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May 16, 2023

via email

Karl Hall
Reno City Attorney
City of Reno
1 E. First Street
PO Box 1900
Reno, NV 89505

RE: External Investigation Request

Dear Mr. Hall,

I represent Councilmember Jenny Brekhuis and, pursuant to Reno Municipal Code Section 2.24.200, we are hereby reporting several serious incidents of retaliatory treatment directed at Councilmember Brekhuis by members of the City of Reno's executive that must be immediately investigated.

As you are aware, Councilmember Brekhuis has been an advocate for her constituency and good government. She is a senior member of the Reno City Council and a credentialed local government professional prior to her entry into elected life.

With this background and understanding of the gravity of the incident, in November 2021, Councilmember Brekhuis reported that she observed Mr. Thornley drinking alcohol in his office in violation of Reno City Policies 402 and 409. These observations were only minimally investigated and has led to Councilmember Brekhuis being discriminated and retaliated against. She brought this matter to public light during Mr. Thornley's annual evaluation in June 2022, in hope that the retaliation would cease. It has not. In fact, Mr. Thornley's hostility and retaliation has increased over the course of the year.

Due only to her open reporting of policy violations, Councilmember Brekhuis has been denied access to staff and resources which have inhibited her from completing her duties as an elected official. For example, Mr. Thornley has required that Councilmember Brekhuis communicate with him and his closest associates in writing only. This requirement was instituted based on unsubstantiated accusations made against Councilmember Brekhuis and is not warranted or justified.

In yet another example, after Councilmember Brekhuis was involved in a very minor vehicle accident on March 16, 2023, she was required by Assistant Deputy of Human Resources [REDACTED] to complete alcohol and drug testing. This test was in clear violation of Reno City Policy 203 and the City's past practices. No person involved in the accident or who witnessed what occurred believed that Councilmember Brekhuis was under the influence of alcohol and/or

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drugs at the time. Further, no one involved in the accident required immediate medical attention, Councilmember Brekhus was not found at fault in the accident and there was not disabling damage to her vehicle. Thus, no test should have been requested or required as this is outside of the requirements of City policies and procedures.

Yet, when Councilmember Brekhus attempted to obtain information from [REDACTED] as to why she was being required to test, she was not immediately responded to and was not provided, until after the testing was completed, the policy under which the City was improperly requiring this test. To add further insult to injury, [REDACTED] provided Councilmember Brekhus Employee Assistance Program paperwork, insinuating that Councilmember Brekhus has a drug and/or alcohol problem. Additionally, the City's past practice has not been, nor would it be allowed by policy, to test every employee involved in every accident. The motivation, thus, for the test of Councilmember Brekhus was solely political and retaliatory in nature in the hopes of trying to catch her doing something illegal.

Further, an accident investigation was conducted by the Nevada Highway Patrol and Councilmember Brekhus was not found at fault or cited for the accident. During this investigation she was advised that she could not have access to witness statements until the investigation was completed. However, on March 22, 2023, the Nevada Independent released a news story about the accident that included a copy of the witness statement provided to the City of Reno on March 16, 2023. It is obvious that the statement was leaked to tarnish Councilmember Brekhus' reputation, and this could only have been driven by political and personal motivations.

On March 30, 2023, in an attempt to clarify why a test was ordered, Councilmember Brekhus filed a complaint through the City's complaint process. She did not receive a response until April 11, 2023. when Director of Human Resources [REDACTED] advised that an "investigation" had been completed and no policy violations had been found. This despite the clear violations of policies 203 and 402.

The activities taken by various City officials against Councilmember Brekhus have caused her to suffer mental anguish and they constitute improper governmental action as defined in Reno Municipal Code Section 2.24.200.

Therefore, pursuant to Reno Municipal Code Sections 2.24.220 and 2.24.230, we are requesting an investigation be immediately initiated and completed into the treatment of Councilmember Brekhus and that this investigation be submitted to, and completed by, an external special counsel. Reno Mayor Schieve and members of the Reno City Council are copied hereto as RMC 2.24.200 - Complaint Procedure, requires notification to these individuals when an Improper Governmental Action by the city manager is alleged. [REDACTED]

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Please advise when this complaint and investigation will be submitted to the City Council for consideration on obtaining a special counsel and if you have any questions or would like to discuss this further.

Very truly yours,



Ronald J. Dreher
Attorney at Law

Cc: Mayor Hilary Schieve
Reno City Council Members
Ronald P. Dreher, AIS

