Opinion: EDC CAO signs backdoor PI contract

By Larry Weitzman

El Dorado County interim Chief Administrative Officer Pamela Knorr, with a sign off from the new County Counsel Robyn Truitt-Drivon, has hired a private investigator.

The PI contract was hidden under a “consultant” contract with a law firm that Knorr has dealt with when she was CAO of Alpine County. Ditto for the private investigator. This all ties back to a lawsuit brought by the Alpine undersheriff against Knorr, who subsequently left Alpine under a cloud.



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El Dorado County has a policy that allows the CAO to execute contracts less than $50,000 without Board of Supervisors approval (because of inflation it is a bit more than $60,000 now). It is the same policy that is followed in most California counties.

Pamela Knorr as CAO of Alpine County entered into a contract on March 1, 2011, with Ken MacHold of MacHold Investigations, a private investigation firm at the rate of $50 an hour not to exceed $50,000 to investigate the sheriff’s department, with emphasis on the undersheriff.

The total incurred cost of that contract is unknown and a

California Public Records Act request for invoices and payments have initially been rebuffed by County Counsel Dave Prentice of the law firm of Prentice, Long and Epperson. This private practice is contract county counsel to four small counties, including Alpine County – and now El Dorado County – and about a dozen more small government agencies, such as the Fresno Kings Madera Health Authority as general counsel. This information comes directly from the firm's Website.

The Alpine County investigation is partly and directly responsible for a federal lawsuit for damages in the U.S District Court against the county of Alpine, Pamela Knorr, and various other county officials. Trial has been set for the middle of next year.

Fast forward to early 2015.

Pamela Knorr essentially hires the same investigator for El Dorado County, but does so in an apparent subterfuge by hiring the investigator through an attorney's office, possibly giving her an attorney-client secrecy privilege.

The 11-page contract was executed by CAO Knorr and El Dorado County Counsel Robyn Truitt-Drivon on March 2.

The purpose of the contract is stated on page 1, which contains the following recitals: "Consultant has represented to county (EDC) that it is specially trained, experienced, expert and competent to perform the special services required hereunder and county has determined to rely upon such representations; and county (EDC) has determined that the provision of these services provided by Consultant is in the public's best interest, and that these services are more economically and feasibly performed by an outside independent consultants as well as authorized by El Dorado County Charter.…"

Why the foregoing is important is that if you check the law firm's Website, it shows no current services in investigations

except for El Dorado County, which became a client and is the firm's only investigatory client as a result of this contract.

In other words, this is essentially the contract of Ken MacHold with the name and contract rates for services changed.

Article III of this contract provides for compensation and charges for services and it lists the cost per hour for the investigator at $110 an hour.

Remember, the direct contract with MacHold from 2011with Alpine County was at $50 an hour. It obviously would have been less expensive to contract direct, about half as expensive.

Also in Article III is the real giveaway: "Vehicle travel (non-standard trips more than 150 miles from consultant's Roseville office) … current IRS per mile rate."

Why is that critical? The consultant, Prentice, et al, doesn't have an office in Roseville. According to the Internet and verified by a phone call, consultant's offices are in Redding and Fresno. Not Roseville.

Who has an office in Roseville? Ken MacHold.

The county contract routing sheet also indicates that this is a modified MacHold contract, as it states, "Blue route and memo for previously approved boilerplate are attached. Changes are limited to Article III."

Reliable sources say it is MacHold who is the investigator interviewing EDC employees. The questions are back to the issue of a "respectful workplace. " And they are not being done anonymously.

The county under Terri Daly, in contracts approved by the BOS, has already spent $249,240 with the Van Dermyden Maddux Law Firm ($52,063) and MRG group ($197,177) on the alleged "climate of fear" (Knorr was the contract administrator).

The results of the spending were that if there were any climate of fear issues in the county, it was from CAO, Terri Daly, Kim Kerr and in the IT department.

On March 2, according to the county contract routing sheet, Knorr signed the contract prematurely. Before a contract can be signed it must be approved by risk management. On March 4, two days after Knorr executed the contract, Prentice, et al LLP's professional liability insurance was disapproved because the limits of liability were insufficient and remained so until April 29. County rules require no contract shall be signed until it meets all requirements. Additionally, it is unclear if Workers' Comp insurance has been complied with.

Because we are unaware of the contractual relationship of MacHold and Prentice, et al, liability insurance may still not meet the requirements.

There is more. A bill arrived recently for this consulting contract in the amount of $15,627. The CAO's office directed that these invoices be paid and that they be encumbered to "Facility ACO Projects" fund. The payments are to be charged to the budget line "Fixed Asset: Project Management" and the description of the User Code is "New Courthouse."

Is the new courthouse being investigated or or the alleged "climate of fear?" Does the state Judicial Council know about this county investigative expense allocation to the "New Courthouse?" Is a private eye a capital expense?

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