

COUNTY OF VENTURA

civil service commission

BOARD OF REVIEW AND APPEALS



Commissioners
Don Becker
Alyse M. Lazar
J. William Little
Haywood Merricks III
James Vandenberg

MINUTES
REGULAR BUSINESS MEETING
THURSDAY, MARCH 22, 2012
9:30 a.m.
LOWER PLAZA ASSEMBLY ROOM

- I. **CALL TO ORDER** – Chair Vandenberg called the meeting to order at 9:30 a.m.
- II. **ROLL CALL** - Commissioners present: Chair Vandenberg, Vice-Chair Merricks, and Commissioners Becker, Little and Lazar. Staff present: Cheryl Shaw, Commission Assistant, Robert Orellana, Law Advisor and Jim Dembowski (IR).
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MINUTES FOR APPROVAL** – The minutes of the Regular Business Meeting of January 26, 2012 were approved on motion by Commissioner Little, seconded by Commissioner Becker.
- V. **PUBLIC COMMENTS** – None.
- VI. **OLD BUSINESS** – Discussion relating to procedures for election of Commission's Chair and Vice-Chair (previously tabled).

Chair Vandenberg proposed that at the time of election he would approach each Commissioner in turn based upon seniority and inquire of their willingness to act as chair. Commissioner Becker stated he had no objection to a system based on seniority though he and Commissioner Merricks shared the same date of appointment. Cheryl Shaw stated that she had inquired as to procedures being utilized by a few other Civil Service Commissions and that none had any formal procedures but selected the chair based on willingness to serve. Commissioner Little agreed with Chair Vandenberg's proposal and stated that as a general rule leadership should be changed on occasion.

Commissioner Becker suggested making the Chair position a 2-year term rather than having annual elections. Commissioner Lazar indicated that she did not oppose a 2-year term but a single year also allows for a person to relinquish the role if they so chose after a single year and suggested not changing the Commission's by-laws in this respect. Commissioner Little agreed with Commissioner Lazar.

Robert Orellana indicated that the current wording of the Commission's by-laws is fairly flexible in that the Chair remains as Chair until a successor is selected. However, the Commission should still address the issue annually as an agenda item at its July meeting. He also reiterated that any amendments to the by-laws would require a 2- month time period as the changes would need to first be proposed, then put to vote at a subsequent meeting.

VII. NEW BUSINESS – Approval of Revised Conflict of Interest Code for County of Ventura Civil Service Commission to include new positions which must be designated and revised disclosure categories.

Robert Orellana stated that while researching the issue of whether the outside law advisors were required to file a Form 700 it was discovered that said advisors were not included in the Commission's current conflict of interest code. Mr. Orellana also stated that Jeff Barnes of County Counsel's office, who reviews all conflict codes for the County, had reviewed and agreed with the proposed revisions.

Ms. Shaw stated that she participated in a recent telephone conference that was held by the Fair Political Practices Commission (FPPC). The FPPC has acknowledge that the definition of "consultant" within the regulations is confusing and not being uniformly applied by agencies across the state and that this may be an area where the FPPC will consider amending the current regulations to more clearly define which consultants must comply with the filing requirements.

In response to a question from Commissioner Little, Mr. Orellana confirmed that the conflict code sets forth the definition of what needs to be disclosed in the statement of economic interest or Form 700. He also confirmed that the proposed changes only relate to what the outside law advisors must disclose and no changes were made to disclosures of those persons within the other categories listed, such as members of the Commission and its staff. In response to a question from Commissioner Lazar, Mr. Orellana stated that outside consultants would only have to disclose investments or interests in an outside entity, such as a law firm, which represents parties before the Commission.

The revised conflict of interest code was unanimously approved on motion by Chair Vandenberg, seconded by Commissioner Becker.

VIII. REQUEST FOR HEARING – None.

IX. REQUEST FOR INVESTIGATION – None.

- X. INFORMATIONAL** – In response to a question from Chair Vandenberg, Mr. Dembowski stated that the County was presently negotiating with the International Union of Operating Engineers and although an agreement has not been reached, they continue to meet and confer. In addition there are a few unions which have the option of extending their existing contracts if they chose.

- XI. COMMISSION/STAFF COMMENTS** – Correspondence dated January 26, 2012, and related Report and Findings from Merit System Services pertaining to the completion of the onsite compliance review of the County of Ventura's personnel system.

Cheryl Shaw indicated that she circulated the correspondence and had copies of the complete report available for anyone who would like a copy. Robert Orellana confirmed that there was no action that was needed by the Commission in response to the report and it would be up to the Board of Supervisors to implement the changes outlined in the report.

Ms. Shaw also stated she received the Commission's proposed budget for the 2012/2013 fiscal year. Due to the fewer hearings held over the past 2 years the purchase orders issued for the outside law advisors were reduced. The majority of expenditures reflected are for salaries, board member fees, and the purchase orders to cover the outside law advisors. Additionally, the budget covers the Commission's portion of internal fees such as mail delivery, facilities and copy machine usage.

- XII. ADJOURNMENT** – The meeting was adjourned at 10:00 a.m.