

SUMMARY OF PROCEEDINGS

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

Regular Meeting
Monday, October 12, 2020
5:30 p.m.

THIS MEETING WAS CONDUCTED TELEPHONICALLY

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

ABSENT: None

OTHERS: Devin Brown, Kendra Graham, Maria Murbach, Brian Van Wyk, 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 Agbalog called the meeting to order at 5:33 p.m. and announced about Governor Newsom’s Executive Order N-29-20 issued on March 18, 2020. There were no public comments.

PUBLIC SESSION

1. **Public Presentations**
None

*CONSENT AGENDA

- *2. **Approval of Minutes**
Regular Meeting on September 14, 2020 and Special Meetings on September 21 and 23, 2020;
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

7158) Medical Assistant II
7408) Deputy Defender I/II/III/IV/V
7480) Human Services Technician I-Shift
7858) Public Health Nurse I/II
7881) Cook I – Bakersfield
7884) Airport Security Operations Manager
7885) Fire Equipment Service Worker-Shift
7891) Autopsy Assistant
7892) Technical Support Specialist I/II
7896) Human Services Technician I

7897) Human Services Technician I-Bilingual-Delano
LT064) Programmer I/II-KCERA
LT065) Systems Analyst-KCERA
LT068) Job Developer I/II-ETR
LT069) Departmental Analyst I/II-ETR
LT070) Administrative Coordinator-Public Works

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; No public comment; **REVIEWED, RECEIVED, AND FILED;** *Ro/Pri – All ayes*

- Safety Specialist, Item No. 0819

Devin Brown, Chief Human Resources Officer (CHRO), introduced Brenda Villanueva, Principal Human Resources Analyst, who provided a summary.

5. **Civil Service Commission Annual Report:** No public comment; **APPROVED; DIRECTED SECRETARY TO SUBMIT REPORT TO THE BOARD OF SUPERVISORS;** *Pri/Ro – All ayes*

Commission Secretary, Mrs. Murbach, provided a brief summary.

6. **Civil Service Rule 1800 Update:**

Brian Van Wyk, Deputy County Counsel, reported that Commission staff met with the HR team. There is one investigation assigned to outside counsel which has been ongoing for quite a long time. There are two other investigations which are on schedule and two others were closed in the past month. He stated that it appeared that the volume on investigations has gone down recently.

Mr. Van Wyk informed the Commission reported that the Kern County Grand Jury has recently released a report about the operations of the Commission and Human Resources. A large portion of this report was directed at CS Rule 1800. The Commission has convened the CS Rule 1800 Committee to study potential changes in process and potential changes to CS Rule 1800 and see how that might affect the CS Rule 1800 investigations and compliance with timelines. He stated that one of the things that the Committee is looking at is what can be done to see that HR is meeting timelines. The Committee has put together a draft with some proposed CS Rule 1800 revisions. Mr. Van Wyk reported that he has also drafted a response to the Grand Jury report for the Committee and they hope to present that to the Commission at next month's meeting.

President Agbalog thanked Mr. Van Wyk for his report.

Devin Brown, CHRO, asked for a copy of the proposed draft and stated the union representatives would also be interested in the process. He asked to participate in the process of developing the proposed language.

President Agbalog thanked Mr. Brown for his comments and stated that he had appointed Vice President Holt and Commissioner Price to work with Mr. Van Wyk and to represent the Commission on Rule 1800 and asked if either of them would please comment as to when the Committee would meet again to discuss the proposed changes to CS Rule 1800.

Vice President Holt confirmed that the Committee met and had a productive meeting. He stated that he was curious to see what their ideas looked like in draft form but stated that until the Committee had an opportunity to review it, then it would be ready to share with everyone at that point.

Commissioner Price stated he agreed and added that the ad hoc committee considered the Grand Jury's recommendations, but that it was not all so simple. The thoroughness of the investigation is important, and the Committee would meet again and bring back a final presentation to the Commission next month.

President Agbalog thanked the Committee for their input.

7. Commission Secretary Monthly Report:

Maria Murbach, Commission Secretary, reported that she had been working with Mr. Van Wyk and the CS Rule 1800 Committee on the proposed revisions. President Agbalog asked Commission Secretary when the draft response for the Grand Jury would be finalized and Mrs. Murbach stated that the Commission may want to call for a special meeting so that staff could present the proposed response to the Commission for approval.

Mr. Van Wyk reported that the CS Rule 1800 Committee had also reviewed the Grand Jury response draft and he informed the Commission that the CAO's office also has a response to the Grand Jury report on the BOS agenda tomorrow.

Commissioner Price stated that some special meeting dates might be scheduled later this evening during Closed Session and this item could be added to the open session during one of those special meeting dates. President Agbalog agreed.

8. Human Resources Division Items/Report:

Mr. Brown asked for the HR office to be involved in the process of the CS Rule 1800 revision discussion and asked to be allowed to attend the next Committee meeting. He stated he was not aware there was a Committee.

Discussion followed about the formation of the Committee, CS Rule 1800 proposed revisions, postings of Commission minutes, and meetings.

Vice President Holt stated that it was important to point out that the Committee was put together in direct response to the Grand Jury's report recommendations on CA Rule 1800 as to what the Commission should do in that case.

9. Commission Member Presentations or Announcements:

None.

Adjourn to Closed Session: at 6:00 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
Deputy Sheriff (Sheriff's Office) – Case No. 2019-0013; **HEARING DATES SET TO OCTOBER 27, NOVEMBER 23 AND 24, 2020 AT 4 P.M. ADDITIONALLY, A TENTATIVE DATE WAS SET TO OCTOBER 28, 2020 AT 4 P.M.**
11. Reconvened from Closed Session; President Agbalog adjourned the meeting at 6:11 p.m. to the next Special Meeting to be held on Monday, October 19, 2020 at 5:00 p.m.