

SUMMARY OF PROCEEDINGS

CIVIL SERVICE COMMISSION – COUNTY OF KERN 1115 Truxtun Avenue Bakersfield, California 93301

Regular Meeting
Monday, August 9, 2021
5:30 p.m.

PRESENT: Commissioners Agbalog, Holt, Oliver, Price and Rose

ABSENT: None

OTHERS: Stephanie Bouey, Devin Brown, Maria Murbach, Keri Pharris, Brenda Villanueva, and others.

NOTE: Ag, Ho, Ol, Pri, and Ro are abbreviations for Commissioners Agbalog, Holt, Oliver, Price, and Rose. For example, Ho/Pri denotes Commissioner Holt made the motion and Commissioner Price seconded the motion. The abbreviations “ab” means absent and “abd” abstained.

COMMISSIONER ACTION IS SHOWN IN CAPS AFTER EACH ITEM

President Holt called the meeting to order at 5:30 p.m.

PUBLIC SESSION

1. **Public Presentations**
None

***CONSENT AGENDA**

- *2. **Approval of Minutes**
Regular Meeting on July 12, 2021, Special meeting on July 19, 2021; NO PUBLIC COMMENT;
APPROVED; *Ro/Ol – all ayes*
- *3. **Examination Schedule:** The following examinations have been scheduled in accordance with Civil Service Rules and established procedures; **APPROVED**; *Ro/Ol – all ayes*

8169) Senior Health Plan Services Specialist
8170) Fiscal Support Specialist – DP – Fire
8171) Maintenance Worker II
8172) Office Services Specialist
8173) Public Works Maintenance Worker I/II/III
8174) Public Works Maintenance Worker I/II/III-East Kern Region
8175) Investigative Aide
8176) Tree Trimmer
8177) Public Health Laboratory Director
8178) Fiscal Support Supervisor
8179) Child Support Specialist I/II
8180) Technology Services Manager
8181) Deputy Clerk of the Board I/II
8182) Assistant Program Director-DP-DHS
8183) Fire Division Chief-DP

4. **New Specification(s):** The following job specification(s) have been created and approved by the Chief Human Resources Officer and are submitted for the Commission's review in accordance with Civil Service Rule 204.21. **REVIEW, RECEIVE, AND FILE**

- a) KCERA Chief Legal Officer, Item No. 1234; *Pri/Ro – all ayes*

Devin Brown, Chief Human Resources Officer, provided a brief overview. No public comment.

Commissioner Agbalog stated to Dominic Brown, KCERA Director, that they had mentioned having an in-house counsel and outside counsel, now they were bringing in another in-house counsel. He asked what another in-house counsel could do. Mr. Brown explained that it was not so much the differentiation in services but that they would get better cost effectiveness and quicker access to the legal services when they have them in-house.

Vice President Oliver asked if they were promoting from within or if they were recruiting from outside. Mr. Brown explained that they were reclassifying the one position they already had, to a higher position, and they were adding a second attorney position. The reasons for that, are because of the nature and complexity of the work. He explained that there is also a succession planning element because the work is so unique, it does take a new person years to get up to speed in what the department does.

Commissioner Agbalog stated that Mr. Brown had mentioned that the complexity of what the department does was such, he asked could not that be done by restructuring their agreement with outside counsel.

Mr. Brown stated that it could, but it would be more expensive.

Vice President Oliver stated he was a bit confused and asked for clarification about why, if they have such complex work, they needed to bring someone from outside

Mr. Brown explained that they already have an internal attorney, they are keeping that one person that they have. However, they need a succession plan for that particular attorney, so it is their plan to retain the staff that they have and to hire an outside additional person.

- b) KCERA Deputy Chief Legal Officer and KCERA Senior Deputy Chief Legal Officer, Items No. 1232 and 1233; *Ro/Pri – all ayes*

Devin Brown, Chief Human Resources Officer, provided a brief overview. No public comment

5. **Revised Specification(s):** The following job specification(s) have been revised and approved by the Chief Human Resources Officer and are submitted for the Commission's review in accordance with Civil Service Rule 204.21; **REVIEWED, RECEIVED, AND FILED;**

Mr. Brown introduced Brenda Villanueva, Human Resources Principal Analyst, who provided a brief overview. No public comment.

- a) Crime Scene Technician I/II, Items No. 4525 and 4521; *Ag/Ol – all ayes*
- b) Property Control Officer, Item No. 4165; *Ag/Pri – all ayes*

6. Civil Service Rule 1800 Update:

Stephanie Bouey, Deputy County Counsel, reported that there were currently two complainants who initiated appeals and one still in the appeal time frame. All were within the timeline.

7. Commission Secretary Monthly Report:

None

8. Human Resources Division Items/Report:

Devin Brown, Chief Human Resources Officer, reported that last Thursday, the State Public Health Officer issued a Public Health order that will require some County staff to be vaccinated. He stated that many of the County staff have already gone through the process of receiving their Covid-19 vaccinations over the course of the last several months. However, this new order is focused on health settings, specifically the Public Health and Behavioral Health Departments will be impacted. Approximately 1,200 employees will be impacted by this Public Health order, which is a pretty significant portion of County's workforce.

The order requires employees working in those settings to receive their vaccination, either the one dose, Johnson & Johnson, or the two-dose Moderna or Pfizer, no later than September 30th. He explained that they were working with their offices and Public Health to make sure they offer every opportunity to all employees to get vaccinated. If employees have a religious or medical objection, there are exemptions for that. If they do have one, there is a state requirement where those employees will have to receive a Covid-19 test weekly for the immediate and foregoing future. This is a new response to the increase in cases statewide and in this County and something HRD is working on.

Commissioner Rose asked who would cover the cost for the weekly test if an employee would need to have one done. Mr. Brown explained that the state order does require that any health plan pick up the cost for that. He explained that the County could also pick it up as any other employer who would be affected by this order would also need to, and the County was planning to do that.

Vice President Oliver asked if there was any litigation from this issue. Mr. Brown did not have the answer to his question since this state order was new and only just issued last Thursday.

9. Commission Member Presentations or Announcements:

Commissioner Oliver asked Commission counsel for an update on their discussion item from last Commission meeting. Ms. Bouey asked Commission Secretary to provide an update.

Mrs. Murbach stated that the issue had been resolved as she had spoken with Mr. Brown, and he had stated that the water for the Commission hearings would be provided.

Mr. Brown explained that there was enough money in the current budget to cover expenses and he would work with Mrs. Murbach to reimburse for what was needed for the Commission hearings.

Adjourn to Closed Session: at 5:54 p.m., the Commission adjourned to closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of employees or to hear complaints or charges brought against employees by another person or employee.

CLOSED SESSION (Government Code § 54957)

10. PUBLIC EMPLOYMENT – Discipline/Dismissal/Release
Sheriff Deputy (Sheriff's Office) – Case No. 2021-0106; **MATTER TO BE PLACED ON SEPTEMBER 13, 2021, REGULAR MEETING AGENDA.**
11. PUBLIC EMPLOYMENT – Evidentiary Hearing Request
Social Service Worker II (Human Services) – Case No. 2021-0107; **HEARING DATES SET TO SEPTEMBER 14, OCTOBER 5, and 19, 2021.**
12. PUBLIC EMPLOYMENT – Qualification Appraisal Board Appeal Request
Fire Captain-C (Fire Department) – Case No. 2021-0108; **MATTER TO BE PLACED ON SPECIAL MEETING AGENDA ON AUGUST 11, 2021; *Ag/Pri – 4 ayes/1 no (Ro)***
13. President Holt adjourned the meeting at 7:04 p.m. to the next Special Meeting to be held on Thursday, August 12, 2021, at 5:00 p.m.

SUMMARY OF PROCEEDINGS**CIVIL SERVICE COMMISSION – COUNTY OF KERN**
1115 Truxtun Avenue
Bakersfield, California 93301

Regular Meeting
Monday, July 12, 2021
5:30 p.m.

PRESENT: Commissioners Agbalog, Holt, Oliver, and Rose

ABSENT: Commissioner Price

OTHERS: Stephanie Bouey, Maria Murbach, Keri Pharris, Brenda Villanueva, and others.

NOTE: Ag, Ho, Ol, Pri, and Ro are abbreviations for Commissioners Agbalog, Holt, Oliver, Price, and Rose. For example, Ho/Pri denotes Commissioner Holt made the motion and Commissioner Price seconded the motion. The abbreviations “ab” means absent and “abd” abstained.

COMMISSIONER ACTION IS SHOWN IN CAPS AFTER EACH ITEM

President Holt called the meeting to order at 5:31 p.m.

Commissioner Agbalog joined the meeting at 5:42 p.m.

PUBLIC SESSION**1. Public Presentations**

None

CONSENT AGENDA**2. Approval of Minutes**

Regular Meeting on June 14, 2021, Special meetings on June 21, 22, 28, and 29, 2021; NO PUBLIC COMMENT; **APPROVED**; Ro/Ol - 3 ayes/2 ab (Ag/Pri)

***3. Examination Schedule:** The following examinations have been scheduled in accordance with Civil Service Rules and established procedures; **APPROVED**; Ro/Ol – 3 ayes/2 ab (Ag/Pri)

- 7881) Cook I - Bakersfield
- 8031) Environmental Health Specialist I/II/III
- 8148) Animal Care Worker-Shift
- 8149) Social Service Worker I-Taft-DHS
- 8150) Billing Office Specialist I/II
- 8151) Business Manager
- 8152) Job Developer I-East Kern Region
- 8153) Deputy Fire Chief-DP
- 8154) Library Associate-Shift-Tehachapi/Rosamond
- 8155) Wildland Fire Defense Planner
- 8156) Office Service Coordinator
- 8157) Housekeeper
- 8158) Office Services Technician-Bilingual

- 8159) Social Service Worker I-Aging & Adult
- 8160) Accountant III
- 8161) Maintenance IV
- 8162) Maintenance Carpenter
- 8163) Maintenance Plumber
- 8164) Light Vehicle Driver

4. **Revised Specification(s):** The following job specification(s) have been revised and approved by the Chief Human Resources Officer and are submitted for the Commission's review in accordance with Civil Service Rule 204.21; **REVIEWED, RECEIVED, AND FILED; Ro/Ol – 3 ayes/2 ab (Ag/Pri)**
- Deputy Clerk of the Board I/II, Items No. 3062 and 3061

Devin Brown, Chief Human Resources Officer, provided a brief overview. No public comment.

5. **Supplies for Commission Hearings; DISCUSSED**

Vice President Oliver stated this item was placed on the agenda at his and Commissioner Rose's request because over the past couple of years Commissioner Rose had been providing snacks during the Commission hearings. However, they recently found out that a county employee had been paying for the water and snacks that are provided during the hearing breaks, and they thought that this was unacceptable. He proposed to allocate some of the Commission budget funds to provide water and snacks for the hearing breaks as they do have several people from different departments as well as representatives who drive in from out of town.

Commissioner Rose explained that previously, the Commission had used the HR breakroom during the 10-minute hearing breaks, and many of the hearing participants come straight from other jobs or drive in from out of town. The hearings start at 5 p.m., end at 8 p.m., sometimes later. The Covid-19 situation changed how things are done and for safety reasons, the water provided during the breaks is bottled water and the snacks are individually wrapped. The Commission has been backlogged with hearings recently, and some weeks there have been hearings held three nights per week, which begin promptly at 5 p.m. She stated that she thought the Commission could professionally provide bottled water and offer a small package of trail mix or a small package of cookies since the Commission does not have use of a breakroom and there is no open café available in the building at those late hours.

Mr. Brown stated that he had spoken with Mrs. Murbach about this last week and a receipt would be submitted for the water that was purchased for reimbursement. He believed there were some rules about purchasing food with County funds but would look into that. Also, procedurally your Commission already submitted its budget to the CAO, but they would work to try to incorporate anything we can purchase into the current budget. He stated that they do have water and coffee available, and if Mrs. Murbach needed assistance with setting up prior to one of those hearings staff would assist.

Commissioners Rose and Oliver thanked Mr. Brown.

6. Civil Service Rule 1800 Update

Stephanie Bouey, Deputy County Counsel, reported that there were currently three active investigations. All were current and within the time frame. One was being currently investigated. The two others, the final report was prepared in a timely manner. One complainant is appealing, and the other was within the appeal period.

7. Commission Secretary Monthly Report:

None

8. Human Resources Division Items/Report:

Devin Brown, Chief Human Resources Officer, introduced the Director of Diversity and Inclusion, Ms. Pawan Gill. Mr. Brown explained that Ms. Gill came to HRD from the City of Arvin where she was the Director of Administrative Services and a Human Resources Manager, and he stated he was very glad to have her as part of HRD's team.

9. Commission Member Presentations or Announcements:

None

Adjourn to Closed Session: President Holt announced that Closed Session Item 10 would be placed on the August 9, 2021 meeting agenda and adjourned the meeting.

CLOSED SESSION (Government Code § 54957)

10. PUBLIC EMPLOYMENT – Discipline/Dismissal/Release

Sheriff Deputy (Sheriff's Office) – Case No. 2021-0106; **MATTER TO BE PLACED ON AUGUST 9, 2021 REGULAR MEETING AGENDA.**

11. President Holt adjourned the meeting at 5:44 p.m. to the next Special Meeting to be held on Thursday, July 15, 2021, at 5:00 p.m.

SUMMARY OF PROCEEDINGS

CIVIL SERVICE COMMISSION – COUNTY OF KERN
1115 Truxtun Avenue
Bakersfield, California 93301

Special Meeting
Monday, July 19, 2021
5:00 p.m.

PRESENT: Commissioners Agbalog, Holt, Oliver, Price, and Rose

ABSENT: None

OTHERS: Bryan Alba, Stephanie Bouey, Devin Brown, Aaron Duncan, Maria Murbach, Keri Pharris, and others.

NOTE: Ag, Ho, Ol, Pri, and Ro are abbreviations for Commissioners Agbalog, Holt, Oliver, Price, and Rose. For example, Ho/Pri denotes Commissioner Holt made the motion and Commissioner Price seconded the motion. The abbreviations “ab” means absent and “abd” abstained.

COMMISSIONER ACTION IS SHOWN IN CAPS AFTER EACH ITEM

President Holt called the meeting to order at 5:02 p.m.

Commissioner Agbalog joined the meeting at 5:08 p.m.

Commissioner Rose joined the meeting at 5:10 p.m.

PUBLIC SESSION

1. **Public Presentations**

None

2. **New Specification(s):** The following job specification(s) have been revised and approved by the Chief Human Resources Officer and are submitted for the Commission's review in accordance with Civil Service Rule 204.21; **REVIEWED, RECEIVED, AND FILED; Pri/Ol – 3 ayes/2 ab (Ro/Ag)**

- Fire Division Chief, Item No. 0694

Devin Brown, Chief Human Resources Officer, provided a brief overview. No public comments.

Commissioner Oliver asked, for clarification, if there were five of these positions to be hired and if they would report to a Deputy Chief. Chief Duncan confirmed yes.

3. **Commission Member Presentations or Announcements**

None

Adjourn to Closed Session: at 5:08 p.m., the Commission adjourned to closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of public employees and/or to hear complaints or charges brought against employees by another person or employee.

CLOSED SESSION (Government Code § 54957)

4. PUBLIC EMPLOYMENT – Discipline/Dismissal/Release
Sheriff Deputy (Sheriff's Office) – Case No. 2021-0103; **ADDITIONAL HEARING DATES SET TO AUGUST 12, 16, AND 25, 2021.**
5. PUBLIC EMPLOYMENT – CS Rule 1800 Hearing
Animal Control Officer (Animal Services) – Case No. 2021-0105; **NO REPORTABLE ACTION**
6. Reconvened from Closed Session; President Holt adjourned the meeting at 7:41 p.m. to the next Special Meeting to be held on Tuesday, July 20, 2021 at 5:00 p.m.

Weekly Test Schedule - 7/12/21 & 7/19/2021					
Exam #	Recruitment Title	Open Date	Close Date	Action	WTS Report
8169	Senior Health Plan Services Specialist	7/12/2021	7/16/2021	Open-DP	7/12/2021
8170	Fiscal Support Specialist - DP - Fire	7/13/2021	7/19/2021	Open-DP	7/12/2021
8171	Maintenance Worker II	7/19/2021	7/23/2021	Open	7/12/2021
8172	Office Services Specialist	7/19/2021	7/20/2021	CANCELLED-Opened in error	7/12/2021
8173	Public Works Maintenance Worker I/II/III	7/19/2021	7/27/2021	Open	7/12/2021
8174	Public Works Maintenance Worker I/II/III-East Kern Region	7/19/2021	7/27/2021	Open	7/12/2021
8175	Investigative Aide	7/23/2021	7/30/2021	Open	7/19/2021
8176	Tree Trimmer	7/20/2021	8/6/2021	Open	7/19/2021
8177	Public Health Laboratory Director	7/23/2021	7/29/2021	Open	7/19/2021
8178	Fiscal Support Supervisor	7/23/2021	7/27/2021	DP	7/19/2021
8179	Child Support Specialist I/II	7/22/2021	7/29/2021	Open	7/19/2021
8180	Technology Services Manager	7/21/2021	7/30/2021	Open	7/19/2021
8181	Deputy Clerk of the Board I/II	7/21/2021	7/30/2021	Open	7/19/2021
8182	Assistant Program Director-DP-DHS	7/26/2021	7/30/2021	DP	7/19/2021
8183	Fire Division Chief - DP	7/26/2021	7/30/2021	DP	7/19/2021

Green Exam #: Change to existing exam #

Grey line: History

White line: Most up to date information for exam #

Blue "Continuous" and Red "?": informational purposes

Yellow "Hold": on hold

Dates that ALL exams were closed:

7/25/2019

3/16/2020



Devin Brown
CHIEF HUMAN RESOURCES OFFICER

August 9, 2021

Civil Service Commission
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED NEW JOB SPECIFICATION FOR KCERA CHIEF LEGAL OFFICER

The Executive Director of the Kern County Employees' Retirement Association (KCERA) and the Chief Human Resources Officer request that the Civil Service Commission review, receive, and file the attached new job specification for KCERA Chief Legal Officer (Item No. 1234).

Discussion

Rule 204.21 of the Civil Service Commission provides that the Chief Human Resources Officer may approve new job specifications, and upon the concurrence of affected recognized employee organizations and County departments, calendar review of the revision at the Commission's regularly scheduled meeting.

KCERA has completed a review of its legal department operations and is moving forward with a restructure of its associated classifications. The proposed classification of KCERA Chief Legal Officer will serve as the highest level attorney within their organization and report through the Executive Director to the KCERA Retirement Board. This position is modeled after similar positions used in other County Employees' Retirement Associations. The incumbent will supervise and manage the legal operations of KCERA, which include the work of staff attorneys, paraprofessional legal staff, and outside counsel. They will provide legal advice and counsel to the KCERA executive team and the Retirement Board.

The new classification is in the unrepresented management bargaining unit.

Conclusion

We recommend the Civil Service Commission **REVIEW, RECEIVE, AND FILE** the proposed new job specification of KCERA Chief Legal Officer.

Sincerely,

A handwritten signature in blue ink, appearing to be "Devin Brown", written over a horizontal line.

Devin Brown
Chief Human Resources Officer

Attachment

Kern County

KCERA CHIEF LEGAL OFFICER
Bargaining Unit M
Salary Range 81.5 (\$12,665-\$15,461)

Definition

Under administrative direction, performs complex legal work in support of the Kern County Employees' Retirement Association (KCERA) senior management staff and the Board of Retirement with emphasis on the County Employees Retirement Law of 1937, including research, preparation and presentation of legal opinions, liaison with specialized outside consultant counsel; reviews, analyzes and makes recommendations on Board of Retirement policies, regulations and guidelines to ensure compliance with applicable statutes; advises the Board of Retirement and management staff on both day-to-day and emerging issues that may affect retirement; handles complex litigation and sensitive legal projects; and to do related work as required.

Distinguishing Characteristics

The KCERA Chief Legal Officer receives administrative direction from the KCERA Chief Executive Officer and is responsible for the management and functionality of the Kern County Employees' Retirement Association's day-to-day legal activities, including research, preparation, legal advice and counsel. The incumbent is required to confer with and advise the Retirement Board and KCERA staff on legal matters that may concern general, safety and employer members, the County of Kern, special districts under the purview of KCERA, and/or outside agencies. The incumbent must have a high degree of integrity, diplomacy, flexibility, and interest in the application of all facets of retirement law. The incumbent may be required to supervise subordinate staff.

Essential Functions

- Provides legal advice during public and closed sessions of the Board of Retirement.
- Provides legal advice and assistance to the Board of Retirement on issues involving Board governance, Fair Political Practices Commission, conflict of interest reporting requirements, and the Ralph M. Brown Act Open Public Meeting laws.
- Conducts legal research of complex pension issues and formulates policies, procedures and Bylaws for KCERA.
- Drafts contracts, resolutions, legal opinions and other legal documents.
- Coordinates and oversees the work of outside counsel, verifies and manages expenses.
- Provides advice and assistance on legal matters within divisions of KCERA, confers with and advises the Executive Director and management staff on special litigation issues.
- Assists with the criteria for and selection of qualified Hearing Officers for disability matters; monitors Hearing Officers performance; and ensures KCERA's disability retirement application process is in compliance with all applicable laws, rules and regulations.
- Analyzes, interprets and applies state and federal legislation, reviews and monitors pending legislation and chaptered laws to evaluate impact on KCERA; recommends action on legislation to the Executive Director and provides input to define KCERA's position on pending legislation; and drafts legislation sponsored by KCERA.
- Confers with agency managers regarding current and anticipated legal services requirements and issues, and analyzes the feasibility of alternative approaches.
- Develops and recommends agency-wide short- and long-term legal service plans.
- Serves as a legal resource for personnel matters.

- Stays current on legal issues relative to retirement system operations and fiduciary requirements.
- Responds to and resolves sensitive and complex legal inquiries and issues.
- May assist in representation of KCERA in litigation, disability hearings and other legal matters
- Performs other job-related duties as assigned.

A background check may be conducted for this classification.

All Kern County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec.3100-3109 and Ordinance Code Title 2-Administration, Ch. 2.66 Emergency Services). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

Employment Standards

- Possession of a juris doctorate degree from an accredited U.S. law school or equivalent qualification.
- Seven years of progressively responsible experience as an attorney in a comparable legal environment; **OR** five years of progressively responsible experience as an attorney in a comparable legal environment, including two years with a public pension agency.
- Active membership in the California State Bar.
- Licensed to appear before relevant Federal and State Courts in California.
- Possess and maintain a valid California Class C Driver's License.

Knowledge of: principles, methods and practices of legal research; Civil, constitutional and administrative law; California statutory and constitutional law; provisions of law and rules of procedure governing the conduct of hearings before administrative bodies; judicial procedures and rules of evidence; the Brown Act, open meetings for local legislative bodies; and CERL 1937 Act statute.

Ability to: develop and implement appropriate procedures and controls; draft legal documents such as resolutions, contracts, legislation, policies, etc.; analyze and applying complex legal principles, facts and evidence to legal problems; present oral and written statements of fact, law and argument in a clear, logical and persuasive manner; providing legal services to a local, California State or Federal public agency or public defined benefit pension systems; plan, organize, integrate, and manage the legal activities for KCERA, assessing alternative plans, and developing efficient, cost-effective solutions; analyzing

and appraising a variety of legal documents and instruments; prepare correspondence and reports; apply applicable laws, codes and regulations; establish and maintain cooperative and effective work relationships with staff members, other departmental personnel, Board trustees, government officials, legal, medical and investment professionals, and the general public.

New
August 2021
#1234

Matthew Henry for DOMINIC BROWN
DEPARTMENT HEAD

7/30/21
DATE

J [Signature]
CHIEF HUMAN RESOURCES OFFICER

7/30/21
DATE

Item #	1234
Bargaining Unit	M
EEO Code	B
Analyst	DWB
Reviewed By	DWB
Approved Salary Range	81.5
CAO Analyst	N/A
FLSA	Exempt
Civil Service (Yes/No)	Yes
General/Safety	General
Revised Date	New
Previous Title	N/A



Devin Brown
CHIEF HUMAN RESOURCES OFFICER

August 9, 2021

Civil Service Commission
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

**PROPOSED NEW JOB SPECIFICATIONS FOR KCERA DEPUTY CHIEF LEGAL OFFICER AND
KCERA SENIOR DEPUTY CHIEF LEGAL OFFICER**

The Executive Director of the Kern County Employees' Retirement Association (KCERA) and the Chief Human Resources Officer request that the Civil Service Commission review, receive, and file the attached new job specifications for KCERA Deputy Chief Legal Officer (Item No. 1232) and KCERA Senior Deputy Chief Legal Officer (Item No. 1233).

Discussion

Rule 204.21 of the Civil Service Commission provides that the Chief Human Resources Officer may approve new job specifications, and upon the concurrence of affected recognized employee organizations and County departments, calendar review of the revision at the Commission's regularly scheduled meeting.

KCERA has completed a review of its legal department operations and is moving forward with a restructure of its associated classifications. The proposed classifications of KCERA Deputy Chief Legal Officer and KCERA Senior Deputy Chief Legal Officer would be considered a flexible classification series. The incumbents will serve as a staff attorney within their organization and report to the KCERA Chief Legal Officer. This position is modeled after similar positions used in other County Employees' Retirement Associations. The incumbent will perform complex legal work for KCERA, which includes research and preparation of pleadings, contracts, opinions, and other documents. The senior-level classification is distinguished by the complexity of the work assigned, the incumbents ability to work independent of supervision, and their experience. Incumbents will assist in providing legal advice and counsel to the KCERA executive team and the Retirement Board.

The new classifications are in the unrepresented management bargaining unit.

Conclusion

We recommend the Civil Service Commission **REVIEW, RECEIVE, AND FILE** the proposed new job specifications of KCERA Deputy Chief Legal Officer and KCERA Senior Deputy Chief Legal Officer.

Sincerely,

A handwritten signature in blue ink, appearing to be "Devin Brown", written over a circular stamp.

Devin Brown
Chief Human Resources Officer

Attachment

GROUND  BOUNDLESS

KCERA DEPUTY CHIEF LEGAL OFFICER
Bargaining Unit M
Salary Range 74.8 (\$9,067-\$11,074)

Definition

Under direction of the KCERA Chief Legal Officer, the KCERA Senior Deputy Chief Legal Officer represents KCERA's interests in administrative retirement hearings, litigation, and provides legal representation and advice to staff and the 11-member Board of Retirement on disability, family, probate, and public pension issues. Incumbents work on legal matters under general supervision and guidance through formal and informal work review. The incumbent must have a high degree of integrity, diplomacy, flexibility, and interest in the application of all facets of retirement law. The incumbent may be required to provide direction to support staff.

Distinguishing Characteristics

This is the first level in the Deputy Chief Legal Officer flexible classification series. The KCERA Deputy Chief Legal Officer classification is distinguished from the KCERA Senior Deputy Chief Legal Officer classification by the degree of complexity and sensitivity of projects assigned, discretion exercised, and supervision received. Promotion to KCERA Senior Deputy Chief Legal Officer is based on the KCERA Chief Legal Officer's recommendation, as approved by the KCERA Chief Executive Officer, and the incumbent's consistent and capable performance of independent legal work of a more complex and sensitive nature and difficulty.

Essential Functions

- Performs legal research and prepares a diverse range of legal documents in support of KCERA operations including pleadings, motions, judgments, contracts, resolutions, opinions and other documents.
- Reviews policies, procedures and documents prepared by KCERA management and others; provides legal advice on content and recommends changes as needed.
- Provides legal advice and/or education during public and closed sessions of the Board of Retirement regarding Board governance, Fair Political Practices

Commission, conflict of interest reporting requirements, and the Ralph M. Brown Act Open Public Meeting laws.

- Analyzes state and federal legislation or regulatory changes which may impact KCERA; provides opinions on the ramifications of new legislation and makes recommendations on KCERA's position with respect to these matters; provides legal assistance in drafting legislation sponsored by KCERA.
- Provides legal advice on retirement benefit matters such as qualified domestic relations orders, community property, and those involving aspects of family law and probate.
- Confers with and advises staff responsible for administering the disability retirement process; prepares such matters for administrative hearings and presentation to the Board of Retirement.
- Responds to public records requests and subpoenas and reviews legal compliance related to such requests.
- Represents KCERA before boards, grand jury hearings, administrative hearings, courts or other authorized bodies adjudicating legal matters, including disability retirement matters.
- Stays current on legal issues relative to retirement system operations requirements.
- Responds to and resolves legal inquiries and issues.
- Performs related work as required.

A background check may be conducted for this classification.

All Kern County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec.3100-3109 and Ordinance Code Title 2-Administration, Ch. 2.66 Emergency Services). As Disaster Service Workers, all County

employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

Employment Standards

- Possession of a juris doctorate degree from an accredited U.S. law school or equivalent qualification.
- Three years of progressively responsible experience as an attorney.
- Active membership in the California State Bar.
- Licensed to appear before relevant Federal and State Courts in California.
- Possess and maintain a valid California Class C Driver's License.

Knowledge of: principles, methods and practices of legal research and discovery; civil, constitutional and administrative law; California statutory and constitutional law; provisions of law and rules of procedure governing the conduct of hearings before administrative bodies; judicial procedures and rules of evidence; provisions of the Ralph M. Brown Act, the California Public Employees' Pension Reform Act of 2013, the California Public Records Act, the County Employees' Retirement Law of 1937, and other laws governing the operations of public entities and/or a public employee retirement systems.

Ability to: research, analyze and apply legal principles, facts, and precedents to matters of civil, constitutional and administrative law; review a variety of legal documents for compliance with governing law, policies and practices; prepare and draft clear and concise written briefs, memos, correspondence, or other legal pleadings/documents; present oral and written statements of fact, law, and argument in a clear, logical and persuasive manner; exercise good judgment and discretion in handling confidential matters; organize, set priorities and meet critical time deadlines; use prudence and independent judgment within general policy and legal guidelines; establish, maintain and foster positive and effective working relationships with those contacted in the course of work; demonstrate professionalism, integrity and compliance with applicable laws and regulations at all times.

New
August 2021
#1232

Matthew Henry For DOMINIC BROWN 7/30/21
 DEPARTMENT HEAD DATE

[Signature] 7/30/21
 CHIEF HUMAN RESOURCES OFFICER DATE

Item #	1232
Bargaining Unit	M
EEO Code	B
Analyst	DWB
Reviewed By	DWB
Approved Salary Range	74.8
CAO Analyst	N/A
FLSA	Exempt
Civil Service (Yes/No)	Yes
General/Safety	General
Revised Date	New
Previous Title	N/A

KCERA SENIOR DEPUTY CHIEF LEGAL OFFICER
Bargaining Unit M
Salary Range 78.5 (\$10,910-\$13,312)

Definition

Under direction of the KCERA Chief Legal Officer, the KCERA Senior Deputy Chief Legal Officer represents KCERA's interests in administrative retirement hearings, litigation, and provides legal representation and advice to staff and the 11-member Board of Retirement on disability, family, probate, and public pension issues. The KCERA Senior Deputy Chief Legal Officer receives direction from the KCERA Chief Legal Officer. Incumbents work on complex legal matters under general supervision and guidance through formal and informal work review. The incumbent must have a high degree of integrity, diplomacy, flexibility, and interest in the application of all facets of retirement law. The incumbent maybe required to provide direction to support staff.

Distinguishing Characteristics

This is the senior level in the Deputy Chief Legal Officer flexible classification series. The KCERA Senior Deputy Chief Legal Officer classification is distinguished from the KCERA Deputy Chief Legal Officer classification by the degree of complexity and sensitivity of projects assigned, discretion exercised, and supervision received. Promotion to KCERA Senior Deputy Chief Legal Officer is based on the KCERA Chief Legal Officer's recommendation, as approved by the KCERA Chief Executive Officer, and the incumbent's consistent and capable performance of independent legal work of a more complex and sensitive nature and difficulty.

Essential Functions

- Performs legal research and prepares a diverse range of legal documents in support of KCERA operations including pleadings, motions, judgments, contracts, resolutions, opinions, board materials, and other documents.
- Reviews policies, procedures and documents prepared by KCERA management and others; provides legal advice on content and recommends changes as needed.

- Provides legal advice and/or education during public and closed sessions of the Board of Retirement regarding Board governance, Fair Political Practices Commission, conflict of interest reporting requirements, and the Ralph M. Brown Act Open Public Meeting laws.
- Analyzes state and federal legislation or regulatory changes which may impact KCERA; provides opinions on the ramifications of new legislation and makes recommendations on KCERA's position with respect to these matters; provides legal assistance in drafting legislation sponsored by KCERA.
- Provides legal advice on complex retirement benefit matters such as qualified domestic relations orders, community property, powers of attorneys, felony forfeiture laws, and those involving aspects of family law and probate with minimal supervision.
- Confers with and advises staff responsible for administering the disability retirement process; prepares such matters for administrative hearings and presentation to the Board of Retirement as needed with minimal supervision.
- Responds to sensitive public records requests and subpoenas and reviews legal compliance related to such requests.
- Represents KCERA before boards, grand jury hearings, administrative hearings, courts, or other authorized bodies adjudicating legal matters, including disability retirement matters, as needed.
- Stays current on legal issues relative to retirement system operations requirements.
- Responds to and resolves sensitive and complex legal inquiries and issues.
- Performs related work as required.

A background check may be conducted for this classification.

All Kern County employees are designated "Disaster Service Workers" through state and

local laws (CA Government Code Sec.3100-3109 and Ordinance Code Title 2-Administration, Ch. 2.66 Emergency Services). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

Employment Standards

- Possession of a juris doctorate degree from an accredited U.S. law school or equivalent qualification.
- Five years of progressively responsible experience as an attorney, preferably with a public pension agency.
- Active membership in the California State Bar.
- Licensed to appear before relevant Federal and State Courts in California.
- Possess and maintain a valid California Class C Driver's License.

Knowledge of: principles, methods and practices of legal research and discovery; civil, constitutional and administrative law; California statutory and constitutional law; provisions of law and rules of procedure governing the conduct of hearings before administrative bodies; judicial procedures and rules of evidence; provisions of the Ralph M. Brown Act, the California Public Employees' Pension Reform Act of 2013, the California Public Records Act, the County Employees' Retirement Law of 1937, and other laws governing the operations of public entities and/or a public employee retirement systems.

Ability to: research, analyze and apply legal principles, facts, and precedents to matters of civil, constitutional and administrative law; review a variety of legal documents for compliance with governing law, policies and practices; prepare and draft clear and concise written briefs, memos, correspondence, or other legal pleadings/documents; present oral and written statements of fact, law, and argument in a clear, logical and persuasive manner; exercise good judgment and discretion in handling confidential matters; organize, set priorities and meet critical time deadlines; use prudence and independent judgment within general policy and legal guidelines; establish, maintain and foster positive and effective working relationships with those contacted in the course of work; demonstrate professionalism, integrity and compliance with applicable laws and regulations at all times.

New
August 2021
#1233

Matthew Henry For DOMINIK BROWN 7/30/21
DEPARTMENT HEAD DATE

J [Signature] 7/30/21
CHIEF HUMAN RESOURCES OFFICER DATE

Item #	1233
Bargaining Unit	M
EEO Code	B
Analyst	DWB
Reviewed By	DWB
Approved Salary Range	78.5
CAO Analyst	N/A
FLSA	Exempt
Civil Service (Yes/No)	Yes
General/Safety	General
Revised Date	New
Previous Title	N/A



HUMAN RESOURCES

Devin Brown

CHIEF HUMAN RESOURCES OFFICER

August 9, 2021

Kern County Civil Service Commission
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED REVISED JOB SPECIFICATION FOR CRIME SCENE TECHNICIAN I/II

The Sheriff and the Chief Human Resources Officer request that the Civil Service Commission review, receive, and file the attached revision to the job specification for Crime Scene Technician I/II (currently Evidence Technician I/II).

Discussion

Rule 204.21 of the Civil Service Commission provides that the Chief Human Resources Officer may approve revised job specifications, and upon the concurrence of affected recognized employee organizations and County departments, calendar review of the revision at the Commission's regularly scheduled meeting.

The proposed revisions include a title change only to the Crime Scene Technician I/II (currently Evidence Technician I/II) flexible classification series. The title change more closely aligns the title with the essential functions of the classification. The change will also assist with recruitment efforts as the title better describes the position and will generate interest in the position. There are no other changes to the job specification.

The Service Employees' International Union (SEIU) is in support of the revisions.

Conclusion

We recommend the Civil Service Commission **REVIEW, RECEIVE, AND FILE** the proposed revision to the job specification of Crime Scene Technician I/II (currently Evidence Technician I/II).

Sincerely,

A handwritten signature in blue ink, appearing to be "Devin Brown", written over a horizontal line.

Devin Brown
Chief Human Resources Officer

~~EVIDENCE TECHNICIAN I~~ CRIME SCENE TECHNICIAN I

DEFINITION:

Under close supervision, and in a learning capacity, performs technical criminal investigative work related to the collection, preservation and identification of physical evidence necessary for the successful prosecution of criminal cases in a court of law.

DISTINGUISHING CHARACTERISTICS:

This is the trainee level of the **Crime Scene Technician** ~~Evidence Technician I/II~~ series. After one year of experience as an **Crime Scene Technician I** ~~Evidence Technician I~~, an individual is eligible to be considered for promotion to the level of ~~Evidence Technician~~ **Crime Scene Technician II**. Promotions are considered on a merit basis, subject to recommendation by the department head and the approval of the Director of Personnel.

Incumbents in this classification will be required to work shifts, including nights, weekends and holidays.

ESSENTIAL FUNCTIONS:

- Performs a variety of duties involving the collection, preservation and recording of physical evidence at crime scenes and autopsies.
- Employs computerized technology and peripheral devices to support and enhance latent fingerprints, video images, digital photography and graphics for identification and crime scene management.
- Prepares computer-based graphic images; inputs to computer and archives photographic images on various storage media.
- Seizes and examines computers and computer storage media for crime-related evidence.
- Operates photographic equipment in the field and in the lab; develops and prints photographs.
- Prepares crime scene diagrams.
- Operates fingerprint computer; obtains latent finger prints from crime scenes; compares latent fingerprints with known fingerprints to establish identities.
- Prepares exhibits for court; maintains records and prepares reports.
- Testifies in court as an expert witness.

OTHER FUNCTIONS:

- Performs other job-related duties as required.

All Kern County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec.3100-3109 and Ordinance Code Title 2-Administration, Ch. 2.66 Emergency Services). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

EMPLOYMENT STANDARDS:

Completion of 60 semester units or 90 quarter units of college course work from an accredited college, including courses in Criminal Justice, Computer Technology, Photography or related sciences **OR** any equivalent combination of education and experience. A maximum of one (1) year of training and/or experience in the field of forensics, evidence collection, latent fingerprint collection, law enforcement, computer technology or photography may substitute for one (1) year of college.

A valid California Class C driver's license is required at time of appointment.

The position requires that incumbents be willing to traverse rough terrain and withstand adverse weather conditions; observe autopsies and evidence associated with violent crimes.

Knowledge of: computerized technology and peripheral devices; photography equipment and report writing methods.

Ability to: employ computerized technology and peripheral devices; utilize photographic equipment to obtain and develop pictures; learn investigative techniques; recognize patterns in fingerprint classifications; collect and present evidence in factual format; maintain records and prepare reports; testify in court; develop and maintain effective working relationships and use good tact and judgment.

Revised

~~November 2001~~ **August 2021**

#4525

Js4525

~~EVIDENCE TECHNICIAN II~~ CRIME SCENE TECHNICIAN II

DEFINITION:

Under direction, performs the specialized and technical criminal investigative work related to the collection, preservation and identification of physical evidence necessary for the successful prosecution of criminal cases in a court of law.

DISTINGUISHING CHARACTERISTICS:

This is the journey level in the **Crime Scene Technician** ~~Evidence Technician I/II~~ classification series. Incumbents are fully proficient in all phases of specialized and technical criminal investigative duties relative to physical evidence and perform in a lead capacity, directing and training staff as assigned.

Incumbents in this classification will be required to work shifts, including nights, weekends and holidays.

ESSENTIAL FUNCTIONS:

- Performs a variety of duties involving the collection, preservation and recording of physical evidence at crime scenes and autopsies.
- Performs in a lead capacity, directing and training staff as assigned.
- Employs computerized technology and peripheral devices to support and enhance latent fingerprints, video images, digital photography and graphics for identification and crime scene management.
- Prepares computer-based graphic images; inputs to computer and archives photographic images on various storage media.
- Seizes and examines computers and computer storage media for crime-related evidence.
- Operates photographic equipment in the field and in the lab; develops and prints photographs.
- Prepares crime scene diagrams.
- Operates fingerprint computer; obtains latent finger prints from crime scenes; compares latent fingerprints with known fingerprints to establish identities.
- Prepares exhibits for court; maintains records and prepares reports.
- Testifies in court as an expert witness.

EVIDENCE TECHNICIAN II

OTHER FUNCTIONS:

- Performs other job related duties as required.

All Kern County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec.3100-3109 and Ordinance Code Title 2-Administration, Ch. 2.66 Emergency Services). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

EMPLOYMENT STANDARDS:

One (1) years of experience equivalent to ~~Evidence~~ **Crime Scene** Technician I in the Kern County classification system.

A valid California Class C driver's license is required at time of appointment.

The position requires that incumbents be willing to traverse rough terrain and withstand adverse weather conditions; observe autopsies and evidence associated with violent crimes.

Knowledge of: investigative techniques; techniques of obtaining fingerprints; training techniques; computerized technology and peripheral devices; photography equipment and report writing.

Ability to: employ computerized technology and peripheral devices; utilized photographic equipment to obtain and develop photographs; recognize patterns in fingerprint classifications; employ investigative techniques; collect and present evidence in factual format; maintain records and prepare reports; testify in court; develop and maintain effective working relationships and use good tact and judgment.

Revised

~~November 2001~~ **August 2021**

#4521

Js4521

(previous title: Evidence Technician III)

DEPARTMENT HEAD

DATE _____

CHIEF HUMAN RESOURCES OFFICER

DATE _____

Item#	4525, 4521
Bargaining Unit	5
EEO Code	EEO4-Technicians
Medical Group	
Analyst	BLV
Approved Salary Range	R.53.8 (\$3181-\$3884) R.57.8 (\$3884-\$4741)
CAO Analyst	B. Currie
FLSA	
Civil Service (Yes/No)	Y
General/Safety	General
Date Developed	
Revision Date	August 2021
Previous Title	Evidence Technician I/II

August 9, 2021

Civil Service Commission
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED REVISED JOB SPECIFICATION FOR PROPERTY CONTROL OFFICER

The Sheriff and the Chief Human Resources Officer request that the Civil Service Commission review, receive, and file the attached revision to the job specification for Senior Deputy Sheriff.

Discussion

Rule 204.21 of the Civil Service Commission provides that the Chief Human Resources Officer may approve revised job specifications, and upon the concurrence of affected recognized employee organizations and County departments, calendar review of the revision at the Commission's regularly scheduled meeting.

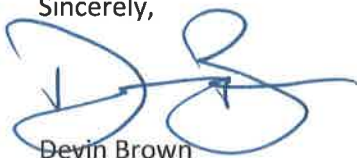
The proposed revisions will broaden the applicant pool by reducing the years of experience and education required to qualify. In addition to this change, the qualifying work experience has been broadened to include: managing a caseload which involves searching, locating, or verifying assets and resources and investigation or safeguarding or account for property.

The Service Employees' International Union Local 521 is in agreement with the proposed revisions.

Conclusion

We recommend the Civil Service Commission **REVIEW, RECEIVE, AND FILE** the proposed revision to the job specification of Property Control Officer.

Sincerely,



Devin Brown
Chief Human Resources Officer

Attachment

PROPERTY CONTROL OFFICER

DEFINITION:

Under general supervision, to identify, inventory and arrange for the sale of personal property of Public Administrator estates; maintain records of property in storage; identify the location; determine condition of title and arrange sales of real property.

DISTINGUISHING CHARACTERISTICS:

This class is distinguished by the performance of estate administration functions which are under the jurisdiction of the Public Administrator.

ESSENTIAL FUNCTIONS:

- Enters and searches decedent residence for records, assets and evidence of heirs; makes photographic and written record of the condition of the property;
- Identifies, locates, photographs, and inspects real property of the deceased;
- Identifies, locates, photographs and arranges for inventories of personal property of decedents including, but not limited to vehicles, furniture, appliances, clothing and housewares;
- Initiates the transportation, storage and appraisal of all personal property;
- Prepares property for sale; insures security of property during sales;
- Arranges for the transportation of property to beneficiaries after estates are closed;
- Investigates to determine the condition and location of real property;
- Searches public records to determine real estate liens and condition of title;
- Manages rental of decedent property when it is determined to be in the best interest of the estate or until a pre-existing rental agreement is terminated;
- Arranges for the protection, clean out and upkeep of all real property belonging to estates;
- Inspects estate properties on a weekly basis to protect against waste, vandalism, squatters and other detriments to the estate until properties are sold and escrows are closed;

- Initiates the sale of real estate, including obtaining appraisals, examining comparable sales, determining list price, listing of properties with real estate agents;
- Supervises the listing and sale process including disclosures, sale conditions, price adjustments and negotiations;
- Reviews all real estate documents and interfaces with buyers and agents through the close of escrow;
- Interfaces with escrow officers, code abatement officers, utility companies, locksmiths and other agents, contractors and interested parties as needed;
- Oversees support personnel as needed, including but not limited to clean up and repair contractors and auction personnel.

OTHER FUNCTIONS:

- Performs other job-related duties as assigned.

All Kern County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec.3100-3109 and Ordinance Code Title 2-Administration, Ch. 2.66 Emergency Services). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

EMPLOYMENT STANDARDS:

Completion of thirty (30) semester or forty-five (45) quarter units from an accredited college or university and one (1) year experience in general investigation or asset investigation or inventory and safeguarding property or accounting for personal or real property which involved removing or storing of property or managing a caseload which involved searching, locating or verifying assets and resources.

OR

Two years of experience in general investigation or asset investigation or inventory and safeguarding property or accounting for personal or real property which involved removing or storing of property or managing a caseload which involved searching, locating or verifying assets and resources.

~~Two years of college course work in business, public administration, management or behavioral science and two years of experience in business or property management, trust officer in a bank, real estate or insurance appraiser, real estate broker or salesperson, deputy public administrator, conservator or public guardian, probate or other investigator, estate property manager, or other similar positions in a public agency~~

~~OR an equivalent combination of education and experience.~~

Qualifying experience should substantially demonstrate the following: extensive public contact, interviewing preferably in stressful situations, understanding and applying California legal codes, general investigation or assets investigation.

Must acquire provisional certification based on training from the California Association of Public Administrators, Public Guardians and Public Conservators within one (1) year of appointment; full certification is required within four (4) years of appointment.

Applicants must possess a valid California Class C Driver's License.

Experience in the safe handling and transportation of firearms, vehicles, drugs, hazardous materials and other dangerous personal property is desirable.

Knowledge of: laws and regulations pertaining to the operations of the Public Administrator's office; inventory methods and procedures; appraisal principles, procedures and terminology; contracts and taxation; investigative techniques; real and personal property title and liens.

Ability to: prepare clear and concise reports by utilizing various computerized applications; accurately apply rules and regulations; maintain financial records, reports, inventories and logs; assemble and analyze data and make accurate computations; to deal tactfully and effectively with the public.

Revised

August 2009 **June 2021**

#4165

JS4165

Am W. P/fm
DEPARTMENT HEAD

DATE 7/30/2021

[Signature]
CHIEF HUMAN RESOURCES OFFICER

DATE 7/30/21

Item#	4165
Bargaining Unit	5
EEO Code	5-Administrative
Medical Group	
Analyst	BLV
Approved Salary Range	R.55.6 (\$3480-\$4249)
CAO Analyst	B. Currie
FLSA	
Civil Service (Yes/No)	Y
General/Safety	General
Date Developed	
Revision Date	August 2021
Previous Title	