1. Call to Order/Flag Salute/Roll Call

Tami Douglas-Schatz called the meeting to order at 10:02 a.m. and led the flag salute. Roll was called. All members were present.

2. Deliberation and recommendation of candidates to the Board of Supervisors for the appointment of Clerk-Recorder.

Rita Neal spoke that at the last meeting, the committee asked that if there are any candidates that wish to speak today, to try to limit those comments to the process itself; the committee was tasked specifically to review the applications, not interview the candidates. Any candidates who get moved forward will have the opportunity to address the Board of Supervisors at that time. The suggestion from the committee is that any candidates today wishing to make comments are welcome, but please keep those comments specific to the process and try to stay away from qualifications and why you would make the best candidate, that is simply a request, not a requirement.

Panel Member Comments:

Vicki Janssen commented her phone number is incorrect – it should be (805) 781-4491 and made the following statement: “It is my job as Supervisor Peschong's Legislative Assistant, I receive and pass on supervisor emails and letters of support for the applicants, and administrative work on my part in no way has influenced my ability to be impartial and fair as a committee member.”

Ken Hampian suggested that before the committee get into which candidates they recommend; they take a moment to disclose any prior relationships they may have had with any of the candidates. Mr. Hampian advised he knows two of the candidates. One applicant is Elaina Cano where he worked with her for a short period of time and ran into her a few times after his retirement. The other person is
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Miriam Shah, where he only met her a few times on a professional level. Mr. Hampian stated he evaluated both applications objectively.

Lee Price disclosed she made acquaintance with Elaina Cano from brief encounters in the City of San Jose, the City of San Luis Obispo, and as a trainer with two California Institutes and Elaina was a participant. Lee believes she can be objective and impartial.

Marcia Torgerson disclosed that as the City Clerk in Atascadero, she interacted with Elaina Cano, who had the same role in Pismo Beach and as a deputy clerk at the County of SLO.

Chuck Bell disclosed he had a professional work relationship on a case while he was lead counsel and Stew Jenkins was co-counsel and he can be impartial in this matter.

Public comment:
Jim Fitzgerald: Spoke on the process, and that the Board of Supervisors asked they be provided 7 candidates. Mr. Fitzgerald feels the HR Department changed the process. Mr. Fitzgerald stated the Board of Supervisors voted to hire a manager and the office has a group of employees that can run the office, he has 20 years’ experience with UPS and asked his resume to be turned in with seven experienced managers.

Deliberation Process:
At the last meeting, it was discussed that there would be help to facilitate this part of the process. County staff gave the committee members binders with the applications to spend time and review against criteria that was agreed upon.

The committee discussed thoughts and interpretations. Ken Hampian shared for purposes of clarification, he does not believe the Board of Supervisors said they were compelled to recommend seven candidates, what he heard was: “staff recommended five”; and the board said: “up to seven” and there was an emphasis that the committee recommend highly qualified people, and if you take away what was said at the board meeting that “experience mattered” and this process should be open and transparent, which is why at the last meeting they looked at the criteria and generally they all agreed it was reasonable.

Chuck Bell shared that one could look at length of experience, and Mr. Fitzgerald made a good point about leadership being key and that is difficult to assess on paper. However, that is the responsibility of the Board of Supervisors.

Lee Price stated as she reviewed the applications, she thought seriously about the comments made at the first meeting, and in particular what Mr. Horton, the CAO is looking for in the interim department head that they are assisting with the selection of, and someone who has established experience, demonstrated experience, specialized technical experience, and those were the things she was looking for, and the names she will be putting forward will be those who meet those thresholds.

Ken Hampian offered that he understands what is being asked, that this is an interim position for about one year and the person who is selected must hit the ground running immediately, understands the office, there is no time to learn the job, this is not forever, and it is not an election campaign.
Lee Price followed up that because this is an interim position, the staff is looking for somebody with experience to hit the ground running, she is mindful that voters throughout San Luis Obispo County need to have the most absolute trust in the person that is going to be appointed, we don't have time to train somebody to gain the public's trust, we need to find somebody right now to fill this position.

Marcia Torgerson added that she agrees this is an interim position that we need somebody that can just step into the job and be able to do it right away.

Vicki Janssen agreed: she was looking for somebody that can come in and hit the ground running with leadership and actual experience.

The committee was asked how they want to proceed, a short discussion ensued, and it was agreed they would write their selections down on charts. Each member identified their top candidates on separate wall charts.

Wade Horton facilitated discussion and proceeded to identify candidates in common with all five committee members. All committee members had three candidates in common: Jeffrey Barry; Elaina Cano; Helen Nolan. It was agreed that those three candidates will be moved forward as unanimous recommendations, then talk about the remaining candidates.

Discussion was had regarding other candidates to see if there is consensus to add to the list. Ken Hampian brought up candidate Legge. There was interest in what the former city clerks would have to say, but the concern was that candidate may not have been working at the same level being looked at for this position. Marcia Torgerson said she too had looked at candidate Legge since there was a history of executive, management, and good education, but no experience running an actual election. Vicki Janssen added that she was on her list as well, she had experience working with other electeds, but did not see the election experience, so that was a concern for her. Lee Price concurred: someone of her caliber coming in, doing a manager position, working up towards it, she seems to have that potential and that interest, but does not feel she is at that level yet.

Wade Horton stated the committee is clearly voicing confidence in unanimously recommending the three candidates. At this point the committee can discuss whether they would like to consider additional candidates, or if the committee is comfortable with moving forward with these three.

Marcia Torgerson said she wished there had been more that were qualified like these three: it would be good for the board to have more people to compare or to interview, she didn't think any of the other applicants would be able to step in and be the County Clerk-Recorder. Lee Price said she is very confident recommending these three - they are the cream of the crop. They are all well qualified, dedicated public servants with experience unique to the office. Ken Hampian offered he did not think it was right to force a candidate into the top tier just to achieve an arbitrary number, he thinks the board's time is valuable, it takes time to thoroughly interview somebody, much less to do it in public, and we have three good candidates, and I think the board will have the three best. Chuck Bell stated he thinks the board should be given a broader selection than just the three, and that the three meet the qualification of experience. In terms of the position, the thing he is most concerned about is public perception of both the importance of the election process, the importance of the impartiality of the election process, but there is a public component to this... and he stated he didn't have any questions about these three. The candidates have been in subordinate positions, and he acknowledges Ms. Nolan
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is currently acting in this position and is going through an election process or is in the middle of an election process now in a lead role. None of them has extensive experience in a lead position other than Ms. Nolan, even though they have extensive experience, and the reason he supported all three is that internal experience which they have. What he does not know, is if the position did not go to Ms. Nolan, would she be willing to continue in a deputy position? Certainly, that kind of experience is important, especially since we are going into two big elections (the 2022 primary and general election). If the board had no other candidates than these, they would certainly be able to make a good choice but he thinks the board should receive a broader set of options. Mr. Bell said he has two names on the list: Mr. Jenkins is an experienced attorney who has been involved in the election process, and Mr. Evans has been a manager of both non state systems and state systems, as an elected official, a department head in a department and felt he brought an interesting set of skills to his resume. Mr. Bell also looked at the letters he received in addition to the applications to understand why they seek this position how they will fulfill it. Chuck Bell thought Mr. Barry, Ms. Nolan, and Mr. Jenkins all had good letters.

Mr. Hampian pointed out this is an open and transparent process and is going to say what he would normally say if this were a typical HR process if it was being done in a confidential way. He has screened applications on and off for over 40 years, and had a comment to make about Mr. Jenkins application and cover letter in that respect and said: “you know, one of the things we all seemed to agree on at our very first meeting is that we are in a very politically overused time, and with this appointment we really needed somebody who can turn the temperature down, focus on the job at hand, and lead and manage the department in fulfilling its core duties until a new Clerk-Recorder was elected, so it is an interim job, it’s not an elected one and they are different, ..the qualifications demand different things, so this is more about experience than politics.”

Wade Horton thought it might be helpful to look at other names remaining on the list, and possibly a straw poll might help to consider deliberating on other names and whether they should be included or not.

A straw vote was taken on the other names and the count was as follows:
Mr. Jenkins – 1
Mr. Evans - 2
Ms. Legge - 0
Ms. Schmitz - 0

The committee now has a recommended slate of candidates. Mr. Horton asked the Committee if there was anybody else they would like to discuss. There were no further recommendations.

The committee discussed moving the candidates forward that were mutually chosen.

Lee Price made a motion to move the applications for Jeffrey Barry, Elaina Cano, and Helen Nolan to the Board of Supervisors for selection, Marcia Torgerson second. There was a question from Chuck Bell: is the motion “only those three?” Lee Price amended the motion to say: “only these three candidates.” Discussion on motion: Mr. Bell asked: “I expressed interest in adding more candidates, I do feel those three appropriately should be referred.” Rita Neal advised that if Mr. Bell would like to add candidates to move forward, he can make a motion to do that.

Roll/vote was called:
Vicki Janssen: aye
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Lee Price: aye
Ken Hampian: aye
Chuck Bell: no
Marcia Torgerson: aye

Motion passed 4/0/1

Ken Hampian asked if there is a way to express to the Board that Mr. Bell feels other candidates should be added? Mr. Bell stated he does not feel compelled to dissent. Lee Price asked if there is a way to let the Board of Supervisors know about the following three names. Rita Neal advised an option is to make another motion, or to rescind the motion. Ms. Price stated she would rescind the motion, that way the committee can forward a unanimous decision onto the Board of Supervisors.

Ms. Price moved to rescind the motion, Ms. Torgerson second the motion.

Roll/vote was called:
Vicki Janssen: aye
Lee Price: aye
Ken Hampian: yes
Chuck Bell: yes
Marcia Torgerson: yes

Motion passed 5/0/0

Ken Hampian made a motion they forward to the Board of Supervisors for interviews, candidates Helen Nolan, Elaina Cano, and Jeffrey Barry. Lee Price second the motion.

Roll/vote was called:
Vicki Janssen: aye
Lee Price: aye
Ken Hampian: aye
Chuck Bell: aye
Marcia Torgerson: aye

Motion passed 5/0/0

**Committee closing comments:**
Lee Price commented on the overall philosophical question of leadership: she believes all three of these candidates (submitted to the Board of Supervisors) demonstrate leadership by the roles they currently hold and the positions they have held in their professional career. Leaders are at all levels in their organization. These are all leaders that demonstrate they are interested in being leaders in their field.

Ken Hampian said he looked at the applications, compared them to experiences needed, and he did not believe others qualify to be in that top tier of candidates. He stated that he knows people can make that transition, but this is short term and does not lend itself to learning on the job.

Chuck Bell said he feels there is a good group of people to forward (to the board), but we should not exclude others that have good leadership skills. He shared a thought at closing: “How do you deal with
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this issue: we have a divided electorate, people who are suspicious of the process rightly or wrongly, how do you rebuild confidence in that process, it is not a short term project I am convinced, it is a long term one and how does the leader of the election agency contribute to both a better public understanding of the election process and with complete transparency in that process?”

Tami Douglas-Schatz pointed out that background investigations will be completed on all the candidates, and the board will be provided the results.

Lee Price asked if the Board of Supervisors would like to have the committee members present for the Board of Supervisors Special Meeting on October 12, 2021, at 9:00am. CAO Wade Horton said he thought they would appreciate it.

Wade Horton thanked everybody for their time and effort.

3. Adjournment

Tami Douglas-Schatz adjourned the meeting at 11:08 a.m.

*Note: These minutes reflect official action of the Clerk-Recorder Review Committee. A digital record exists and will remain as the official, complete record of all proceedings by the Clerk-Recorder Review Committee.*