



October 7, 2022

Mayor Glover, Vice Mayor Barnes, members of City Council,

Since being appointed as City Manager, I have worked diligently to form a common bond and establish a good working relationship with all members of City Council. Upon employment, I immediately met with each member of Council in an effort to better understand each member's expectations and their priorities. I advised each member of Council that I am committed to working with all seven members of City Council. I have been responsive to members of Council and the community's needs and concerns. I have ensured that departments are responsive to the needs of our citizens, as well.

To ensure a successful tenure with the city, it is imperative that I bring matters of concern to your attention. Prior to and since being appointed as City Manager, I have experienced incidents of continued insolent behavior, disparate treatment, apparent bias, and disparaging comments made about me by certain members of City Council and members of the public during city council meetings. The actions by some members of City Council make it nearly impossible for me to form a bond or working relationship with certain members of council, which is our obligation to make local government work for the good of the citizens in the community, as specified in the WITNESSETH section of my employment agreement (see Attachment A). A few examples of my experience are as follows:

During the first meeting with Mayor Glover on July 5, 2022, his first statements to me were that he did not trust me [...] and he never will. I reminded Mayor Glover that he had enough confidence in me in February 2021, to write me a letter of recommendation for employment and I asked that he help me understand what had changed (see Attachment B).

Mayor Glover's response was that I should have called him immediately, since we had past interactions while I was Chief of Police. I inquired as to when would have been soon enough. I reminded him that I attempted to call him on multiple occasions immediately upon receiving the appointment and after my arrival, but he refused to take my calls or call me back. I also sent him two text messages. I pointed out that I tried to speak with him in Cradock on the 4th of July and once again he refused to converse with me.

Although the Mayor does recognize me as the City Manager in public venues, he has been known to be disrespectful towards me in our bi-weekly Monday morning meetings. Although I am asked to stay for the meeting after the pre-agenda meeting, he rarely looks at me and directs very few comments towards me. He speaks directly to the other individual in the room and makes constant eye contact with her, with an occasional glance towards me. This was apparently brought to his attention by the third party, as he called me back into his office on September 6, 2022 and asked me if I felt disrespected. I advised him that I did and described the instances where I believe he disrespected me. In addition to the aforementioned meetings, I felt

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he disrespected me that very morning at Park View Elementary School when he turned his back to me as I approached to speak to him and shake his hand. He apologized for his actions and stated that he would not disrespect me again. The Mayor reiterated his discontent for me during our meeting on Sept 6, 2022, indicating that he still feels the same way about me as he did when I first arrived.

On September 20, 2022, the Mayor summoned me to his office via the City Clerk. Upon arrival, he berated me for having a meeting on September 19, 2022, and not inviting him to the meeting, where Vice Mayor Barnes was in attendance. I explained to Mayor Glover that this was a logistical meeting with my staff for the Missy Elliott event and that the organizer invited the Vice Mayor to the initial meeting. The conversation turned into a heated discussion. And once again, he shared his sentiments about me during our meeting on September 20, 2022. He continued by stating that he still stands by what he told me during our first meeting (meaning he does not trust me, and he never will). He tried to belittle me by saying I did not make the top tier of applicants in the previous process and that I came through a back door process. I reminded him that I withdrew my name in the previous process and was then informed by the search firm that I was one of the applicants selected to move forward. During that process, at least five members of Council indicated their desire for me to move forward. One of the five had to include the Mayor, as Councilwoman Lucas Burke shared with me that the only reason she did not add me to her list was because "I thought they said they would only look at applicants who had been prior city managers and I did not want you in the media of all of the Portsmouth drama; but when I saw five of those members who had chosen you, I was hot that I didn't follow my instinct and add you to my list. If the five members stay the course and I join them, that is six of us who will want you as our next City Manager. [...] I am going in for you, and I wish you the best with this new journey. [...] It's time to win!!"

As for meetings with members of Council present, I shared with the Mayor that the first time I had a meeting in which the requestor invited two members of Council, I asked the City Clerk was it appropriate. The City Clerk stated that it was appropriate if they were the liaison to the organization. I then pointed out to Mayor Glover the number of meetings I have been requested to attend that he has organized with no other council members present and that he did not have the right to berate me over a logistical meeting I had with my staff.

Mayor Glover has invited me to numerous meetings with constituents and in at least four of the meetings, constituents have requested financial assistance from the city (see Attachment C). During the meetings, Mayor Glover has made suggestive statements such as I know it's the City Manager's decision, but I would be in support of this request. In a recent meeting with the Portsmouth Humane Society on September 20, 2022, he went on to mention that the City Manager has a discretionary fund at her disposal. My request is that in the future, if an individual has a financial request from the city, the Mayor directs the organization to set up a meeting directly with the City Manager to discuss the request. This will allow me to make an independent assessment of the request without any potential influence or suggestive language from the Mayor.

Other members of Council have also made their dissatisfaction with my appointment known. Besides public comments made during city council meetings and in the media, during

my meeting with Councilman Moody on July 6, he stated, "I was not qualified, this is a disservice, and that it was going to be tough for me." I advised Councilman Moody of my qualifications to include my education and experience at the state and municipal level. I also corrected the facts about the false rumors that he has continued to circulate about me. He recommended that I have a press conference to correct the misinformation that has spread among the community, as he personally knows the impact rumors can have. On July 14, 2022, I held a press conference to better inform the community of my education and experience, dispel rumors, and discuss my priorities and initiatives.

Although Councilman Moody has been made aware of my qualifications for the position, he continues to spew rhetoric in public that I am not qualified for the position. Allegedly this has been stated during city council candidate forums. These unfounded statements are further attempts to undermine my authority and diminishes the public's perception of my abilities to perform the job. Additionally, on August 10, 2022, Councilman Moody requested that an individual be allowed to utilize the city boat ramp. Due to previous damage incurred of the boat ramp, I denied the request. Councilman Moody then sent a suggestive email stating "I suggested that he check back next year when we might be more receptive." I can certainly infer the meaning of his statement.

During the June 14, 2022, city council meeting, Mayor Glover stated, "*I watched a woman get mistreated up here [...]. There was a time in our history, as African Americans, where we could not protect our women. That anything and everything could be heaped upon them and in anyway, without reservation. [...] you saw [...] council of men disrespect, disregard the humanity of a black woman and I would not accept that with any woman.*" However, Mayor Glover has maliciously allowed individuals to disrespect and disparage me personally and/or professionally during at least eight city council meetings.

During several City Council meetings, Mayor Glover has shown bias and disparate treatment while presiding over City Council meetings. Specifically, during the proceedings, the Mayor and other members of Council have made disparaging statements in relation to my appointment. During City Council meetings, Mayor Glover fueled citizen reaction by disclosing matters discussed in closed session, sometimes quoting inaccurate information such as me being fired and the salary range of the city manager position; thereby making my appointment as city manager more difficult, in an effort to diminish my ability for success. The lack of control of the audience, to include obscene language being shouted, clapping, and continued outburst in city council meetings, prompted a citizen to quote Mayor Holley and remind Council that council meetings are not a sporting event. This quote was later accentuated by a WAVY news reporter.

These statements were followed by allowing the citizens of Portsmouth and others to speak during council meetings about me in a derogatory manner, specifically calling me by name and directly insulting me. Although the Clerk reads the Speaker's statement twice during council meetings (see Attachment D), individuals are allowed to continue to make disparaging remarks against me and certain members of City Council. Mayor Glover made it clear that he would never support my appointment and has tried on several occasions to invalidate me and my experience, as demonstrated by modeling and authorizing this behavior in numerous City Council meetings (see Attachment E).

Additionally, I would be remiss if I did not call attention to the June 16th city council meeting, when speaking about the former City Manager, Mayor Glover made it clear that under City Charter Sec. 5.02, - Powers and duties, the City Manager is granted certain authorities to appoint and manage all employees in all departments and that the appointments shall serve at the pleasure of the manager. The City Charter specifically states *Assistants and deputies to the manager and department heads [...] shall serve at the pleasure of the manager*. Therefore, members of City Council should not be interfering or commenting in a negative manner on personnel actions taken by me, as the City Manager. Although citizens should be allowed to voice their opinion on matters of public concern, I deserve the same deference as every other council member or staff (current or former) and should not have to endure personal attacks, as specified in council rules and outlined in the Speaker's statement.

Furthermore, I was recently informed by staff that they were warned by a member of a commission that anyone who aligns with me will be fired upon the return of the former city officials. Employees should not have to endure threats and intimidation in the course of performing their jobs.

The words and concerted actions of Mayor Glover and Councilman Moody are creating an atmosphere of a hostile work environment to include continued disrespect, disparate treatment, and apparent bias. Mayor Glover made a public statement that he will never support my appointment and his actions and comments, further validate the statement. Their unwelcome, pervasive insolent behavior, and discontent of my appointment are undermining our ability to form a bond or relationship; undermining the ability for us to ensure there is a common obligation to make local government work for the good of the citizens in the community; and undermining my ability to perform my job as the City Manager; therefore, inhibiting us from meeting citizen's expectations and community goals.

Due to the aforementioned actions by Mayor Glover and Councilman Moody, and pursuant to Section 3. D., in accordance with the terms and conditions of my employment agreement with the city of Portsmouth, these actions constitute a breach. This letter provides written notice of the said breach; therefore, the actions shall be corrected within 30 days. Until these actions are corrected, I am no longer comfortable meeting with Mayor Glover or Councilman Moody without an independent witness present.

Respectfully submitted,



Tonya D. Chapman
City Manager
City of Portsmouth

Cc: Lavonda Graham-Williams, City Attorney

Attachment A

WITNESSETH

WHEREAS, the city desires to employ the Employee as its City Manager; and,

WHEREAS, it is the desire of the Council to provide certain benefits, to establish certain work conditions of employment, and to establish working conditions for the Employee, for the benefit of the public; and

WHEREAS, the Employee desires to accept said employment as City Manager on terms that benefit the public; and

WHEREAS, it is recognized that the bond that exists between the Council and its appointed City Manager is their common obligation to make local government work for the good of the citizens in the community; and

WHEREAS, the success of the local government in meeting citizen's expectations and community goals depends significantly on that relationship.



CITY OF PORTSMOUTH
Office of the Mayor

Shannon E. Glover
Mayor

February 2, 2021

To Whom It May Concern,

As Mayor for the City of Portsmouth, I am writing this letter of recommendation on behalf of Tonya D. Chapman.

Having previously served on City Council in the City of Portsmouth, I had the privilege of working with Tonya Chapman while she served as Chief of Police. During her tenure with the city, she achieved every goal expected of a chief. Chief Chapman was a pillar in our community. She knew the value in authentically engaging with our citizenry in order to build trust and reduce crime. She implemented several mentoring and educational programs for our youth. She truly understands that our youth are our future and the importance of building positive relationships well in advance of any negative encounters they may face. Chief Chapman was also successful in diversifying our police department as she increased the women and minority representation from 36% to 46% within two years in an effort to help the department reflect the population we serve.

Tonya Chapman was dedicated to making Portsmouth a safer place to live, work and play for all. In addition to her comprehensive knowledge of law enforcement, the principles of 21st century policing, and the importance of ensuring procedural justice, she has proven to be progressive, hardworking and an innovative leader. It is for these reasons why I highly recommend her to serve as your next Chief of Police.

Sincerely yours,

Shannon E. Glover
Mayor

Attachment C

Meetings with Mayor Glover

July 15 – Bloomberg Innovation Team

July 26 – Philippine Delegation

July 28 – Tidewater Community College and Elizabeth River Tunnels

July 29 – Give Back 2 Da Block and Mental Health Representative

The representatives were seeking funding for programming. The Mayor indicated that he supported the request, although it was up to the City Manager. I explained the process that I was going to take to evaluate current programs and the process for determining future funding.

August 1 – London Oaks residents

September 2 – American Water

September 12 – Hampton Roads Community Health Center

HRCHC was seeking funding for a new dental van (\$400,000), laptops (\$136,000), and 3 electric vehicle charging stations (\$9,000 each). Although the meeting was titled 'New site connectivity discussion'. Forty-five minutes was spent discussing their needs. I then interrupted to ask about the connectivity concerns as I had the IT Director in the meeting with me. The Mayor indicated that he supported the request for the dental van, and he would explore funding sources.

September 14 – Youth Leadership Development (YLD)

YLD was seeking funding to expand programming. The Mayor spoke highly of the program and indicated that funding was up to the city manager. I explained the process that I was going to take to evaluate current programs and the process for determining future funding.

September 16 – Bons Secours

September 20 – Portsmouth Humane Society

PHS was seeking funding due to increased costs to shelter animals (\$100,000). The Mayor indicated that he supported the request, although it was up to the City Manager. The Mayor also indicated that the City Manager has a discretionary fund at her disposal.

In this instance, funding was provided because the city is currently under contract with the Portsmouth Humane Society to shelter pets for the city. Costs have increased but the contract had not changed. When the Portsmouth Humane Society received the requested funding, they contacted the Mayor and not the city. The Mayor contacted me on

September 28, to inform me that he received a call from the Humane Society and wanted to thank me for providing the funding.

September 26 – Hip Hop Fest

September 29 – Van Tour with Hampton Roads Realtors Association (HRRA) and PRHA
Director

October 3 – Street name and parade event coordinator

Attachment D

During each meeting, the Clerk reads the following Speaker's statement twice during each meeting:

City Council rules [...] While speakers have an opportunity to address council on matters of public concern, all comments should be made in a manner that respects the seriousness of the forum, and should not be made in a belligerent, sarcastic or demeaning fashion. All remarks shall be directed to the city council as a body, rather than to any particular member of city council, staff, or the audience and should be limited to matters that only the Portsmouth City Council can influence. A speaker who fails to observe this basic rule of decorum will be deemed out of order and not be allowed to conclude his or her comments.

Attachment E

During the May 31, 2022, Portsmouth Special Called City Council meeting, Mayor Glover made the following statements,

The Mayor will not negotiate any contract and has not negotiated any contract with any individual [...].

The only dog I have in this fight is what is in the best interest for the citizens of Portsmouth.

I suspect Ms. Chapman is a wonderful lady [...].

I will not support a candidate that has not been vetted, [...] who has not gone through the proper hiring process.

If you allow this, it is a miscarriage of justice.

Mayor Glover allowed continuous outburst and disrespectful comments to be made while Councilmember Battle and Councilmember Woodard were speaking, with minimal attempts to call the meeting to order.

During the June 14, 2022, Council Meeting, Mayor Glover made the following statements,

I will take a personal mayoral privilege here. [...] As the elected Mayor of the city of Portsmouth [...], the mayor should and absolutely be involved in any negotiations of hiring anyone to lead our city [...] What we have here is a usurpation of the rule of authority [...] the personnel committee will sign off on the contract [...]. I am all for working together, but if we are not going to do it as a team, it is not valid.

We have a capable interim city manager [...], she has been through the storm [...], she is capable of filling in and being the city manager.

But, my fundamental problem with this is – I, we have a candidate that was not discussed by the whole council, who was fired/released by the city of Portsmouth [...]. To bring about someone as a candidate without discussing it with the entire council, knowing the history and knowing that irreputable harm can be done [...].

[...] Everyone is allotted an opportunity to be given a second chance. [...] You are not even going to give her (former city manager) the benefit of the doubt.

[...] You have elected us to work collaboratively together. To bring in people that will do this ethically, morally and in the proper order.

I will never accept the behavior that is being demonstrated up here, I will never support anyone, I will not support those trying to usurp my authority [...].

I watched a woman get mistreated up here [...]. There was a time in our history, as African Americans, where we could not protect our women. That anything and everything could be heaped upon them and in anyway, without reservation. [...] you saw [...] council of men disrespect, disregard the humanity of a black woman and I would not accept that with any woman.

I want to be clear, whatever happens, these four have made up their mind and they are compelled to do, but I will tell you, this will not stand [...].

[...] we are going to hire someone that was not vetted properly.

What is going to occur here tonight, is just wrong. There is no right in it [...].

Whatever happens, we are going to get through it.

During the latter part of the meeting, the Mayor indicated that Councilman Whitaker was out of order because he asked the Mayor to get order in the chamber, then the mayor reiterated that the councilman was out of order and asked for him to be removed from the chamber.

During the June 14, 2022, Council meeting, Councilman Moody stated,

[..] the decision that's getting ready to be made tonight is not reasonable and is unjustified. Because the candidate getting ready to become city manager has no experience in a leadership position in municipal government, none whatsoever. And as the mayor said, addition to that, she was terminated.

Obviously, I'm going to vote against it, but this won't be forgotten. In January, a new council will take place and they can deal with the question at that time, as well.

I want to set the record straight [...] and the candidate they are getting ready to hire tonight, she did not make the cut so there was no vote, so what you heard was not the truth.

During the June 16 and June 28, 2022, Portsmouth City Council meetings, several speakers made disparaging remarks towards several members of Council to include comments directed towards Vice Mayor Barnes, Councilman Dr. Whitaker, Councilmember Woodard, in addition to myself (calling me by name on several occasions), without the Mayor enforcing the Speaker's statement and allowing clapping in direct violation of Section V of City Council Rules and Procedure, which states *applause shall be permitted only during awards and presentations. During all other agenda items, a speaker may request an expression of consensus, support, or opposition by calling for a show of hands or for members of the audience to silently stand.*

During the June 28, 2022, Portsmouth City Council meeting, specifically the Mayor took mayoral privilege to make a comment about the city manager's severance package, which was discussed in closed session. The mayor incorrectly quoted the salary range of the city manager, he stated,

[...] the salary range is \$180,000 to 200,000, that is if you are qualified. We have an individual that was not qualified [...].”

Whereas, the 2020 job announcement published by GovHR indicates the salary range \$200,000 +/- 225,000 DOQ. The announcement also indicates that qualifications required, for which I certainly meet or exceed.

The Mayor continues by saying,

And I do not support this appointment by the way. This decision was made illegitimately, it was not done in the proper order.

The Mayor's comments led to an uproar in council chambers. Mr. Moody indicated that I lacked experience.

Councilman Woodard clarified that the severance was not a payout as stipulated by the Mayor. Councilman Woodard continued by saying,

The appointee has the educational piece, so to say they do not have the qualifications to be here, is not true. This is not a payout of \$400,000, [...] this just a stipulation in her contract. We are here to support her when she comes here, and we all should continue to support her.

During my meeting with the mayor (secret meeting), the Mayor said that he was going to fire the city manager as soon as he can.

We are not even allowing her to do her job.

Again, the Mayor did not stop the audience from clapping after Councilman Woodard stated what was said by the mayor during the meeting. The Mayor stated he was clear of what his intention was.

After about one hour into the meeting, the Mayor finally removes an individual from the chamber after numerous outbursts to include obscene language. Once again, individuals are allowed to direct comments to individuals members of Council and me, to include a non-Portsmouth resident.

The Mayor allowed continues to allow disparaging comments to be made against me during several additional council meetings in July and September, although City Council rules explicitly prohibit such action.

During the July 12, 2022, meeting, Mayor Glover stated,

Just to reiterate [...], please do not address individuals on the dais. If you wish to address concerns, please address in the interest of all. Individual names and calling folks

out will not be tolerated. We have to respect the chamber and we have to respect each other.

However, Mayor Glover allows several speakers to single me out by title or name to demean or disparage me even allowing one citizen to exceed her time when speaking positively about the former interim city manager but cuts off a citizen who is speaking favorably about me.

Another citizen discussed decorum and discussed what Mayor Holley used to say when things got rambunctious in the chamber,

Ladies and gentlemen, this is not a sporting event.

The citizen goes on to say,

It's tough to maintain good order in a room full of people and its incumbent on the people who are sitting in the room to regulate their own behavior as well as it is for the presiding officers and the members of Council to model and to work to maintain good order [...].

During the July 26, 2022, meeting, citizens are once again allowed to call me by name or reference me by title in a negative manner. The September 13th City Council meeting resulted in more of the same.

During the September 27, 2022, meeting, the Mayor allowed continued outburst from the audience and allowed a speaker to exceed her time limit without interruptions while speaking in a disparaging manner about me and chastising certain members of Council. The Mayor then allowed the audience to clap after the comments without intervening. The Mayor stopped one speaker from saying the names of two male members of council; however, through his continued disparate treatment, the individual was allowed to single me out. Dr. Whitaker attempted to intervene by calling a point of order. Dr. Whitaker expressed that the Speaker's rules were not being followed. The Mayor stated that the point of order was not recognized and allowed her to continue to speak. She then turned her focus to me by calling my current and former titles saying, "[...] the two individuals negotiated an unprecedented/ proposed a contract [...] and appointed an unqualified city manager who is the former police chief." As she looks directly at me. Again, Dr. Whitaker attempted to intervene by calling another point of order. Dr. Whitaker stated that the point of order is not to allow her to attack staff. The Mayor claims the speaker was speaking in general terms although the speaker specifically called me by title. Dr. Whitaker pointed out the speaker is specifically speaking about the city manager. He stated that the Mayor is allowing her to violate rules and he is allowing disorder. The Mayor says that Dr. Whitaker's point of order is not recognized and tells the speaker that she may continue. Dr. Whitaker then leaves council chambers. Again, the Mayor allows clapping in violation of council rules and then thanks the citizen for her comments.

The Mayor closes the meeting by saying,

Before we close I just wanna make something clear, as a citizen of the city of Portsmouth and a taxpayer when you sign up to be a non-agenda speaker some of my colleagues don't like it the way that our public speakers speak but you are entitled as a citizen to come before this council this body to come and share your concerns. [...] as your Mayor and as the elected leader of this city of Portsmouth, I respect every individual that comes up there to speak and why do I respect them is because they take the time out of their schedule after they have worked and done what they've done for a long day and they show the courage and the determination. They don't always get it right and I'm not up here to judge whether you are right or wrong in that situation, but what I am here to do is to ensure that you have the opportunity to come and speak. There is a decorum in the chamber and that is why we read the speaker's statement twice to reinform you. Repetition is the key to adult learning. And I will say this in closing, it is your council. Remember that. It is not my council, it is no one's council up here on the dais, it is your council.