

# 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, SEPTEMBER 27, 2012  
9:30 a.m.**

**County of Ventura Government Center  
LOWER PLAZA ASSEMBLY ROOM**

- I. **CALL TO ORDER** – Chair Merricks called the meeting to order at 9:34 a.m.
- II. **ROLL CALL** - Commissioners present: Chair Merricks, Vice-Chair Becker and Commissioners Vandenberg, Little and Lazar. Staff present: Cheryl Shaw, Commission Assistant, and Roberto Orellana, Law Advisor.
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MINUTES FOR APPROVAL** – The minutes of the Regular Business Meeting of August 23, 2012, were approved on motion by Commissioner Little, seconded by Commissioner Lazar. The minutes of the Special Meeting of September 6, 2012, were approved on motion by Commissioner Becker, seconded by Commissioner Vandenberg.
- V. **PUBLIC COMMENTS** – None.
- VI. **OLD BUSINESS** – None.
- VII. **NEW BUSINESS** – Second public hearing pursuant to Section 2703 of the Ventura County Personnel Rules and Regulations regarding proposed amendments thereto including Article 2, Section 234 (Intermittent Employee); Article 3, Section 304 (Posting and Distribution of Announcements); and Article 2, Section 229 (Extra Help Employee). Initial hearing held September 6, 2012. [A copy of the proposed amendments may be obtained from the Industrial Relations Division of Ventura County's County Executive Office.]

Kelly Shirk, Human Resources Director, was present and stated that she had received no requested changes, comments, or other input regarding the amendments. There being no additional comments or questions, the Commission voted unanimously, on motion by Commissioner Little, seconded by Commissioner Vandenberg, to support the proposed amendments.

**VIII. REQUEST FOR HEARING** – None.

**IX. REQUEST FOR INVESTIGATION** – None.

**X. INFORMATIONAL** – None.

**XI. COMMISSION/STAFF COMMENTS** – Update regarding search for additional conflict law advisors; review and potential amendment of contract for outside legal services.

Cheryl Shaw stated that the advertisement for the outside legal counsel would be placed in the November issue of the Ventura County Bar Association's Citations publication and also concurrently for five days in the Daily Journal. She advised the Commission that if any of the Commissioners know of any attorneys who may be interested, they should be told to submit their resumes to the Commission's office by early November.

With regard to the contract which covers outside legal services, Roberto Orellana stated that he would recommend changing the language of the Assignments clause to reflect that work assigned would be at the sole discretion of the Commission. In response to Commissioner Little, Mr. Orellana stated that the compensable hourly rate for legal services rendered could include travel time which is typically included in attorney compensation, however, the Commission was free to adjust the language to reflect whether the rate would include travel time at the hourly rate or at a different rate.

Commissioner Becker stated he did not have an issue with travel time being compensated as long as it was reasonable. Commissioner Lazar expressed in her opinion that the Commission should not discourage good attorneys from applying for the position based on an uncompensated travel time provision in the contract, especially given the fairly low hourly rate of compensation. Mr. Orellana stated that the hourly rate was lower than that of the rate charged by County Counsel and that the rate could possibly be changed with assistance from Human Resources. Ms. Shaw was directed to reply to any inquiries regarding the compensation by indicating it was currently at the governmental rate of \$160.00 per hour but may be subject to negotiation.

**XII. ADJOURNMENT** – The meeting was adjourned at 10:55 a.m.