

Editor's note: The following document was provided to the Ojai Valley News by Ojai City Councilmember Leslie Rule as a representation of the remarks she was prevented from making at the Jan. 24 council meeting.

LESLIE RULE's REMARKS AT OJAI'S CITY COUNCIL OPEN SESSION
Tuesday, 1/24/2023

“Sunlight is the best disinfectant”

In the previous council session, you heard me talk about the ethics and the duty of care this council has to you, the public. Your city council, my colleagues and I, have failed you in this regard.

On **December 13** of last year, in the **first** session of the new council, a citizen called on Mayor Stix to recuse herself on all matters concerning Simply Ojai due to concerns over conflicts of interest with that organization and its principals. Mayor Stix ignored the call. We moved on, and soon after we adjourned for the closed session.

Almost immediately, the Mayor requested that council hire an outside law firm to get “a new set of eyes to review” the *development agreement* with the Becker Group, not the lawsuit by Simply Ojai which was the legal justification for the closed session. She said she knew the firm we should hire.

Councilmember Francina said she didn't see the need to spend city money on this, and then asked Mayor Stix to explain her relationship with Simply Ojai.

Mayor Stix replied that her relationship with Simply Ojai was “*just like*” her relationship with “*other nonprofits—like the Humane Society.*” Francina followed-up, asking the Mayor if she knew about Simply Ojai's lawsuit *prior* to filing of the suit.

Councilmember Andrew Whitman then interrupted her, barking, “***Suza, you're talking through your ass!***” I then stated that there were many dotted lines from Simply Ojai to Mayor Stix that needed to be explained. Whitman snapped at me, “***You're talking horseshit!***”

Whitman's profanity-laced abuse was successful in blocking further Council discussion of Mayor Stix's conflicts of interest. Whitman later justified his behavior by claiming that Francina was attacking the mayor. I ask you, when was the last time (or even the first time) any one accused Suza Francina of attacking some one?

The following Monday, we were informed that the law firm the Mayor had recommended was retained for \$23,000, possibly more. The retainer agreement and the exact assignment was not shared with the rest of the Council.

Christmas and New Year's came and went, but the story continues on January 9th and the next day January 10th.

On Monday, January 9, 2023, the night of the big storm, the Council held its second *closed session* to discuss again “the [pending/existing] litigation.” The outside attorney, Heather Minner had flown in from San Francisco (on our dime) to present her memo.

I was shocked, as she *started from the assumption that the* Council would rescind its approval of the development agreement— her memo was not a new set of eyes on the Simply Ojai lawsuit, which was the *only matter* that be discussed in closed session. Ms. Miner then gave her take on the best *defense* of a *potential* lawsuit by the Becker Group, instead of the simply Ojai lawsuit. Her options included other schemes for the city to own or control the Becker property, clearly items for open session discussion.

We concluded this closed session with an informal agreement to move the referendum to ballot at the next open session to give time for us to work on acquiring the properties. But that's not what happened. Instead, on January 10, the mayor made a successful motion to continue the referendum question.

Later in **closed** session, Francina and I both expressed our incomprehension about the Council's *motion to continue*. After all, just the night before, we had decided to send the matter *only* to a referendum. There had been no mention of needing more time, no mention of confusion, no mention of anything.

We made a plan. We all agreed. Keep in mind we had just spent close to 5 hours with outside counsel the evening before reviewing her memo. I begged the other Council members to put the referendum on the ballot—as we had unanimously agreed. The mayor said she was begging them not to.

Whitman stated he was inclined to change his mind because there is no way to know if people are going to vote the right way. Mayor Stix said she was worried about a public vote – because the developers could put more money into the campaign than its opponents.

The mayor was reading from handwritten notes she had taken from a call with outside counsel earlier in the day. A call no other council members had been invited to.

I then asked Mayor Stix, “*Where did you get the recommendation for this outside firm?*” Mayor Stix paused, and answered, “*Sabrina.*”

“Sabrina” is, for those of you who don’t know, Sabrina Venskus, and is *the lawyer* for **Simply Ojai** in their lawsuit **against** the city on just this topic. Let me repeat that: Mayor Stix got the recommendation for an attorney to *advise* the City from opposing counsel who is *suing* the city.

I expressed shock that Mayor Stix had never *previously* disclosed this fact, and disbelief that the Mayor would take a recommendation from *opposing* counsel in the lawsuit. I exclaimed, “*This is beyond the pale!*” Mayor Stix replied, “*Sabrina is my friend.*”

One of my respected city council colleagues then told Mayor Stix that this was bad, that she could potentially lose everything—political position, personal reputation, forced to resign, and more. The councilmember also stated that, given this new information, the referendum *must* go forward, and this council member *would vote to put the development agreement on the ballot*, and would not vote to rescind.

It was thus revealed that *opposing counsel* Venskus had colluded with Mayor Stix to have the City retain an attorney of Venskus’s choosing to provide advice *for* the City (us) in the very matter that Venskus was litigating *against* the City. They further colluded to keep it secret.

There are so many questions to be asked related to what happened in secret and this agenda item on the housing agreement.

- Why didn’t Mayor Stix tell the City Attorney or Council who had given her the recommendation for outside counsel?
- And most importantly, why was this all done in closed session and not reported to you, the public?

In my estimation, Mayor Stix colluded with opposing council Sabrina Venskus to unlawfully subvert the law of the City of Ojai. She took advantage of a closed session to hide her collusion and subversion, and then doubled down by not being honest with her colleagues once the truth started to come out.

To the Mayor I say, the truth will set you free. Come clean.

To my colleagues and the people of Ojai, a town we love so much: Sunlight is the best disinfectant. Let’s insist on it when we discuss this agenda item, which I hope you agree should be made the first item this evening.

Motion during item:

In light of these revelations, I propose the following City Council three motions: One regarding Councilmember Andrew Whitman, one regarding the lawyers involved in this sordid affair, and one regarding the Mayor's possible improper ties with Simply Ojai and other individuals.

1. Regarding Councilmember Whitman:

The Council hereby censures Councilmember Andrew Whitman for his profanity-laced verbal attacks on Councilmembers Suza Francina and Leslie Rule in the council's closed session on December 13, 2022, and orders him to attend and complete a California state certified course on bullying and/or abusive behavior before he may attend or participate in any Council sessions.

2. Regarding the attorneys:

The Council hereby directs the City Manager to file a formal complaint with the State Bar of California against Sabrina Venskus, attorney for Plaintiff in the case of *Simply Ojai v. City of Ojai*. It further directs the City Manager to not pay \$23,000—or any sum of money—to Shute, Mihaly and Weinberg until we know what and when it knew about Venskus's role as plaintiff's counsel against the City, Venskus's collusion with Mayor Stix in hiring Shute, et al., and Minner's communications with Mayor Stix, Councilmember Whitman and Venskus.

3. Regarding the Mayor and Simply Ojai:

The Council hereby directs the City Manager to initiate a formal investigation—with subpoena power and the ability to take testimony under oath—into Mayor Stix's ties with Simply Ojai, aka Mindful Citizen, aka Fuel Reduction Works; Sabrina Venskus; Heather Minner; and others in the selection and assignment of a lawyer of Venskus's choosing to represent and advise the City of Ojai, as well as Mayor Stix's concealment of that fact; along with an investigation into any and all ties between and among Mayor Stix, Sabrina Venskus, Mindful Citizen, Thomas C. Francis, Leslie Hess and others, regarding possible improprieties in the conduct of business in the City.

I now respectfully request a second to my motions.