

SUMMARY OF PROCEEDINGS

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

Regular Meeting
Monday, July 11, 2016
5:30pm

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

ABSENT: None

OTHERS: Devin Brown, Bryan Bruce, Debbie Davis, Tracey Eldridge, Gabriel Godinez, Michael Goulart, William Hadden, Maria Murbach, Mark Nations, Margo Raison, Rob Seibly, 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 Rose called the meeting to order at 5:30 p.m.

PUBLIC SESSION

1. Public Presentations

NONE

***2. Approval of Minutes**

Regular Meeting on June 13, 2016; **APPROVED**; Ag/Pri – All ayes

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

6740) Maintenance Worker III - Parks

6741) Child Support Officer II/III

4. Budget: Commission Secretary to present Civil Service Commission Recommended Budget Reductions. **APPROVED**; Pri/Ag – All ayes

The Board of Supervisors (BOS) recently directed all County departments to reduce their budget by 5% due to the state of the economy. Maria Murbach, Commission Secretary, presented the recommended Civil Service Commission (CSC) budget reduction of \$13,118. The overall 5% reduction was deducted from the Hearing Officer Services Fee. The previously approved amount was \$20,000 with a total budget amount of \$124, 330. The recommended Civil Service Commission budget amount is \$118,115.

Vice President Burrow asked Mr. Brown if there are any further reductions, in excess of the hearing officer fee, will the Commission be expected to have a share in reduction each time there is a county-wide reduction.

Devin Brown, Employee Relations Officer, explained that the CAO and the BOS have directed a 5% net general fund cost reduction. The Human Resources Division's (HRD) budget is entirely general fund. The HRD houses the CSC budget and there are certain fixed costs that are unchangeable because they are fixed by ordinance and salary schedule. Should there be a need to reduce further, the HRD would absorb those costs. In the event a hearing officer is deemed necessary and the parties involved do not pay for the hearing officer, the HRD will address it at that time. This fee has never been a budgeted item in the HRD budget. There is a possibility that a hearing officer could be requested by one of the parties, the Commission could approve it, and the parties would pay for the hearing officer. The previous two times a hearing officer has been utilized, it has been at the direction of the Commission and not at the parties' request. The recommended budget hearing before the BOS will take place on July 26, 2016. There are at least 3 departments in the County that have not completely worked out their budgets, the Sheriff's Office, the District Attorney's Office, and the Fire Department. The budget hearings for adoption of the final budget will take place in late August.

5. Human Resources Division Items/Report:

Mr. Brown reported that the preliminary recommended budget was presented to the BOS on June 21. It included a 5% net general fund cost reduction for each County department that receives a general fund portion. The fire fund, which is a separate property tax portion for just the Fire Department, has received a significant reduction in property tax revenue due to the oil and tax decline. This is the second year they have absorbed a significant decline. There have been proposed layoffs of up to 30 firefighters, 10 deputy sheriffs, and some layoffs in the District Attorney's office. The County has put together a 5-year fiscal plan to absorb the reductions in property tax revenues that will be ongoing for some time. This is a difficult time for the County and the departments are being called upon to think creatively to find ways to absorb these cuts without layoffs. Staff are using attrition and other means of reduction. The Commission is a hearing body when the layoffs are noticed and an employee who receives that notice may appeal. The HRD has been working through the process of getting familiar with layoff Civil Service Rules 1300 through 1500. Some departments are using budget savings incentives to offset the 5% reduction. That is a one-time amount they have accrued over a time period based on services and supplies savings. The CAO's office has asked each department that is not public safety to provide an additional step-down of up to 25% reduction.

Kern Medical (KM) transitioned to a Health Authority as of July 1, 2016. All KM employees are now non-county employees. They do get to keep their benefits and seniority. They are still working out how to replace the Civil Service Rules. They are a separate public entity but somewhat intertwined since HRD still handles their health and medical plans, and the processing their payroll. HRD is no longer running recruitments for them. There is no plan to recruit to fill the position left vacant by Linda O'Neil's retirement.

President Rose asked if the County is required to keep a certain percentage of their operating budget in reserve. Mr. Brown explained that the BOS has a fiscal policy to keep a minimum 10%

in its general reserve which is roughly \$33 million. The current general reserve total is \$40 million.

President Rose asked if 'banking' would be available for a department that did not spend all of its money for supplies. Mr. Brown explained that there are departments that are enterprise funds and if they do not spend their salary and benefits, that money remains in their fund. The general fund is different, if the departments are under in salary and benefits, that money is carried over as a general fund carry forward balance. Typically, the BOS has allocated that for major maintenance and capital projects. If they are under their services and supplies budget, they get to keep a budget savings incentive which is a one-time bank of those unused amounts. The remainder goes into the general fund balance.

Commissioner Prince asked if each department can make the determination in regards to their general fund reductions such as layoffs or a freeze on hiring. Mr. Brown explained that there are 5 elected officials who are department heads, the board has limited authority on determining how they spend their budget once it is authorized and allocated to their department. The BOS ultimately controls the position authority for all departments, including elected departments in the county. There is some control but it is incumbent upon the department head to suggest the ways in which they best operate because they have the expertise and knowledge of their own department. The ultimate authority does reside with the BOS.

Commissioner Prince asked if there is a priority in regards to budgetary control. Mr. Brown explained the County is still in a declared fiscal emergency and the BOS has instituted restricting hiring policies. During the year, people promote and those items are factored into the budget but if the BOS decides to give a group a 2% raise that would not be factored into the budget. When they budget, it is based on the priorities at the time.

Commissioner Prince asked if a management salary and benefit reduction would be something that might be considered in order to avoid possible layoffs and if so, how would that be handled. Mr. Brown explained that salary is subject to labor negotiations and most county employees are represented. A salary cut would have to go through the labor negotiation process. The BOS has the authority to reduce the salary of mid-management confidential classifications in those bargaining units at any time.

President Rose asked if that also includes the increment steps process for their salary. Mr. Brown explained there is a 5 step increment process and if the BOS wanted to freeze it, that would be possible with unrepresented staff. It would have to be negotiated for represented staff.

Commissioner Price asked if there are any matters still pending from the Kern Medical transition. Margo Raison, Chief Deputy County Counsel, explained that as of the date of transition there are six pending matters that have not gone through the entire process.

7. Commission Member Presentations or Announcements:

Commissioner Price reported that Ms. Murbach joined him in a recent visit to the Public Health Department. He thanked the Public Health Department for all that they do and shared that during

the recent Erskine fire, the department coordinated a large evacuation and transport of all hospital patients to other facilities outside of the fire danger zone. Another amazing thing is that there have been recent health issues with 'bathtub cheese' in the community. It is a homemade unpasteurized cheese which can have bacteria and make people extremely sick. The Public Health Department investigates where the cheese is being sold and has been able to trace back to the exact batch of cheese causing the illness by checking its DNA.

8. **Adjourn to Closed Session:** At 5:40 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)

9. PUBLIC EMPLOYMENT – Discipline/Dismissal/Release
Deputy Sheriff (Sheriff's Office) – Case No. 2016-0011; **REQUEST FOR POSTPONEMENT UNTIL FURTHER NOTICE APPROVED**; *Pri/Pr – All ayes*
10. PUBLIC EMPLOYMENT – Removal from all Eligible and all Certification Lists
(Human Services) – Case No. 2016-0009; **REQUEST CONTINUED**; *Ag/Pri – All ayes*
11. President Rose adjourned the meeting at 6:47 p.m. to reconvene at Special Meeting on Tuesday, August 2, 2016. The next Regular Meeting will be held on Monday, August 8, 2016 at 5:30 p.m.