

READ AND CONSIDERED

DATE 9/8/08 BY Bob Deis

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August 29, 2008

The Honorable Knoel Owen
Presiding Judge
Sonoma County Superior Court
600 Administration Dr.
Santa Rosa, CA 95403

Re: Response to the 2007-2008 Grand Jury report

Dear Judge Owen:

Before responding to the findings and recommendation, I just wish to correct two minor factual errors in the grand jury report. First, my career with the County of Sonoma began in 2000, and not in 1996 as stated. I became County Administrator in 2004 not 2003.

With respect to responding to the grand jury's findings and recommendations, I have the following comments.

F5: Some County Employees believe they are unable to share their concerns about the operation of their specific departments and County government in general with the County Administrator or the Board of Supervisors (Page 64).

Response : It is difficult to adequately respond to this finding without any specific examples or why one or more interviewees might have developed this perception. This finding appears to conflict with Finding No.3 i.e. "County employees at all levels are generally satisfied with the performance of the CAO." It is important to mention that during this entire grand jury period, the County has been dealing with the most difficult labor/management issue for some time i.e. medical insurance for retirees and active employees. This has created a very sensitive working environment with suggestions from some employees or retirees that County management has not been listening to their concerns, which simply is not true.

Specific to employees sharing concerns or freely accessing the County Administrator's Office about departmental operations, I believe this concept must be tempered with the realities of managing an organization of 26 departments and 5,000 employees. County department heads in California have a difficult job and need to be supported by the County Administrator. If employees have ideas or concerns about departmental operations or policies, they are encouraged to work within their respective departmental chains-of-command to address their issues. As a last resort, and only after showing good faith efforts toward working with departmental management, they may contact this office to address their

concerns. In fact, this office was recently contacted by an employee that felt she fit these criteria. One must strike a balance between encouraging the resolution of issues within departments vs. having the CAO easily accessible to address departmental issues. If the pendulum swings too far towards the later, department heads quickly become undermined and we fail the shared labor/management principle of “empowering employees/supervisors to address issues at the deepest parts of the organization.” Of course, there are a few exceptions to this preferred approach, such as addressing discriminatory actions.

There is a plethora of opportunities to share concerns with this office. I meet with all the department heads on a monthly basis as a group. I also meet monthly with the Management Advisory Committee (MAC), a subset of the department head group, whose charter is to be advisory to me and used as a forum to problem solve, share concerns and current issues. Most of their monthly agenda is created by the department heads. The president of the mid-manager association (SCAMC) attends both meetings to keep that group informed. Furthermore, the Asst. County Administrator and/or the Human Resources Director meet with the SCAMC on a regular basis as well. Finally, representatives of the CAO meet directly with managers and line staff in labor management committees on health benefits, county-wide operations, safety and other topics.

F6: Some County Workers believe morale has suffered in recent years because County management doesn't address the problems that staff members bring to their attention (Page 64).

Response: Again, this finding is confusing given it now refers to County management rather than the County Administrator and provides no specific examples of issues not being addressed once brought to “management’s” attention.

With respect to addressing “problems” of an operational nature, a partial response to this finding can be found in the response to Finding 5 above. With respect to “problems” related to terms and conditions of employment and/or discriminatory actions, we have various avenues available to receive and respond to concerns. However, this issue needs to be viewed in the context that was described above and the current sensitive environment stemming from the review of medical insurance for retirees and active employees. It also should be viewed in the context of state labor law, where certain employees are represented by a labor organization, thus the negotiating table and/or processes outlined in labor agreements is the proper avenue to address certain concerns.

We have a fully staffed and robust Equal Employment Opportunity Office (EEO) office in the Human Resources Department that actively investigates all concerns. There are departmental labor/management committees, a county-wide labor management committee (which is an avenue to bring up and address issues not being addressed in departments), a county-wide labor management benefits committee and a county-wide safety committee along with a well funded Employee Assistance Program.

I believe there are many avenues to address staff concerns. Department heads and the CAO take very serious any issues or problems brought to us by staff. There are also various departments that have conducted assessments of their employee’s perceptions of the work environment.

F7: The County Administrator is perceived by many County employees and managers as being less accessible than his predecessors in the position, and less likely to consider their suggestions (page 64).

Response: The real or perceived accessibility of the County Administrator, vis-à-vis previous County Administrators, is a function of the role the position currently plays and overall management style.

Under the direction of the Board of Supervisors, the role of this office has evolved and changed when compared to the previous County Administrators. The Board and I have had numerous conversations about the County Administrator role and how it has evolved differently than the past, as they have conducted their annual review of my performance. This gradual change allows more time for the Board to develop policy and meet with the community members as suggested by the grand jury report. This gradual change in CAO role is no different than how most urban counties are managed in the state. As mentioned in your report, the first county strategic plan is being implemented and the expectation of the County Administrator has evolved consistent with the need to achieve the lofty goals outlined in that plan, but all within the confines of Board policy direction. The County Administrator Ordinance reflects the role and authorities inherent in the position as desired by the Board. Therefore, my schedule has to be regularly managed to conduct business, address emergencies and interact with five Board members for an organization of 5,000 employees and 26 departments.

With respect to style, I am accessible to department heads on the same day for emergencies; the CAO staff is regularly accessible to their assigned departments and regularly percolate issues up as warranted. I am also available for scheduled meetings with senior management in departments. The avenues listed above in response to other findings also provide an opportunity for addressing concerns by other CAO or management staff.

F8: The County Administrator exercises near-unilateral control over the agenda of the weekly Board of Supervisors meeting (Page 64).

Response: To say that the County Administrator has near unilateral control over the Board of Supervisor's weekly is inaccurate and lacks the context for how local governments are managed.

The Board's weekly agenda is essentially a list of business and policy proposals that are sometimes initiated by Board members, the County Administrator's Office (CAO) staff or department heads. The County Administrator and his staff indeed review departmental proposed agenda items in final form before being printed and published in the Board's weekly agenda. As part of this CAO review, staff reviews the requested action and background information for consistency with past Board direction or policy, adequate analysis and business justification, budgetary impact, interdepartmental impact, etc. Finally, the CAO is expected (by the Board) to make a formal recommendation on the department's requested action. This CAO review role is a basic part of fulfilling its role as identified in the County Administrator's Ordinance. It is a basic tool in managing the County. If a final Board agenda item is not sound or prepared adequately, it is a reflection on the performance of the County Administrator.

Out of every 100 agenda items, a handful are sent back for alteration to address concerns or unanswered questions. Ultimately, with rare exceptions, they all end up in front of the Board.

F9: In recent years, most open positions have been filled by external candidates rather than through internal transfers or promotions. This requires more spending for recruitment and often results in higher salaries being offered to attract the most qualified candidates. Since this often means an entire salary range has to be increased, existing staff members in those positions may also receive raises above what they would have merited otherwise (page 64).

Response: I believe this finding is referring to recruitment and selection of department heads in the County, although it does not specifically state that fact. In the past four years, six department head positions have been filled by outside candidates and three were filled with internal candidates. By filling a department head position with an outside candidate, it does not necessarily hold true that the salary has

to be increased to a level that would otherwise not occur, nor would successful internal candidates get a salary that is not merited otherwise.

We regularly survey management salaries to ensure they are consistent with the average of the market place with or without recruitment activity.

Sonoma County provides numerous training and learning opportunities for employees that wish to promote. We have two successful supervisory and management academies and an executive development program. These are geared towards those that want to become first-line supervisors, mid-managers and then senior managers respectively. While with our civil service system, we cannot guarantee promotions; these programs are geared to make employees more competitive when there are promotional opportunities.

I personally was a part of designing and advocating for the executive development program. Furthermore, I have designed a new experimental program for graduates of the management and executive development programs. This symposium will be a highly interactive one, designed to: 1) reinforce employee's choice of public service as a career, 2) provide context for the existence of local government and 3) discuss and reinforce what it specifically takes to be a successful Sonoma County executive.

I think taken together, our training and development opportunities are some of the best in the state.

The Board and I owe it to the organization and the taxpayers to appoint the best person for the job given the enormity of what departments do. The preferred approach is to have an internal heir apparent groomed by the outgoing department head, but in the end, the most qualified is the sole criterion. Sometimes that is fulfilled with internal candidates sometimes not. The impact of having a high performing department head is far greater than any discussion on how much is saved or spent on salary adjustments. It is the outgoing department head that has the largest impact on determining whether an internal candidate is the best one to assume the job.

Recommendations

R1: The Board of Supervisors and the County Administrator should ensure that Sonoma County residents and county employees have a way to get their concerns heard by the people who are deciding the County's future (Page 65).

Response: This recommendation has been implemented. There are numerous avenues for employees to express their opinions as explained in the responses to the findings. I might add, one of the most important documents that is . . . "deciding the County's future" is the strategic plan. Numerous employees from throughout the organization were included in the design of the plan and provided advice to me on its ultimate conclusions and implementation.

R2: The CAO should plan and implement programs to encourage career development for County employees. Grooming internal candidates for top management positions saves the county money in recruitment and helps control salaries and other personnel costs (page65).

Response: This recommendation has been implemented and will continue to be improved upon in the near future. I have outlined above the various avenues available for those employees that want to promote. I have also mentioned the innovative (management/executive) symposium that we will be experimenting with in the near future. After conferring with my peer group throughout the state, I think taken together, these programs are some of the better career development programs in the state. I will