



civil service commission

BOARD OF REVIEW AND APPEALS

Commissioners

James Vandenberg - Chair
Patricia S. Parham - Vice Chair
Donald Becker
Alyse M. Lazar
Vincent R. Stewart

AMENDED MINUTES REGULAR BUSINESS MEETING

Thursday, March 28, 2019

9:00 a.m.

County of Ventura Government Center
Hall of Administration
LOWER PLAZA ASSEMBLY ROOM

- I. **CALL TO ORDER** – Chair Vandenberg called the meeting to order at 9:02 a.m.
- II. **ROLL CALL** - Commissioners present: Chair Vandenberg, Vice-Chair Parham, Commissioners Becker, Lazar and Stewart. Staff present: Cheryl Shaw, Commission Assistant, Roberto R. Orellana, Joseph Randazzo and Grant Burton, Law Advisors, Mike Curnow (IR).
- III. **PLEDGE OF ALLEGIANCE**
- IV. **WELCOME COMMISSIONER STEWART** – Chair Vandenberg welcomed Commissioner Stewart. Commissioner Stewart expressed appreciation for the opportunity to serve on the Commission.
- V. **MINUTES FOR APPROVAL** – The minutes of the Regular Business Meeting of February 28, 2019, were approved on motion by Commissioner Lazar, seconded by Commissioner Becker.
- VI. **PUBLIC COMMENTS** – None.
- VII. **OLD BUSINESS** – None

VIII. REQUEST FOR HEARING – Esmeralda Reynoso, Case # 19-257-18-01, amended examination appeal request regarding Public Defender Administrative Officer I Countywide Promotional process #0034PDO-18AA.

Esmeralda Reynoso was present with her representative Laura Espinosa from the League of United Latin American Citizens (LULAC). Assistant County Counsel Marina Porche was present for the County along with Deputy Executive Officer Matthew Escobedo and Labor Relations Manager Mike Curnow. Mr. Burton served as legal advisor to the Commission for this matter.

Mr. Burton addressed the parties and requested they focus comments on the County's Personnel Rule and Regulation (PRR) section 2303(b), which requires petitions for examination appeals be in plain language and set forth sufficient facts, and PRR section 524 which sets forth the basis of appeal for examinations.

Ms. Espinosa addressed the Commission, stating that Ms. Reynoso's amended petition conforms with the PRRs in that the amended petition was filed in a timely manner, that the declaration of Mr. Escobedo confirms assertions made by the petitioner, and that the raters were not given sufficient written or verbal instructions for what would constitute a complete response to the oral examination questions posed. She then made additional remarks with respect to each of the issues raised in the petitioner's filed written brief and urged the Commission to grant the relief sought by Ms. Reynoso.

Ms. Porche urged the Commission to reject the amended petition, asserting that no facts or issues bearing on the oral examination at issue have been presented by the petitioner and made additional comments regarding the supporting declarations filed by the County. She summarized by stating that the County does not believe there have been specific facts presented which would entitle the petitioner to a hearing.

Vice Chair Parham disclosed that she knows Mr. Escobedo from when she worked for the Ventura Community College District but felt that did not bias her in any way from making a decision with respect to the amended petition. Chair Vandenberg made comments regarding the submitted documents stating the amended petition failed to allege any specific deficiencies with the examination process in question. Mr. Escobedo responded to questions from Commissioners Becker, Lazar, Stewart and Vice-Chair Parham.

***Please note:** The minutes are a summary of the Commission's business meeting. A copy of the complete audio tape of the meeting can be obtained from the Commission's office at (805) 662-6787 or by email to: civil.servicecomm@ventura.org

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On motion made by Chair Vandenberg, and as amended by Commissioner Becker, the Commission voted unanimously to deny Ms. Reynoso's amended petition in that it lacked specific facts and reasons to permit the Commission to grant a hearing in the matter.

Mr. Burton excused himself from the meeting at 10:20 a.m.

IX. REQUEST FOR INVESTIGATION – None.

X. NEW BUSINESS – None.

XI. INFORMATIONAL – Chair Vandenberg acknowledged the recent passing of former Commissioner Florentino Vinzon who, to his knowledge, was the longest serving Civil Service Commissioner for Ventura County.

XII. COMMISSION/STAFF COMMENTS

Commissioner Becker suggested that the Commission review the County's process of advertising employment and promotional opportunities to potential applicants. Commissioner Lazar suggested that the Commission invite a representative from Human Resources to a future meeting to provide the Commission with information regarding that process. After a further brief discussion, Chair Vandenberg directed staff to agendize for the Commission's June 27, 2019, business meeting a presentation from Human Resources regarding the processes followed to provide potential applicants with notice regarding upcoming employment and promotional opportunities; to provide both examination raters and candidates with advance notice of each other's identities; and to provide the opportunity for raters to abstain from an examination and applicants to object to certain raters.

A. Introduction of Assistant County Counsel Joseph Randazzo, who will be taking over the duties of Assistant County Counsel Roberto Orellana as primary law advisor to the Commission.

Mr. Orellana stated that he would be retiring from the County in January and that he will be assisting in the transition of his duties to Mr. Randazzo until his retirement date. Mr. Randazzo made brief comments and was welcomed by the Commission.

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B. Presentation of the Commission's budget for fiscal year 2019-2020.

Rosanna Bati, CEO Fiscal and Administration Manager, and Choly Asawesan, Fiscal Technician, were present. Ms. Bati stated that in conjunction with staff, the fiscal team had drafted the Commission's budget for fiscal year 2019/20 and stated that the budget will be presented to the Board of Supervisors on June 4, 2019, with adoption hearings scheduled to begin on June 17, 2019. She then gave a brief overview of the draft budget and line items and responded to several questions from the Commission. The Commissioners thanked her for the presentation.

C. Discussion regarding outside legal advisor contracts and subcommittee to conduct interviews of additional outside legal advisor candidates.

Ms. Shaw stated purchase order and contract renewals for conflict law advisors will be coming up in July for the following fiscal year. After a further brief discussion regarding availability of current conflict legal advisor and legal advisor hourly compensation, staff was directed to agendize to a future date a review of the contracts and hourly rate being paid to conflict attorneys. Staff was further instructed to agendize the evaluation of potential additional conflict legal advisor candidates for the May 23, 2019, business meeting.

XIII. CLOSED SESSION – Public Employee Performance Evaluation: Civil Service Commission Assistant

The Commission went into Closed Session at 10:48 a.m. and reconvened in Open Session at 11:26 a.m. Chair Vandenberg announced that the Commission had completed Ms. Shaw's performance evaluation, which was excellent.

XIV. ADJOURNMENT – The meeting was adjourned at 11:28 a.m.

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