

COUNTY OF VENTURA

civil service commission

BOARD OF REVIEW AND APPEALS



MINUTES
REGULAR BUSINESS MEETING
THURSDAY OCTOBER 22, 2009
9:30 a.m.
LOWER PLAZA ASSEMBLY ROOM

- I. **CALL TO ORDER** – The meeting was called to order at 9:32 a.m.
- II. **ROLL CALL** - Commissioners present: Chair Vandenberg, Vice-Chair Merricks and Commissioners Becker and Little. Staff present: Cheryl Shaw, Commission Assistant, Law Advisor Robert Orellana, and Jim Dembowski (IR).
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MINUTES FOR APPROVAL** – The minutes of the Regular Business Meeting of September 24, 2009, were approved on motion of Commissioner Becker seconded by Commissioner Little.
- V. **PUBLIC COMMENTS** - [An opportunity for the public to address the Commission on any topic that is not on the agenda, but is within the subject matter jurisdiction of the Civil Service Commission. No action will be taken on any item not appearing on the agenda. However, the item may be placed on a future agenda or referred to staff for appropriate follow-up.] – None.
- VI. **OLD BUSINESS** – Amendment of Civil Service Commission By-Laws relating to proposal for review, modification or elimination of Article III, Sections 1 and/or 2 pertaining to date for annual election of Chair and Vice-Chair and minimum service requirements.

Following discussion, the Commission voted unanimously, on motion made by Commissioner Becker, seconded by Commissioner Little, to agendaize for the December meeting a vote to change Section 1 of Article III of the Commission's By-Laws to reflect the annual election of Chair and Vice-Chair to take place in July, rather than January.

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The Commission then discussed a possible amendment to Section 2 of Article III, including waiver of the year service requirement prior to being eligible to be elected as Chair or Vice-Chair. Commissioner Vandenberg expressed that he was comfortable leaving the minimum (one-year) service requirement in place. Commissioner Little indicated there was little reason to have a minimum service requirement and that any Commissioner appointed by the Board should have the necessary experience to serve as Chair or Vice-Chair. Commissioner Becker indicated that the one-year requirement was traditional and felt that such a requirement, if it were to remain in place, was more appropriate than expressing that requirement in terms of "months." Commissioner Merricks stated that having some minimal time frame of experience made sense, given the benefits of having participated in at least some Commission hearings before chairing the Commission itself, and proposed a minimum of 6 months.

Jim Dembowski suggested that the Commission could keep the one year requirement but add language to the effect that "absent extraordinary circumstances" the Commission could elect an officer with less than one year of experience.

After further discussion, the Commission voted unanimously, on motion made by Commissioner Vandenberg, seconded by Commissioner Little, to agendaize for the December meeting a vote to amend Section 2, Article III to add, after the words "one year," the following: "unless the Commission waives the one-year service requirement."

In response to Commissioner Becker's inquiry, Law Advisor Orellana indicated that if the proposed changes are made in December, then the Commission could thereafter waive the one-year time requirement and elect a Vice-Chair, rather than continuing with just an acting Vice-Chair. Additionally, annual elections could still be held in July, should the Commission amend Section 1, as proposed, above.

VII. REQUEST FOR HEARING – None.

VIII. REQUEST FOR INVESTIGATION – None.

IX. INFORMATIONAL – [Items not intended for Commission action, however, discussion regarding these items might evolve into action. Those parties having an interest in these items should attend the meeting as these matters may not be revisited.] – None.

X. COMMISSION/STAFF COMMENTS

Presentation of quarterly report to Board of Supervisors of Commission's activities.

The quarterly report was reviewed and there being no further discussion, on unanimous vote on motion made by Commissioner Little, seconded by Commissioner Becker, Chair Vandenberg was authorized to sign the report's cover letter dated October 22, 2009, and these documents will be transmitted to the Board of Supervisors.

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Commission Assistant Cheryl Shaw reminded the Commission she would be on vacation part of the following week and also that the next regular business meeting will be on November 19th with the continued appeal hearing in the Elliott matter to resume on Monday, November 16th.

Commissioner Becker stated that he will be attending the California Public Employee Labor Relations annual meeting and would like to register for the meeting as a Commissioner. He represented that he was not appearing on any panels or giving any speeches and would not be speaking on behalf of the Commission or representing the Commission. Robert Orellana indicated that he could identify himself as a Commissioner but could not represent the Commission as a spokesperson unless given authority by the Commission to do so.

- XI. **CLOSED SESSION** – Pursuant to Government Code Section 54957 Performance Evaluation(s) of outside law advisors. No announcements.

- XII. **ADJOURNMENT** – The meeting was adjourned at 10:10 a.m.