

SUMMARY OF PROCEEDINGS

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

Regular Meeting

Monday, February 13, 2017

5:30pm

PRESENT: Commissioners Agbalog, Burrow, Price, Prince, and Rose

ABSENT: None

OTHERS: Brittany Boykin, Devin Brown, Tracey Eldridge, Michael Goulart, Maria Murbach, Margo Raison, Dick Taylor, Brian Van Wyk, and others

NOTE: Ag, Bu, Pri, Pr, Ro are abbreviations for Commissioners Agbalog, Burrow, Price, Prince & Rose. For example, Bu/Pr denotes Commissioner Burrow made the motion and Commissioner Prince seconded the motion. The abbreviations “ab” means absent and “abd” abstained.

COMMISSIONER ACTION IS SHOWN IN CAPS AFTER EACH ITEM

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

PUBLIC SESSION

1. **Public Presentations**

NONE

*2. **Approval of Minutes**

Regular Meeting on January 9, 2017; **APPROVED**; Pri/Ro – all ayes

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

6838) Engineer III

6839) Business Manager-DP-Assessor

6840) Medical Assistant I

6841) Health Educator

6842) Sheriff's Support Technician-Mojave

6843) Sheriff's Lieutenant-DP-Sheriff

6844) Sheriff's Detentions Lieutenant-DP-Sheriff

6845) General Services Division Chief-DP-General Services

6846) General Services Manager-DP-General Services

6847) Supervising Building Services Worker-DP-General Services

6848) Maintenance Supervisor

6849) Supervising Park Ranger-Shift-DP

6850) Probation Program Supervisor

6851) Sewer Maintenance Worker I-Public Works

6852) Identification Technician

- 6853) Crime Prevention Specialist
- 6854) Sheriff's Dispatcher Assistant-DP-Sheriff
- 6855) Sheriff's Support Specialist
- 6856) Environmental Health Technician
- 6857) Departmental Aide-PT-Shift-Rosamond
- 6858) Supervising Mail Clerk
- 6859) Waste Management Specialist I/II/III
- 6860) Auditor-Appraiser I
- 6861) Juvenile Corrections Officer I/II-Shift
- 6862) Building Service Worker I/II
- 6863) Help Desk Technician I
- 6864) Office Services Coordinator-DP-Public Works
- 6865) Senior Systems Analyst-DP-Public Health
- 6866) Program Support Supervisor-DP-ETR
- 6867) AG Biologist/Weights and Measures Inspector IV-DP-Dept of AG/Measure Standards

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. **REVIEWED, RECEIVED, AND FILED;** *Pri/Ro – all ayes*

- Human Resources Manager, Item No. 0644; *Pri/Ro – 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**

- a) Nutrition Worker, Item No. 5605; *Ro/Pr – all ayes*

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

- b) Veterans Service Representative I/II, Items No. 0891 and 0890; *Pri/Ro – all ayes*

Devin Brown, Chief Human Resources Officer and Dick Taylor, Veterans Services Director, provided a brief overview. No public comment.

6. **Second Reading of Amendment to Rule 1500 of the Civil Service Commission;** No public comment; **WAIVED READING; APPROVED & ADOPTED;** *Ro/Pr – all ayes*

Maria Murbach, Commission Secretary, reported that the proposed rule changes were presented to the affected labor organizations. A meeting attended by HRD, SEIU representatives, Mark Nations, and Ms. Murbach addressed SEIU's concerns. The purpose was to maintain a solid due process for the employees. SEIU did not have any other questions and

agreed to all the proposed changes. Ms. Murbach requested the Commission to approve and adopt the proposed changes to CS Rule 1500. No public comment.

7. Proposal to Retain Conflicts Legal Counsel Update; REVIEWED, APPROVED, DIRECTED SECRETARY TO SUBMIT RETAINER AGREEMENT TO COUNTY COUNSEL

Mr. Van Wyk informed the Commission that pursuant to the Commission's direction at the last meeting, staff reached out to the law firm and determined they are still interested in providing services. He prepared a draft agreement for the Commission's review.

Commissioner Rose stated she appreciates that he was able to follow through on this and thanked Mr. Van Wyk.

Commissioner Agbalog thanked Mr. Van Wyk and addressed attention to the first page of the contract under number one (1) *Services to be rendered*. He would like to see some language after *conflict of interest*, that states or by a majority vote of the Commission. There may be some times where the office of County Counsel may not think it is a conflict of interest, but the Commission may deem otherwise. He would like to give the Commission some discretion of whether or not to exercise the agreement. Mr. Van Wyk stated should the Commission direct, the revisions can be made to the contract, be presented at a later time, or he could take an approval subject to that change.

Commissioner Prince under item number nine (9) where it relates to item number one (1) *professional liability insurance*, the initial *per claim amount of \$500,000* is pretty low from the standard contracts that he sees. He asked if that amount is standard in county contracts. Mr. Van Wyk stated that he has seen up to one million dollars in some contracts. Commissioner Prince would like to see that amount raised to one million dollars per occurrence and two million dollars aggregate. President Burrow concurred.

Agbalog offered a motion to approve with the changes discussed above. Commissioner Price seconded the motion. No public comment.

8. Human Resources Division Items/Report:

Mr. Brown reported that the County of Kern has been in a fiscal emergency since January of 2015. It is all related to property tax revenue being significantly impacted by the oil price for Kern County. The General Fund is facing a \$32 million shortfall and the Fire Fund is facing approximately \$9 million shortfall for FY 2017-18. An avenue for potential savings that has been identified is to utilize departments that receive funding from non-general fund or non-fire fund sources as a potential landing spot for employees who may otherwise be displaced due to budget cuts other departments may be facing. HRD is currently putting together a process by which they can facilitate those types of placements without having to go through the layoff process which they are trying to avoid. They are looking at having countywide promotional recruitments opened up for some of the positions that are used in multiple departments such as Mental Health, Public Health, Department of Human Services, and also in general fund departments such as Animal Services, Library, and CAO. This will create more opportunities for employees to shift to non-general fund departments. Once that occurs, they will reevaluate

whether the general fund position can remain vacant and potentially lead to some savings that will reduce the total deficit for the general fund. They are also looking at creating lateral transfer lists for those same type of positions so that employees in like salary can put themselves on those lateral transfer lists and departments can interview them. The BOS just issued a budget guideline for general fund departments to cut at least 3% each over the next three years. This is a potential to create savings, avoid layoffs, and hopefully promote career progression for those employees seeking promotion. There is a significant talent pool in the county and all of the departments have very highly capable employees. HRD is also looking at enhancing the transfer process and making it more efficient.

9. Commission Member Presentations or Announcements:

Commissioner Rose wished Commissioner Prince a happy birthday and congratulated Vice President Price on the arrival of his new baby. She thanked all of the county staff who cooperate and come together and compromise to try to save jobs during this difficult fiscal emergency.

- 10. Adjourn to Closed Session:** At 6:13 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)

11. PUBLIC EMPLOYMENT – Discipline/Dismissal/Release
Deputy Sheriff (Sheriff's) – Case No. 2016-0023; **DENIED**
12. PUBLIC EMPLOYMENT – Discipline/Dismissal/Release
Detentions Deputy (Sheriff's) – (via telephone) Case No. 2017-0004; **HEARING DATES SET FOR AUGUST 17, 21, 28, 29, and 31, 2017**
13. PUBLIC EMPLOYMENT – Layoff Re-Employment List
Information Systems Specialist (Mental Health) – Case No. 2017-0002; **APPROVED**
EMPLOYEE REINSTATEMENT REQUEST; Ag/Pri – 3 ayes/1 nays (Bu)/1 ab (Pr)
14. PUBLIC EMPLOYMENT – Removal from eligible and Certification Lists
Appraisal Assistant (Assessor) – Case No. 2017-0005; **APPROVED**; Ro/Pri – 4 ayes/1 ab (Pr)
15. PUBLIC EMPLOYMENT – Reinstatement to the Re-Employment List
Firefighter (Fire) – Case No. 2017-0001; **DENIED**; Ag/Ro – 4 ayes/1 ab (Pr)
16. PUBLIC EMPLOYMENT – Discipline/Dismissal/Release
Animal Care Worker (Animal Services) – Case No. 2017-0003; **DISMISSED**; Pri/ag – 4 ayes/1 ab(Pr)
17. President Burrow adjourned the meeting at 8:20 p.m. to the next Regular Meeting to be held on Monday, March 13, 2017 at 5:30 p.m.