

Civil Service Commission Minutes **Thursday, November 19, 2009**

The Civil Service Commission held a quarterly meeting on Thursday, November 19, 2009 in the Board of Supervisors' Chambers, 701 Ocean Street, Santa Cruz, California.

ORDER OF BUSINESS

1. Call to Order: Chair Gordon called the meeting to order at 5:50 p.m.
2. Attendance: Commissioners present: Chair Jack Gordon, Commissioners Carmen Potro James Maxwell, and Bob Taren. Absent: Commission Olivia Madrigal. Staff present: Michael J. McDougall, Personnel Director, Ajita Patel, Deputy Director, and Laurie Hill, staff to the Commission.
3. Approval of Minutes: Secretary Hill reported that Thornton Kontz was present at the October meeting. The meeting minutes for October 15, 2009, were approved as corrected. Moved by Taren and 2nd by Potro, 4-0-1.
4. Additions to the Agenda: Secretary Hill asked to change the order of items, hearing the new business item in advance of the old business item. Secretary Hill also requested to add an urgency item for closed session. Superior Court heard the Notice of Motion and Motion for Order to Show Cause re: Contempt and Request for Sanctions in the case # CV 163520 on November 19. The Commission was represented Thornton Kontz, and the County's interest by County Counsel. The mandate has to do with the scope of the case as remanded back to the Commission to determine appropriate discipline. The Commission has only 30 days in which to consider an appeal.

Hill recommended that the Commission meet in closed session with their counsel to consider the next appropriate action and this recommendation requires that the Commission move to add this to their agenda as an urgency item and it requires passage by quorum. Taren moved, Maxwell seconded, and the Commission approved the urgency closed session 4-0-1, to be held at the end of the meeting.

5. Oral Communications: There were none.
6. Secretary Report: Reminded Commissioners of the election in January of a new Chair and Vice Chair. Reminder of schedule for tentative hearings: 1st Wed 1:30-5:00 and 3rd Wed. 8 – 5:00. Conflict of Interest statements from the County Clerk/Elections office– will be due in April. Appeal hearing calendar: Hearing calendar: Human Services appeal withdrawn. Two remaining appeals: Public Works and District Attorney. Dec. 16/17 offered for the Public Works case was not accepted by the employee's representative. Hill asked Commissioners to check January 20 for the DA case. Next meeting is January 21, 2010.
7. New Business: Consider changes to the one year probationary period list: delete obsolete classes and add Sr. Accountant Auditor and Principal Accountant Auditor. Commissioner Taren asked if both sides had agreed to this change. The response was yes, the representatives signed off on November 2. Commissioner Maxwell motioned to accept the changes, seconded by Commissioner Taren, approved 4-0-1. The Auditor Controller, Mary Jo Walker, thanked the Commission.
8. Old Business: Consider whether the Commission should reduce the number of regularly scheduled meetings as recommended by the Board of Supervisors at their September 15 regular meeting. The Board, in an agenda item titled "County Advisory Bodies", directed all departments who work with advisory bodies to consider whether they could meet their responsibilities with fewer scheduled meetings each year. This item was continued from October 15, 2009 meeting. Taren said that this had been discussed, determined the importance of more meetings, and that the Commission

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should stand by the current schedule. Hill read into the record that the last four meetings have ranged from 20-55 minutes, that the Commission had only three Commissioners (quorum) at 3 meetings, two meetings had no agenda items and two meetings had only had one agenda item. Public comments have been as few as zero (2 meetings) to a maximum of two written correspondence has not exceeded two letters at any meeting. Taren suggested that we revisit the schedule in April as agreed. Commission agreed by consensus to remain on their current schedule and revisit the schedule in April.

9. Request for comments for the 2009 Annual Report to the Board. The Commission asked that staff email the 2008 report as a sample. Taren suggested that we use the same goals as last year.
10. Reports: There were no reports.
11. Received Correspondence Item:
 - Acknowledged memo, dated October 5, 2009, from Board Chair Coonerty, 2009 Annual Report reminder.
 - Acknowledged the letter, dated October 20, 2009, to the Board of Supervisors from Nick Steinmeier, Executive Director SEIU Local 521, regarding the Civil Service Commission. Commissioner Potro stated that she felt the nepotism policy language was fine and that the Whistleblower program should be explored more closely by revisiting the Ad Hoc committee. Commissioner Taren said that the County's policy of referring the Whistleblower complaints to the departments was odd, placed the employee at risk, and that the Board should address that concern. Chair Gordon said that the Commission sent a letter to the Board regarding the Commission's concerns about the Whistleblower program and that the Board said that they would take the recommendations under advisement. Gordon observed that the union was not present when their member came to the Commission with her concern regarding the classification of her coworkers. Commissioner Gordon thanked Michael McDougall, Personnel Director, regarding his letter, dated November 6, 2009, in response to the letter from SEIU.
12. Adjourned to Closed Session: There being no other business or public comments, the meeting adjourned to closed session at 6:10 p.m.
13. Return from Closed Session: 6:50 p.m. There was nothing to report.
14. Next meeting February 18, 2010.

Respectfully submitted,

Laurie Hill, Staff to the Commission