

To: Michael Redlinger, City Administrator, City of Fargo

From: Christina Sambor, Sambor Law & Consulting, P.C., Investigator

Subject: Supplement to Investigative Report – CommsGA Inquiry

Date: August 19, 2025

This addendum is issued to the Investigator's report to address supplemental interviews conducted with Gregg Schildberger ("Schildberger") and Katie Ettish ("Ettish"), and to address additional relevant occurrences between August 6th and August 14th, 2025.

Supplemental Procedural Facts

The Investigator submitted written findings to the City Administrator on Wednesday, August 6, 2025. The Investigator notified the City Administrator that earlier that day, the Investigator emailed Schildberger and Ettish to advise them the report was being prepared and to inquire if either had any additional concerns or perspectives they wanted to address.¹ The Investigator did not receive a response and therefore transmitted the report that evening but indicated that if Schildberger or Ettish did in fact want an additional interview, they would be accommodated and an addendum would be issued.

Based on a review of supplemental written information provided by Schildberger on August 14th, 2025, the City Administrator emailed Schildberger and Ettish on the morning of August 7th, following up on a meeting that had occurred the night before that included Commissioner Kolpack.

¹ At the conclusion of Schildberger's second interview and at the conclusion of Ettish's first interview, the Investigator had indicated an intent to speak with each again. Based on additional evidence received, including recorded meetings between Schildberger, Ettish, and CommsGA employees, and extensive written responses from Schildberger and Ettish to employee exit interviews, the additional areas of inquiry were sufficiently addressed and the Investigator did not require additional interviews with either. To ensure that Schildberger and Ettish felt they were fully heard, both were asked if they desired an additional interview.

In the email, the City Administrator requested that both Schildberger and Ettish promptly schedule meetings with the Investigator, noting they had previously discussed doing so in the meeting on the evening of August 6th. Based on this email, Schildberger and Ettish had received and discussed with the City Administrator the Investigator's offer of additional interviews on August 6th, 2025, and were asked to promptly follow up.

The Investigator received a response from Schildberger at 10:00 pm on August 7th. Ettish responded at 9:43 am on August 8th. In those emails, both indicated they wanted an additional interview and gave the same earliest availability – the afternoon of Tuesday, August 13th. The Investigator responded promptly to both on August 8th, requesting they make themselves available in a timelier fashion, noting the Investigator wanted to finalize things sooner than the window given by them. Ettish responded to that correspondence on Monday, August 11th, stating she was out of the office on Friday the 8th and “didn’t get to this email until [Monday] morning”. The Investigator noted that Ettish’s previous email was sent to the Investigator mid-morning on Friday the 8th. Schildberger responded to the Investigator’s August 8th email at 5:03 pm on Wednesday, August 13, 2025. In that email, Schildberger told the Investigator that he had drafted a response at 11:09 pm on August 8th that “was queued in the draft folder on [his] cell,” which “likely explain[ed] why [he hadn’t] heard back from [the Investigator],” and apologized for the “technical issue.” The Investigator notes that awaiting a response should have prompted a follow up or verification that he had in fact sent a response.

The Investigator participated in a meeting on August 8, 2025, with Mayor Mahoney, Commissioner Kolpack, the City Administrator, the City Attorney, and the Human Resources Director to provide a status update on the interviews with Schildberger and Ettish and summarize

findings. Copies of the report transmitted on the 6th were provided to the attendees. The Investigator let the group know that Schildberger had requested to speak with the Investigator but no date had been set, so the report would be finalized with a supplement to address additional interviews after they were conducted.

At the August 8th meeting, Commissioner Kolpack was noticeably irritated, so much so that it puzzled and startled the Investigator. Kolpack voiced doubts about the Investigator's qualifications to conduct the investigation and make conclusions and asked pointed questions as to the nature and scope of the Investigator's inquiry. The Investigation had been ongoing for nearly six weeks. At no time prior to this meeting had Commissioner Kolpack or anyone else raised any concerns about the Investigator's qualifications or the scope of the investigation. Had they done so the Investigator would have happily addressed the concerns. The Investigator acknowledged that due to being asked to examine the *culture* of the CommsGA Department, the nature of the information gathered, and analysis provided, differed somewhat from more narrow fact finding that may be more typical in workplace investigations that allege a narrower problem or specific incident. In light of the stated concerns, the Investigator welcomed the Commissioner to focus on the extensive fact section of the report and disregard the findings if she had misgivings about the Investigator's qualifications, analysis, or conclusions. The Investigator also addressed the Commissioner's statements by summarizing their qualifications, as the Investigator takes seriously any allegation that their scope of work exceeds their qualifications.²

² Relevant qualifications include: A two-year judicial clerkship with the US District Court in North Dakota, 15 years of practicing law in the areas of employment, civil rights, criminal defense, family law, and trauma-informed lawyering, previous experience conducting a number of workplace investigations (several of which are confidential – as is the nature of workplace investigations in the private sector), a 2014 Bush Fellowship during which the investigator was accepted into and completed a nine month program at Georgetown University on Executive

The Investigator was advised on Wednesday, August 13th, prior to Ettish's interview, that Schildberger, Ettish, Green, and Groth had tendered their resignations, providing extensive written explanations. Schildberger was interviewed on the afternoon of Thursday, August 14, 2025, and provided an extensive written response to Bolonyi's complaint that was reviewed by the Investigator and will be included in the file.

Interviews

Ettish

In Ettish's interview, she raised concerns about not being provided Bolonyi's complaint until the week prior and more generally the long timeline of employee complaints made to HR that, according to Ettish, were not sufficiently communicated to CommsGA. Ettish stated that there should be more clarification on HR's general practices regarding sharing information about employee complaints. Ettish raised concerns about feeling blindsided going into her interview with the Investigator, and that she felt she didn't know or understand the scope of the investigation and therefore felt unclear about how to prepare for the interview.

Ettish also raised concerns about the budgeting process and the stress it caused CommsGA, and that Ettish felt strongly that communication about the process was poor with the Budget Team. Ettish also discussed a strong feeling of a lack of support from City Administration and Human Resources. Specifically, Ettish explained that when employee complaints were presented to the

Leadership and a program at Harvard's Kennedy School on Leadership and Organizing, and extensive training in trauma-informed interviewing and complex investigations as the Director of the North Dakota Human Trafficking Task Force and as an employee of Youthworks.

Leadership Team in CommsGA, that they regularly consulted with HR to get suggestions on how to deal with poor employee performance and tried to implement many different types of interventions in consultation with HR. Ettish expressed that they made significant efforts to utilize the support and resources provided by HR, and therefore felt frustrated that their management practices were being criticized as they were done in consultation with or at the direction of HR.

The Investigator inquired about whether the total workload of CommsGA was viewed as a problem. Ettish indicated that their “stay interview” process indicated divergent perspectives on the matter, i.e. some employees expressed feeling overwhelmed and some felt they could handle more work. Ettish highlighted adjustments that were made to various processes to minimize time in meetings and make them smaller divisional meetings. Ettish explained her approach to managing employees and handling feedback and described her commitment to support them and improve interpersonal dynamics. Ettish expressed some surprise at exit interview feedback claiming a lack of empathy on her part and stated that she attempted to reach out to HR to get further support in this area but did not receive a response.

Ettish and the Investigator discussed in detail a couple of specific employees and the history of supervision. Ettish explained her rationale behind various supervisory decisions, and explained various adjustments made to address different complaints. Ettish also addressed the use of EAP in supervision. Ettish stated that HR, not CommsGA, initiates EAP recommendations based on stated concerns. She reiterated concerns about a lack of support from Administration and HR, highlighting what she perceived as inconsistent treatment of departments and the impact of administrative politics on the CommsGA team.

Ettish was welcomed to provide any documentation she would like reviewed. As of the date of this report none was received.

Schildberger

Schildberger raised concerns about the handling of Bolonyi's complaint, specifically not receiving a copy of the report until the week prior. Schildberger also wanted to clarify that the Leadership structure in CommsGA also included two other individuals aside from the four that were the subject of the investigation and that they not be inappropriately lumped into the "Leadership Team." The Investigator explained to Schildberger that the membership of the "Leadership Team" was defined in the report.

Schildberger expressed concerns about the inconsistent use of exit interviews and the perception that he blames HR for employee issues. He acknowledged that he could improve in how that conflict was handled. Schildberger addressed the perceived heavy reliance on EAP referrals and the lack of HR involvement in team dynamics and training opportunities. He emphasized the need for better and more in-depth resources and training for managers. Schildberger discussed the varied challenges of working with different generations of employees and raised a concern about internal promotion to management positions without sufficient support and training.

Schildberger noted that while the investigation process has been difficult, it has led him to substantial introspection and growth. He indicated that he has taken to heart the employee feedback but also expressed confusion and gave specific examples of conflicting feedback from certain employees. Nevertheless, he articulated that the process had helped him understand the importance of employee perception, and the value in receiving it as informative, rather than challenging its

perceived accuracy. Schildberger talked at length about a desire to use the experience to evolve as a leader and improve in his next position.

Schildberger reflected that he found the Investigator's suggestion that he tended to over-explain himself and his underlying emotions as helpful and enlightening. He stated he had a much better understanding of how that could be overwhelming and feel negative for an employee. Schildberger credibly described a change in opinion as to receiving unvarnished feedback from employees and that he felt he could better use it to gain different perspectives on his leadership.

Schildberger expressed regret about the struggles with HR to have constructive conversations about workplace challenges and coaching needs. The Investigator raised some information that had come back to her about Schildberger misinterpreting or misrepresenting observations the Investigator made in their previous interviews. Schildberger explained his intent and challenged the information provided by the Investigator.

Schildberger expressed concerns about the perception of long working hours and provided documentation of average weekly hours worked, noting that the actual data for various employees did not support their account of regularly work 50+ hour weeks. Schildberger and the Investigator had a long discussion about how the department could have better managed workload.

Schildberger explained what he understood as the genesis of the complaints about flex time, stating that he understood it to be "logged" for use akin to additional PTO at a future date, rather than offsetting additional hours worked by coming in later the next day. Schildberger indicated the City's policy and how it's implemented should be clarified to avoid this particular problem.

Schildberger explained his decision to resign his position, noting that he felt that personal and professional challenges had been building over time, and that despite his efforts to communicate his concerns to Administration and HR, no changes were made to address the issues. Schildberger shared that he felt disconnected from himself and his job, and the situation had become untenable.

Schildberger explained his perception that the Mayor's influence and communication style created difficulties in defining roles and responsibilities, and that this had a particularly big impact on him as he served in both a communication and "chief of staff" type roll. Schildberger and the Investigator discussed at length how the perceptions of Schildberger being able to enlist the Mayor in his battles created tension. Schildberger explained that from his perspective, the opposite was true, that the Mayor often leaned on him to execute certain tasks or achieve certain outcomes. Schildberger and the Investigator discussed how the influence of the elected officials, their tendency to interject themselves into the details of day-to-day work at the City, and the tendency for departments to blame one another for dysfunctions that may be caused by the interference of elected officials had become very challenging.

Schildberger explained his concerns about communication challenges within the City, particularly regarding decision-making and interdepartmental relationships. He expressed concerns about a lack of clear leadership, guidance, and support from Administration. The Investigator and Schildberger discussed a perception that systemic issues are contributing to these ongoing challenges and that all sides should examine their role in a curious, rather than defensive, way. Schildberger and the Investigator discussed the work environment at City Hall, noting that unpredictable interference from elected officials can create a "wild west" atmosphere where decision-making and people's roles in the hierarchical structure are unclear and unreliable.

Schildberger expressed great frustration at the constant fear of losing his job and the culture of having to always consider “getting three votes” from the Commission to retain his position.

Supplemental Findings

The Investigator found Ettish’s interview to be consistent with her previous interview. Ettish went into more depth about the timeline and various interventions with certain employees and went into more detail about her frustration with the investigation process and in particular her sense of a lack of sufficient communication about employee complaints that preceded the formal investigation. The complaints raised by Ettish in this interview are consistent with those that were already included in the Investigator’s report.

The Investigator notes that the scope of her investigation did not thoroughly evaluate the status of City policy and/or how that policy is communicated concerning employee consultations with HR that do not rise to an actual complaint. The Investigator notes Ettish and Schildberger pointed to a lack of clarity from HR on complaint trends in CommsGA as exacerbating cultural problems in their department, and that Ettish and Schildberger both expressed that they would have benefitted from a clearer understanding of employee complaints. In the same vein, Ettish and Schildberger both expressed a desire for more in-depth training and skill development for those promoted into management as something that could have prevented or mitigated the cultural issues. They both expressed a degree of “not knowing what they didn’t know” in terms of relational aspects of leadership and management.

Schildberger displayed an impressive degree of contemplation about the feedback he received throughout this process. He communicated ways in which the employee complaints and his

interviews had given him insight and information that he considered valuable for the future. He, like Ettish, expressed frustration and regret that the information wasn't provided to him in a way that he considered helpful until this process started.

The Investigator notes with some concern that the drawn-out way Ettish and Schildberger's interviews were scheduled, including long delays in responding to the Investigator's emails, delayed finalization of the report. The four members of the Leadership Team resigned the day of Ettish's interview and issued lengthy prepared explanations citing organizational dysfunction external to CommsGA as the reason for their resignation. The Investigator is not opining on the allegations raised by the four individuals who resigned and did not inquire into the details of when the individuals decided to resign but notes for her findings the timing of the resignations coincided with the scheduling of the interviews.

Schildberger made important observations, with which the Investigator agrees and about which she communicated her impressions, concerning the degree to which involvement by elected officials in the day-to-day decision making in the City exacerbated problems in the CommsGA Department and perpetuated conflict between CommsGA and Admin/HR. This was notably on display to the Investigator herself. As the end of the investigation approached, elected officials cast doubt on and assigned blame in this process. For example, Kolpack questioned the legitimacy of the Investigator's process, qualifications, and conclusions, and Mahoney questioned HR on how and why the problems in CommsGA went on for so long. The answer to the latter question is contained in the Investigator's original report. This conduct was perceived by the Investigator as disruptive to the investigation, especially in light of the timing concerns noted above.

The Investigator, as a third party, can respond to such conduct and name it, but would note that her future employment and standing in this organization is not at risk. The Investigator's own experience corroborates the statements by many interviewees who expressed concern about their professional qualifications being called into question if they found themselves perceived as antagonistic to an elected official's preferred outcome. This is part of what gave rise to the cultural problems in CommsGA.

Finally, the Investigator was very impressed with the professionalism of the employees in this organization and would encourage elected officials to be open to considering their role, likely not intentional, in complicating inter-departmental relationships by becoming involved in granular decision-making that should be left to their very capable employees.