Resources Department in 1987 and was being paid a salary of \$175,443 annually when she was abruptly fired -- allegedly without explanation -- by County Administrator Michael Brown. She oversaw a staff of 27 and a yearly budget of \$4.2 million.

Her duties have been shifted indefinitely to Scott Ullery, a deputy county administrator, while a "recruitment plan" and updated job description are being developed for the personnel director's post, Mr. Brown said Wednesday.

The county provided the News-Press with a copy of the settlement agreement but refused the newspaper's request for copies of other documents that may have shed more light on Ms. Goodrich's allegations. County Counsel Shane Stark contended those documents aren't part of the public record because they were part of a mediation process that resulted in settlement before any formal claim or lawsuit had been filed. Under state law, "all statements made by the parties, including the attorneys, during mediation are confidential settlement communications privileged from disclosure," he wrote in a letter to the News-Press dated Monday.

Mr. Stark's letter cited an Aug. 2 story about Ms. Goodrich's firing and said "the basic elements of the matter are known to your newspaper."

He said Ms. Goodrich had not filed a formal claim or lawsuit against the county but did file a discrimination complaint with the state Department of Fair Employment and Housing on Aug. 20. In that one-page document, Ms. Goodrich alleges her "termination and an adverse performance evaluation given to me by Brown on April 7, 2002 were in retaliation for opposing and reporting discriminatory and harassing workplace conduct by Brown, and for cooperating in the investigation thereof."

Between December 1996 and July 30, 2003, her complaint stated, "I was harassed, subjected to a hostile work environment and was discriminated against."

In response to Mr. Stark's letter, Jerry Roberts, editor and publisher of the News-Press, said: "The taxpayers of Santa Barbara County have a clear public interest in knowing and understanding why hundreds of thousands of dollars of their money is being paid for this settlement, as well as being informed about the circumstances that led to it."

The county administrator since 1996, Mr. Brown came under fire from community leaders and some county employees in November 2001 for making what some described as anti-Muslim remarks at an annual state-of-the-county address in Buellton. With a slide of the burning World Trade Center towers as a backdrop, he asserted that Western civilization was under attack and that any characterization of Islam as a peace-loving religion was "bunk," county employees said at the time.

On other occasions, Mr. Brown made "other comments about women and minorities," Ms. Goodrich told the News-Press in August, but she did not elaborate on the nature of those alleged remarks or whether they were directed at her. Ms. Goodrich said she complained to county supervisors about Mr. Brown's comments. She told the News-Press, when she was fired, that she planned to sue the county.

Mr. Brown has declined to respond to her allegations, citing policies that call for personnel matters to be kept confidential. "I am constrained because it is a personnel matter," he reiterated Wednesday.

At the supervisors' direction, he took two weeks of unpaid leave in late 2001 after the comments about Islam. He also drafted guidelines focusing on tolerance in the community and invited employees to voice their concerns about the incident.

And he attended an Islamic prayer service and publicly apologized to about 70 Muslims at the Goleta Valley Community Center, saying that he had not intended to equate Muslims with

terrorists in his speech.

Ms. Goodrich claimed she was abruptly fired and given a termination notice that "doesn't give any reasons."

Asked why Mr. Brown would wait nearly two years after she complained about him to retaliate, she asserted, "I think he wanted to wait to put some distance between his behavior."

A confidentiality clause in the seven-page settlement agreement forbids Ms. Goodrich or her lawyer from saying anything more about her complaint against the county, except "that it was amicably resolved to mutual satisfaction of the parties."

Neither she nor her attorney, Janean Acevedo Daniels, could be reached for comment Wednesday. Deputy County Counsel Martin G. McKenzie, who signed the settlement agreement on the county's behalf, also could not be reached. His boss, Mr. Stark, was out of the office Wednesday.

By settling that complaint, Ms. Goodrich also waived her right to file a lawsuit against the county.

Of the \$925,000, the county will pay \$500,000; its insurance company will pay the remainder, according to Mr. Stark's letter. The total includes \$372,596 earmarked for attorney fees and legal costs that Ms. Goodrich owes to Ms. Daniels, the settlement agreement states.

About \$441,000 was to be paid by the county to Ms. Goodrich this week and the remainder by Jan. 10.

Mr. Brown said the county's portion is being paid out of a \$3.4 million "litigation reserve" it maintains for extraordinary legal costs. "That is like a savings account that provides a hedge against legal costs so that we don't have to disturb the current year's budget," he explained.

First District Supervisor Naomi Schwartz, the board chairwoman, declined comment on the settlement, as did 2nd District Supervisor Susan Rose.

"I'm afraid there's nothing I could say," Ms. Schwartz said. "I think the settlement speaks for itself. I hope it works for the best for all concerned."