



County of El Dorado

Charter Review Committee
330 Fair Lane, Building "A"
Placerville, CA 95667

Minutes - Draft Charter Review Committee

Kris Payne, District III, Chair
Don Fuller, District II, Vice-Chair
Rachel Michelin, District I
Michael Powell, District IV
Jeanne Harper, District V

Alternate Members:
Richard Ross, District I
Jim Hill, District II
Randy Pesses, District III
Gary Campbell, District IV
Leon Abravanal, District V

Shawne Corley, Assistant Chief Administrative Officer
Paula Frantz, Sr. Deputy County Counsel
Jim Mitrising, Clerk of the Board of Supervisors

Monday, January 8, 2018

4:30 PM

"Conference Room A"
330 Fair Lane
Placerville, CA

CALLED TO ORDER AT 4:30 P.M.

Present: 4 - Rachel Michelin, Don Fuller, Kris Payne and Michael Powell

Absent: 1 - Jeanne Harper

PLEDGE OF ALLEGIANCE TO THE FLAG

Member Michelin led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA

A motion was made by Member Michelin, seconded by Member Powell to Adopt the agenda.

Yes: 4 - Rachel Michelin, Don Fuller, Kris Payne and Michael Powell

Absent: 1 - Jeanne Harper

APPROVAL OF MINUTES

1. [17-1367](#) Approval of the Minutes for the Charter Review Committee meetings of November 2, 2017 and December 18, 2017.

Alternate Members Pesses and Ross were present to vote on the Minutes for November 2, 2017 only and did not participate as seated members for any other portion of the meeting.

A motion was made by Alternate Member Pesses, seconded by Alternate Member Ross to Approve the Minutes for November 2, 2017,

Yes: 4 - Don Fuller, Michael Powell, Randy Pesses and Richard Ross

Absent: 1 - Jeanne Harper

A motion was made by Member Michelin, seconded by Member Powell to Approve the Minutes for December 18, 2017.

Yes: 3 - Rachel Michelin, Kris Payne and Michael Powell

Absent: 1 - Jeanne Harper

Abstained: 1 - Don Fuller

PUBLIC COMMENT

None.

Matters not on the agenda may be addressed by the general public during Public Comment.

MEMBER REPORTS

Member Powell mentioned that he spoke with Ellen Day regarding the Board's recent decision to make the Registrar of Voters an Appointed Department Head position.

STAFF / COUNSEL REPORTS

No reports.

ACTION ITEMS**2. [17-1204](#)**

Pursuant to direction provided by the Board of Supervisors at their meeting of October 10, 2017, discussion of Charter Section 502.1 with respect to county positions identified as "At Will." (Cont. 12/18/17 Item 5)

Public Comment:

Randy Pesses feels the changes open the positions up to patronage and shared his concerns regarding the proposed modifications. If the Board doesn't see eye to eye with a hired Assistant Department head, the Board has no power to take action.

Member Payne recapped the item and asked **Don Ashton** to comment.

Don Ashton provided the committee with an overview of the memo he provided to the Board of Supervisors dated October 10, 2017 (Item 34 BOS 17-1110). (Clerk's Note: Letter attached to this file for reference purposes).

Don Ashton commented that there are downsides to this change. Provided one example under the current language of the Charter that it is possible an Elected District Attorney would supervise their opponent after an election in the event that person was the current Assistant District Attorney. The proposed changes would serve to prevent such a scenario.

Paula Frantz commented that the committee could consider researching how other Charter counties treat Assistant Department Directors or equivalent.

Member Michelin stated that she has had to terminate At Will employees and has been an At Will employee herself. Feels the Board should have some flexibility in this area.

Following a discussion of the letter and public comment, the Committee took the following action.

A motion was made by Member Michelin, seconded by Member Fuller to support the proposed revisions for Charter Section 502.1 contained in the CAO's memo to the Board of Supervisors (Item 34, File 17-1110) on October 10, 2017.

Yes: 4 - Rachel Michelin, Don Fuller, Kris Payne and Michael Powell

Absent: 1 - Jeanne Harper

3. [17-1368](#)

Discussion of the 2016/17 Grand Jury Report Case 16-009 pertaining to the county financial system known as FENIX. (Cont. 12/18/17 Item 6)

Public Comment:

Randy Pesses stated that in his experience, engineers rely on various design systems and a project development team is often a viable solution to assigning similar work to a committee. Agrees with Members Fuller and Michelin's perspective.

Tom from the 15/16 Grand Jury commented that he agrees with the entire 15/16 report. Is not in favor of adding provisions to the Charter that may restrict functions of the IT Department.

Richard Ross stated he has been an executive sponsor for two IT projects in his career. Commented that he has observed that in both cases a single decision maker was not clearly identified, causing delays and misunderstandings. Feels that having the responsibility of FENIX implementation assigned to a committee was a mistake.

Member Powell stated that at the time the Grand Jury report was published there were fewer positions in IT. The current Information Technologies (IT) Director reports to the Board. The Sheriff's office has an IT division independent of the county IT department. Feels the Charter should have a provision that demonstrates how there should only be one IT Department for the entire county.

Member Payne referred to the Grand Jury report and commented that since the report was published, the Board approved adjustments to the leadership structure of the county IT Department.

Member Powell asked if the IT Department has a 5 year strategic plan.

Don Ashton reported that the department has a 3 year strategic plan due to typically rapid changing information technologies.

Member Fuller stated he would not support adding a Charter provision regarding an IT strategic plan.

Member Michelin agreed with Member Fuller and stated that adding such a provision would encourage strategic plans to be added to the Charter for other departments or functions.

Member Payne asked Don Ashton to comment whether he feels the county has made progress since the Grand Jury recommendations.

Don Ashton answered yes and commented that FENIX has an executive sponsor team working in collaboration with the IT Director who serves as the project manager. The IT Director and CAO are responsible for implementing the new financial system which heavily impacts the elected Auditor-Controller. Stated he agrees with the concept of centralizing IT, however there are complexities to taking such an action, especially with regard to the Sheriff's IT division's highly specialized technology requirements for law enforcement.

Member Powell stated that IT responsibilities need to be specifically defined. Commented on the Marin County organizational structure where there is no Auditor-Controller as those functions are under the Chief Administrative Office.

Feels the Board and CAO should have all the responsibilities of running the county and that the Charter should have a focal point naming who is in charge.

A motion was made by Member Powell to add to Charter section 304 (J):
Coordinate the review and publication of a county long range information plan.

Motion failed for a lack of a second.

No other motions were presented.

FUTURE AGENDA ITEMS

No future agenda items were presented.

Member Payne stated he completed a matrix that pertains to research he performed of all 58 counties identifying CAO vs. CEO structures as well as Charter counties vs. General Law counties. Provided an overview of the matrix, which was forward to all members of the committee by email last week.

Member Payne requested that Member Powell or Member Michelin propose a motion to reconsider item 3 from the Charter Review Committee meeting of December 18, 2017.

Member Michelin stated the matrix is good information, but the committee doesn't need to take further action for Member Payne to present it to the Board of Supervisors.

Member Powell commented that the committee considered the Registrar of Voters position and learned that the position was always appointed by the Board and no further action is necessary.

The Committee requested the Clerk prepare an agenda item for a Board of Supervisors meeting for the committee Chair to present a summary of their findings and if no further direction from the Board is given, the committee would be disbanded.

Committee to provide direction to staff as needed regarding future agenda items.

ADJOURNED AT 6:04 P.M.