

# Opinion: EDC supes pay for mystery consultant

By Larry Weitzman

An innocuous item appeared on the El Dorado County Board of Supervisors' June 20 consent calendar, Item 20.

Item 20 was for a two-year extension of a consulting contract (a renewal) with Shannon L. Lowery, doing business as Lowery Consulting. The services performed were nebulous, calling for "continuing technical and analytical services related to business operations, procedural analysis, and project management for replacement of outdated permitting applications and systems."



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More glaring in the item description was an increase of the prior contract's \$70,000 ceiling (over two years) and a billing rate of \$60 an hour to a \$100 an hour billing rate and a not to exceed amount of \$190,000; an increase of 67 percent in the hourly rate and an increase in total compensation of more than 250 percent for essentially continuing to do the same services.

Board Chair Shiva Frentzen pulled the item on the basis of this huge increase in consulting costs (administrative costs) while at the same time the CAO in concert with the director of Health and Human Services, Patricia Charles-Heathers, was

attempting to cut one of the best service programs in the county, senior legal. Because there was no acceptable explanation to the huge increase in compensation, Frentzen voted no, but the rest of the board voted yes.

Who is this Shannon Lowery and where did she come from? We are going to pay her about \$100,000 a year over the next two years and for what? In a nutshell, it appears to be absolutely nothing and it may have violated Government Code Section 3500 et seq. and more important the case of Rialto Police v. San Bernardino County to inform the union before such a contract was signed.

In two emails to Carla Hass, EDC's PIO, and CAO Don Ashton, I asked two questions and the following is the response (with the questions):

*Q: When did you inform Local One that you were intending to contract with Lowery Consulting? Was that done in writing?*

*A: The scope of work Ms. Lowery was originally hired to do didn't require union review. When her scope of work was changed in June 2015, Local 1, Manager's Association and Trades and Crafts were contacted by HR in writing on June 8, 2015. and Local 1 was contacted in writing again on June 15, 2015; no response was forthcoming.*

*Q: How was Lowery selected by the county (EDC) originally?*

*A: Professional services have no competitive bid requirement. It's unclear how the county came to know about Ms. Lowery, but it's reasonable to believe that she and the then-CAO were professionally acquainted.*

The county administration knew by the first answer of the requirement to notify the union, Local One. Why not for this third contract? While it can be called an extension, it is a new contract as the old contract expired as of June 22, 2017. And the new contract terms have changed significantly. By the

PIO's own admission, Government Code Section 3500 has been violated by the failure to inform the union. The contract can be voided and should be. Where is our county counsel on this or our new administration dotting the I's and crossing the T's?

But the answer to question two is even more important. The county administration, including our highly paid deputy chief administrative officer (over \$150,000 in annual compensation), Creighton Avila hasn't a clue as you can see by the answer. There was nothing on the background on Lowery in the file at the time this contract was placed on the agenda a few days before the board meeting. But it gets worse. The county obviously has no documented reason for hiring Ms. Lowery. Is this the case for other consultants hired by the county?

A simple Google search should tell us something of this consultant's professional qualifications, right? Guess what, a search turned up absolutely nothing. No professional qualifications and no references. It gets worse. A search of Lowery Consulting turned up a website or actually no website with the following appearing on my screen: "SORRY! This site is not currently available." Who are we paying \$190,000 to, an amount which probably could fund senior legal for a year? Does Lowery have a legitimate consulting practice or is she in the witness protection program?

Three years ago, the *Mountain Democrat* reported: "Assistant CAO Kim Kerr hired her friend to investigate, analyze and prepare a report on the efficiency of the county's Building and Planning departments. The woman has no experience in the specialized area she was hired...The problem is, Ms. Lowery is void of any credentials or experience in this area."

More discovery turned up the following. It appears that Shannon Lowery was from Amador County and was friends with guess who? That's right Terri Daly and Kim Kerr. You remember them. It was Daly who put the county in its current financial

predicament and Kerr who spent good money after bad and created the climate of fear within the county. Kerr was also hired by Daly. Both Lowery and Kerr were "FODs" or "friends of Daly." It appears to be Daly and Kerr (then head of the CDA) who hired Lowery in 2013.

Frentzen is the only board member who seems to protect the citizens, residents and taxpayers of El Dorado County. As to the others, Mike Ranalli and Sue Novasel are coming up for re-election if they choose to run in a year. Changes need to be made.

*Larry Weitzman is a resident of Rescue.*