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May 14, 2024

Via Electronic Mail and U.S. Postal Service

Supervisor Nora Vargas, Chair of County of San Diego Board of Supervisors
County Administration Center
1600 Pacific Highway, Room 335
San Diego, CA 92101
Nora.Vargas@sdcounty.ca.gov

Re: Request for Preservation of Records by County and Supervisors

Dear Chair Vargas:

I am writing you on behalf of Cindy Chavez. As you are no doubt aware, Ms. Chavez received a conditional offer of employment as the Chief Administrative Officer for the County of San Diego ("CAO"), which was subsequently withdrawn in September 2023. At that time, Ms. Chavez was informed that she was welcome to reapply. Ms. Chavez reapplied for the CAO position and then, in mid-April of this year and well before the hiring process was completed, Ms. Chavez was informed that the Board of Supervisors was no longer considering her candidacy.

Ms. Chavez is aware of numerous irregularities in the County's search and hiring process. While our investigation is ongoing, I write now to request (1) that the County preserve all official records relating to the search and hiring process for the CAO, from January 2023 to the present; and (2) that each of the County's individual Supervisors and the Supervisors' staff preserve all official and personal records relating to the search and hiring process for the CAO for the same time period of January 2023 to the present. For purposes of this request, the term "records" should be understood to include all printed material, printed or electronic calendars, meeting notes, electronic messages, recordings of phone calls and meetings (public and non-public,

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including any Supervisors' meetings with their staff), and phone and text message records (including on personal cell phones of Supervisors and their staff), to the extent they relate to the search and hiring process for the CAO.

We are extremely concerned that information regarding the search and hiring process, including confidential information about the candidates and about the anticipated timing of Board action, appears to have been shared by a Supervisor or others privy to the information with individuals external to the official process. Additionally, we have received information indicating that Ms. Chavez's race and ethnicity were subjects of discussion and question by at least one Supervisor during the search process. It has also been reported that one Supervisor, who had previously voted to offer Ms. Chavez the CAO position, stated to an individual external to the official process the view that Ms. Chavez was not qualified for the position. As a woman of color, Ms. Chavez is familiar with harmful stereotypes that undermine and disparage the qualifications of women of color in leadership roles, and she takes extremely seriously any attempt to undermine her experience, to question her race or ethnicity, or to judge her qualifications on anything other than their merits.

In light of these apparent irregularities, Ms. Chavez is currently considering her next steps, including potential litigation. Ms. Chavez is committed to making sure that the community's interests in a fair and transparent process are protected, and that all candidates for public employment are treated fairly and with the dignity they deserve. We write now to request the preservation of the documents identified above, and would appreciate confirmation by the end of this week that the County will take steps to ensure the preservation of these documents.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B.J. Chisholm', with a long horizontal flourish extending to the right.

B.J. Chisholm

Cc: Andrew Potter, Clerk of the Board of Supervisors (Andrew.Potter@sdcounty.ca.gov)
Supervisor Joel Anderson (Joel.Anderson@sdcounty.ca.gov)
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