Civil Service Commission

1055 MONTEREY STREET, SUITE D250 ◆ SAN LUIS OBISPO, CALIFORNIA 93408 ◆ 805.781.5959

San Luis Obispo County Civil Service Commission

Regular Session Meeting

Wednesday, October 26, 2011 @ 9:00 A.M.

1055 Monterey Street, Suite D-271 San Luis Obispo, CA

AGENDA

MEMBERS OF THE COMMISSION
Jeannie Nix, President
Bill Tappan, Vice President
Robert Bergman
Jay Salter
Arthur Chapman

1. **Call to Order / Flag Salute / Roll Call**

2. **Public Comment Period**
   Members of the public wishing to address the Civil Service Commission on matters other than those scheduled below may do so when recognized by the President. Presentations are limited to three minutes per individual.

3. **Minutes**
   The following minutes are submitted for approval:
   a. August 3, 2011 – Special
   b. August 24, 2011 – Regular
   c. August 29, 2011 – Special

4. **Reports**
   a. Commission President
      i. Brown Act
      ii. CSC Budget
   b. Commission Subcommittees
   c. Commission Counsel
   d. Commission Secretary
      i. Commission Calendar

5. **Closed Session (per Government Code Section 54957):** Continued hearing and Deliberations regarding Appeal #A10-010

6. **Adjournment**

Civil Service Commission

1055 MONTEREY STREET, SUITE D250 ◆ SAN LUIS OBISPO, CALIFORNIA 93408 ◆ 805.781.5959

San Luis Obispo County Civil Service Commission

Special Session Meeting

Thursday, October 27, 2011 @ 9:00 A.M.

1055 Monterey Street, Suite D-271 San Luis Obispo, CA

AGENDA

MEMBERS OF THE COMMISSION
Jeannie Nix, President
Bill Tappan, Vice President
Robert Bergman
Jay Salter
Arthur Chapman

1. **Call to Order / Flag Salute / Roll Call**

2. **Public Comment Period**
   Members of the public wishing to address the Civil Service Commission on matters other than those scheduled below may do so when recognized by the President. Presentations are limited to three minutes per individual.

3. **Closed Session (per Government Code Section 54957):** Continued hearing and Deliberations regarding Appeal #A10-010

4. **Adjournment**

Civil Service Commission

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1055 Monterey Street, Suite D250 • San Luis Obispo, California 93408 • 805.781.5959

The San Luis Obispo County Civil Service Commission

Regular Session Meeting

Wednesday August 3, 2011 @ 9:00 A.M.

1055 Monterey Street, Suite D-271, San Luis Obispo, CA

MINUTES

MEMBERS OF THE COMMISSION
Jeannie Nix, President
Bill Tappan, Vice President
Robert Bergman
Jay Salter
Arthur Chapman

Present: President Jeannie Nix, Vice President Bill Tappan, Commissioner Art Chapman, Commissioner Robert Bergman

Absent: Commissioner Jay Salter

Staff: Commission Secretary Tami Douglas-Schatz, Commission Clerk Robin Mason

Counsel: Commission Counsel/ Rules Negotiator Stephen Shane Stark

1. Call to Order/ Flag Salute/ Roll Call

President Nix called the meeting to order at 9:00 A.M. and led the flag salute.

2. Public Comment Period

Members of the public wishing to address the Civil Service Commission on matters other than those scheduled below may do so when recognized by the President. Presentations are limited to three minutes per individual. Being none, President Nix closed the public comment period.

3. Minutes

a. June 2, 2011 - Special
A motion to approve the June 2, 2011 Special meeting minutes as presented was made by Commissioner Chapman and seconded by Commissioner Tappan. The motion carried 4-0-1.

b. June 14, 2011 - Special
A motion to approve the June 14, 2011 Special meeting minutes as corrected was made by Commissioner Tappan and seconded by Commissioner Chapman. The motion carried 4-0-1.

c. June 28, 2011 - Regular
A motion to approve the June 28, 2011 Special meeting minutes as corrected was made by Commissioner Bergman and seconded by Commissioner Chapman. The motion carried 4-0-1.

d. July 7, 2011 - Special
A motion to approve the July 7, 2011 Special meeting minutes as presented was made by Commissioner Chapman and seconded by Commissioner Tappan. The motion carried 4-0-1.

e. July 14, 2011 - Special
A motion to approve the July 14, 2011 Special meeting minutes as presented was made by Commissioner Tappan and seconded by Commissioner Chapman. The motion carried 4-0-1.

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4. Reports

Commission President
No report.

Commission Subcommittees
No report.

Commission Counsel
No report.

Commission Secretary
Commission Calendar
Tami Douglas-Schatz, Commission Secretary, stated that a prehearing had occurred for an appeal in the Department of Social Services. Ms. Douglas-Schatz requested October dates. She further stated that the parties requested four to five days for this hearing and that 24 witnesses are expected to appear; eight of which are joint witnesses. October 19, 20 and October 26, 27 were set for this Termination Appeal in the Department of Social Services.

Ms. Douglas-Schatz added that there is a second appeal pending in the Department of Social Services. She stated the prehearing is scheduled for August 15, 2011 and that two dates may be needed. Kimm Daniels, General Manager of SLOCEA requested that the parties refer to the first initial of the Appellant's last name; this second appeal was referred to as Appeal 'P'.

Ms. Douglas-Schatz also requested dates for a third appeal (Appeal 'L') in the Department of Social Services that is regarding a disciplinary matter and reported that the prehearing date is set for August 23, 2011.

President Nix invited Ms. Daniels to speak to her availability regarding scheduling these three appeal hearings. September 28th and 29th were set aside for Appeal 'L' and November 1st was set aside for Appeal 'P'.

RFP Process for Commission Counsel
Ms. Douglas-Schatz recommended the initiation of a Request for Proposal (RFP) for Commission Counsel. She suggested two members of the Commission join the selection panel, which also consists of County representatives from Human Resources and County Counsel. The panel would review the responses and the top candidate would be referred back to the Commission.

Commissioner Bergman suggested writing to the County Board of Supervisors to waive the RFP Process since Mr. Stark is already providing service at a reasonable rate. Commissioner Chapman supported the idea of writing a letter to the Board of Supervisors while moving forward with the RFP process.

Janette Pell, Director of the General Services Department, was invited to speak by President Nix and Tami Douglas-Schatz regarding the County's Purchasing Policy. After discussing the topic, the Commissioners supported the idea of writing a request to the Board of Supervisors for a Sole Source vendor. President Nix suggested holding off on the RFP process until the Commission receives a reply from the Board of Supervisors regarding their Sole Source request.

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Ms. Douglas-Schatz requested to be present in the closed session discussion on item 7 to make a statement and a request. The Commission granted Ms. Douglas-Schatz' request after Mr. Stark affirmed that it was reasonable to do so.

President Nix decided to take item 6 before item 5.

5. **Commission Discussion on Individual Meetings with the Board of Supervisors**

President Nix distributed an outline entitled, "Outline for Commission Reports, Discussion and Action Plan,"* (Attachment 1) dated August 3, 2011. President Nix stated that the outline was to be used to facilitate the discussion she wanted to have about recent meetings that each Commissioner had with their individual Board members. She then went through her outline and described the contents of her meeting with Chairman Adam Hill and expressed her thoughts on the meeting.

Commissioner Tappan reported on his meeting with Supervisor Paul Teixeira regarding the Supervisor's concerns and indicated that they were similar to what President Nix had just explained.

Commissioner Chapman reported on his meeting with Supervisor Bruce Gibson regarding the perceived CSC issues. Commissioner Chapman stated that specific information is needed in order to come up with solutions.

Mr. Stark, Commission Counsel, warned against discussing any conversations that occurred in closed session hearings that could be used to identify the contents of closed session or the identity of any witnesses.

Commissioner Bergman briefly commented upon his meeting with Supervisor Frank Mecham.

President Nix re-opened the public comment period with a caution to avoid using specific names.

Kimm Daniels, General Manger of SLOCEA addressed the Commission and stated that she was very surprised in reviewing the document provided by President Nix and stated her support for the Commission.

President Nix referenced budgetary concerns regarding commission counsel expenses.

Mr. Stark provided his opinion on Commission budgetary matters and President Nix commented that the CSC wants to be good stewards of taxpayer funds.

President Nix referenced the outline regarding allegations of inappropriate questioning of witness and Commissioner Chapman stated that some specifics cannot be discussed in open session. Mr. Stark discussed laws about holding closed sessions.

Commissioner Bergman requested the Government Code section under which the Board of Supervisors met in closed session to discuss Commission issues. Ms. Douglas-Schatz stated that she would relay his request to the Board of Supervisors and to County Counsel.

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Ms. Douglas-Schatz stated, "I have been directed by the Board of Supervisors to relay their expectations that we work together to clarify roles and responsibilities including budgetary and administrative responsibilities and to build trust among the Commission, Human Resources, County Counsel and other County Departments. It is recommended that we initiate this discussion by working with the Board and County Counsel one on one to further define expectations and identify the proper forum in which to tackle these issues."

President Nix stated that despite the specifics not being immediately available, The Commission is very interested in addressing the allegations. President Nix further stated that she would like to know if it is necessary to schedule a Closed Session in order to be apprised of any legal complaint.

Mr. Stark stated that he did not believe any lawsuit was pending. Mr. Stark also explained that his duty as the CSC Attorney is to represent the Commission as a whole, not individual commissioners, and he expressed that he needs to be able to have candid conversations with Rita Neal, Assistant County Counsel. President Nix stated that the Commission appears to need legal representation and asked for authorization to utilize Mr. Stark's services. Ms. Douglas-Schatz affirmed that Mr. Stark should collaborate with Ms. Neal.

President Nix made a motion that Mr. Stark represent the Commission on this issue and allow Commission Counsel to consult with Ms. Neal. Commissioner Chapman moved to approve; Commissioner Tappan seconded the motion to authorize Mr. Stark to represent the Commission in this matter and confer with Rita Neal and Tami Douglas-Schatz so he is able to gather facts and proceed; the motion carried: 4-0-1.

President Nix referred to item E of her outline and expressed the desire to work together and asked if anyone had any additional goals to add under item E(1) then moved to item E(2). Commissioner Tappan stated that all parties seem to have the same desired outcomes. Commissioner Chapman requested that an agenda item be added for the August 24, 2011 to address the status of the process of reaching a desirable outcome in this matter.

President Nix called a break at 11:09 A.M. before addressing item 7.

6. Job Class Specifications - *New*

Ken Tasseff, Personnel Analyst, explained that he was sitting in for Personnel Analyst, Mark McKibben. Mr. Tasseff introduced Guy Savage from the Information Technology Department of the General Services Agency. Mr. Savage explained the need for a new job specification of Geographic Information Program Manager. After addressing the Commission's questions regarding the job specification, President Nix complimented Mr. McKibben's well-written specification.

Commissioner Chapman moved to approve the request for the new job specification of Geographic Information Program Manager as written; the motion was seconded by Commissioner Bergman; the motion carried 4-0-1.

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7. **Closed Session (per Government Code Section 54956.9): Consideration of motions by the parties and scheduling of hearing on motions regarding Appeal #A09-025**

The Commission adjourned into closed session regarding the matter at 11:29 A.M. and upon reconvening into open session at 12:22 P.M., President Nix reported that direction was given to counsel and dates were set. She further stated that the date for the CSC to hear motion arguments was confirmed for August 29, 2011. Mr. Stark stated, "September 7th and 8th were reserved for any motion or other matters that arise from the prehearing conference or are left over from the recusal motions." President Nix reported that September 22nd and 23rd were reserved for the evidentiary portion of the hearing.

8. **Closed Session (per Government Code Section 54956.9): Conference with Legal Counsel regarding Continued Deliberations for Appeal #A10-004**

The Commission adjourned into closed session at 12:25 P.M. and upon reconvening into open session at 1:10 P.M., President Nix reported that the following Findings and Decision, based on finding of fact, was rendered by the Commission: The appeal of termination was granted in part and denied in part. The discipline was modified from termination to a 15 day suspension with back pay less the 15 day suspension. She directed that a copy of this Findings and Decision be placed in the employee's personnel file. Commissioner Tappan moved for approval; seconded by Commissioner Chapman.

Roll Call Vote:

President Nix	Yes
Commissioner Bergman	Yes
Commissioner Chapman	Yes
Vice President Tappan	Yes
Commissioner Salter	Absent

President Nix directed the Commission Secretary to disseminate the Findings and Decision to parties since they are not present.

9. **Adjournment**

The meeting was adjourned by President Nix at 1:13 P.M.

** Note: These minutes reflect official action of the Civil Service Commission. A digital record exists and will remain as the official, complete record of all proceedings by the Civil Service Commission.*

ATTACHMENT 1

OUTLINE FOR COMMISSION REPORTS, DISCUSSION and ACTION PLAN
August 3, 2011

DISCUSSION PROCEDURE:

A. Commissioner Reports: Each commissioner in turn will have an opportunity to share topics addressed in their meeting. **CAUTION: DO NOT** specifically reference any names, hearings or closed session discussions

B. Review the Issues Raised:

1. ***Expenses for outside legal counsel:***
2. ***Allegations of Inappropriate questioning of witnesses / witnesses threatening legal action:*** It is my [Jeannie Nix] understanding from Adam Hill that Ms. Douglas-Schatz brought the topics up to the Board of Supervisors during a closed session.
   - What specific questions by the Commission are alleged to be so inappropriate as to cause threats of legal action.
   - The Commission needs to be provided with the specific "record" of what the alleged inappropriate questioning is.
   - Is there pending legal action against the Commission?
   - Is there a pending grievance / appeal against the Commission?
   - If the compliant is less formal, what is the specific complaint?
3. ***Department Heads perceive the Commission as biased***
   - Why?
   - Are there specific incidents where actual bias is alleged?
4. ***Commission "out of Control"; failure to seek / accept the advice of the HR Director.***
5. ***Additional Issues from Commissioners:***

C. Commissioners Questions of the HR Director:

D. Authorize Mr Stark to provide the Commission with necessary legal assistance

E. Agree on Commission Goals and desired outcomes: For purposes of discussion I have listed some outcomes. Let's use this as a starting point to refine / agree on our goals and the process to accomplish them.

1. ***Goals and Desired Outcomes:***
   - Clear the integrity of the Commission
   - Put "the process" of providing due process in hearings and the process of effective, efficient and professional working relationship before "personalities"
     - The Commission and HR Director need to be clear on our separate roles and responsibilities.
     - The Commission and HR Director work together to communicate better and forge a better working relationship that benefits the County and Civil Service hearing process.
2. ***Process for Proceeding:***
   - Establish a procedure / process to gather specifics; address the issues;
   - Name clearing due to allegations against the integrity of the Commissioners.
   - If any missteps are found to have occurred, set in place a methodology to make corrections
3. ***Set a time line for Reporting Back.***

Civil Service Commission

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The San Luis Obispo County Civil Service Commission
Regular Session Meeting
Wednesday August 24, 2011 @ 9:00 A.M.
1055 Monterey Street, Suite D-271, San Luis Obispo, CA

MINUTES

MEMBERS OF THE COMMISSION
Jeannie Nix, President
Bill Tappan, Vice President
Robert Bergman
Jay Salter
Arthur Chapman

Present: President Jeannie Nix, Vice President Bill Tappan, Commissioner Art Chapman, Commissioner Robert Bergman, Commissioner Jay Salter

Staff: Commission Secretary Tami Douglas-Schatz, Commission Clerk Robin Mason

Counsel: Commission Counsel/ Rules Negotiator Stephen Shane Stark

1. Call to Order/ Flag Salute/ Roll Call
President Nix called the meeting to order at 9:00 A.M. and led the flag salute.

2. Public Comment Period
Members of the public wishing to address the Civil Service Commission on matters other than those scheduled below may do so when recognized by the President. Presentations are limited to three minutes per individual. Being none, President Nix closed the public comment period.

3. Minutes
August 3, 2011 - Regular
Approval of the August 3, 2011 Minutes was postponed until the next regular meeting.

4. Reports
Commission President
Commissioner Nix thanked Kimm Daniels from SLOCEA for her support of the Civil Service Commission. She stated that Ms. Daniels wrote a letter** (Attachment 2) to the Board of Supervisors and has given permission to share her letter. President Nix distributed copies to the Commissioners and made the letter available to the public.

President Nix stated that a work group is being formed per direction of the Board of Supervisors. Supervisor Frank Mecham and Supervisor Bruce Gibson will be part of the group as well as a representative from the Administrative Office, Warren Jensen and Rita Neal from County Counsel, and Tami Douglas-Schatz from Human Resources. President Nix and Commissioner Bill Tappan will represent the Commission. The first meeting will be set for September 1, 2011 if all parties are available.

Per direction from Counsel, President Nix invited public comment on this motion. Being none, Commissioner Chapman moved to create and participate in this committee and appoint the representatives who were designated by the CSC president.

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President Nix stated that the purpose of creating this committee is to address the concerns alleged against the Commission and to discuss the related facts.

Mr. Stark recommended the HR Director confirm that the special purpose described by President Nix is congruent with the purpose that the Board of Supervisors has directed.

Tami Douglas-Schatz confirmed that the purpose President Nix described is consistent with the direction from the Board of Supervisors.

President Nix asked if there is a second on the motion to appoint two Commissioners on the ad hoc Committee. President Nix asked if there should be a roll call vote. Commissioner Salter recommended opening discussion on the topic and stated his concerns regarding having the ad hoc committee address broader issues and asked if other members of the Commissioner had any comments.

Commissioner Tappan and Commissioner Bergman each commented that the current scope is sufficient. Commissioner Chapman stated that if something broader arises, it should come back to the Commission and be discussed.

President Nix referred to the goals and desired outcomes that were set at the last meeting and stated one of those goals is for the Commission and the HR Director to work together to forge a working relationship for the good of the County and the CSC hearing process. She stated further that the she and Commissioner Tappan will want to come back and report on accomplishments as things evolve.

President Bergman advised President Nix that the CSC President can call a special meeting to address these important issues, if needed.

Mr. Stark suggested contacting County Counsel to verify compliance with Brown Act as it relates to the formation of this subcommittee. Ms. Douglas-Schatz confirmed that Warren Jensen was involved in the discussion in forming the committee but agreed it is always good to ensure that all things have been considered. She further stated that the CSC Working Group will also work on clarifying roles and responsibilities.

President Nix asked Ms. Douglas-Schatz to confirm with County Counsel Warren Jensen what the status is as far as the Brown Act is concerned in forming this subcommittee of two government entities and requested she inform her of the result.

A Motion to form ad hoc committee and establish that Jeannie Nix and Bill Tappan will represent the Commission was made by Commissioner Chapman and seconded by Commissioner Salter; Motion carried 5-0-0.

President Nix continued on Item 4 and referred to the Sole Source Request that was submitted to the Board of Supervisors and discussed at the August 3, 2011 CSC Special Session Meeting. She distributed Chairman Hill's written reply to the Commission ***(Attachment 3) and also made it available to the public.

<u>Commission Subcommittees</u>
No report

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Commission Counsel

Mr. Stark addressed the Commission and requested authorization to distribute a memo to the HR Director and County Counsel that he produced at the Commission's request. Mr. Stark stated that he needed the Commission to waive the attorney-client privilege for such distribution and that he was unable to complete the work without input from County Counsel. The document, entitled, "Performance Evaluation of the Human Resources Director," was stated to be written in association with the Library Appeal that was recently concluded. Mr. Stark stated that there was no reason the Commission should not make the document public and that no redactions were needed for the distribution. The Commission allowed Mr. Stark to distribute the memo to the Commission and the HR Director to review during the meeting.

Mr. Stark suggested coming back to item 4C after copies are made.

Upon returning this matter, the Commission discussed the document and agreed that they would reserve the question if it is a public document and would distribute the document to the Board of Supervisors, the County Administrator, County Counsel and the HR Director.

Commission Secretary

Commission Calendar

Ms. Douglas-Schatz addressed the Commission and stated that two out of the three pending appeals in the Department of Social Services have been settled. She clarified that the hearing for the other pending appeal in DSS is still scheduled to begin on October 19, 2011 and will last four days (October 19, 20, 26, 27).

Ms. Douglas-Schatz requested the Commission keep the September 28, 29 and November 1 dates that were calendared for the pending DSS appeals that have since been settled in order to accommodate a pending GSA demotion appeal in the General Services Agency so the parties can consider scheduling the hearing on those dates during the pre-hearing.

President Nix agreed to reserve the dates of and Commissioner Tappan suggested adding another date just in case it is needed. An additional date of October 11th was added.

Mr. Stark recommended addressing any further scheduling matters at August 29, 2011 meeting.

RFP for Commission Counsel

Tami Douglas-Schatz, Commission Secretary, stated that the Request for Proposals went out last week and closes on September 9, 2011.

President Nix clarified the RFP process closes on the 9th and moved to the next item of business under item 5.

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5. Job Class Specifications –*Revised*

Ken Tasseff, Personnel Analyst addressed the Commission regarding the revised Health Education specification. He introduced Kathleen Karle, Division Manager from the Health Agency and asked if the Commission had any questions. Commissioner Tappan suggested eliminating line 48 of page 5A(9); Mr. Tasseff agreed. Commissioner Tappan moved to approve the revised Health Education Specialist Job Specification and the motion was seconded by Commissioner Chapman.

Roll Call Vote:

President Nix	Yes
Commissioner Bergman	Yes
Commissioner Chapman	Yes
Vice President Tappan	Yes
Commissioner Salter	Yes

The motion carried 5-0-0.

6. Adjournment

The meeting was adjourned by President Nix at 9:47 A.M.

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** Note: These minutes reflect official action of the Civil Service Commission. A digital record exists and will remain as the official, complete record of all proceedings by the Civil Service Commission.*

** ATTACHMENT 2

San Luis Obispo County Employees' Association

1035 Walnut Street, San Luis Obispo, CA 93401
(805) 543-2021 • Fax (805) 543-4039 • Email: info@slocea.org

August 19, 2011

San Luis Obispo County Board of Supervisors
1055 Monterey, Ste D430
San Luis Obispo, CA 93408

Dear Chairman Hill and Honorable Supervisors:

I feel compelled to write this letter after having attended the August 3, 2011 Civil Service Commission (CSC) meeting.

To say that I was shocked at the allegations levied against the Commissioners would be an understatement. As the representative of the majority of County employees, I attend all of the public CSC meetings, and have never observed the alleged conduct to occur.

In attending the CSC meetings, I have personally observed the Commissioners engage the HR director in conversation and discussion on a host of issues that come before the Commission. The Commissioners have routinely sought the advice and guidance of the HR director on matters pending before them, in such areas as job reclassifications, job specifications, training academy content, hiring issues, CSC rule update negotiations, to name a few. The one area that has rightfully been left to the Commission is the resolution of disciplinary appeals.

As the representative of the largest group of County employees, SLOCEA has more matters go before the CSC than any other labor group, therefore more contact with the Commission than any other labor group. I have never observed the Commission, as a whole or individual Commissioners, treat witnesses before them with anything other than respect. I have never observed the Commissioners act in any way other than professional and respectful during Commission hearings or at CSC meetings.

The CSC is the guardian of an employee's due process rights. The commissioners take that responsibility seriously and in my opinion, consistently strive to meet the requirements placed on them individually as Commissioners. Win or lose, I have the utmost respect for and faith in our CSC, because I know, with each matter that I take before them, I will have a full and fair opportunity to be heard.

It is unfortunate that concerns or complaints were not brought to the Commission, and the Commission given an opportunity to address the issues. As you are likely aware, it is a requirement that an employee attempt to resolve an issue with their supervisor before being allowed to file a grievance. It would have been appropriate for the same courtesy and consideration to have been shown to the Commission, prior to this being brought to your honorable board in closed session, and without notice to all parties.

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I sincerely hope the issues and allegations made against the CSC are resolved quickly, in order to avoid any additional damage to the integrity and reputation of the CSC.

Thank you for the opportunity to express my perception and opinion.

Sincerely,

Kimberly Daniels
General Manager
San Luis Obispo County Employees' Association

*** ATTACHMENT 3

BOARD OF SUPERVISORS

1055 MONTEREY, ROOM D430 • SAN LUIS OBISPO, CALIFORNIA 93408-1003 • 805.781.5450

August 12, 2011

ADAM HILL
SUPERVISOR DISTRICT THREE

Jeannie Nix, President
Civil Service Commission
Human Resources Department
1055 Monterey Street, Room D-2
San Luis Obispo, CA 93408

Dear ~~Ms. Nix,~~ Jeannie

I have received your letter dated August 4, 2011, which requests the Board of Supervisors waive the County policy requiring a competitive bidding process to obtain legal counsel for the Civil Service Commission. Your letter states that the Commission is satisfied with its existing legal counsel, provided by Shane Stark, and asks that the Board approve a sole source contract with Mr. Stark.

The competitive bidding policy exists to ensure the County obtains goods and services from qualified and competitively priced vendors through a fair and transparent process. Sole source contracts may only be used when no reasonable alternatives exist or during an emergency.

After reviewing the Commission's request and discussing it with the County Administrative Officer, I agree that the competitive bidding policy applies in this situation, and that issuing a Request for Proposal (RFP) best serves the interest of the County and the taxpayer.

In addition, please recall that the Commission's current legal counsel, Mr. Stark, was hired on an interim purchase order to provide a narrow scope of services as "rules negotiator." This arrangement was not intended to provide the Commission with legal counsel on other matters, and it was always the intention of staff that an RFP would be necessary to obtain general counsel services for the Commission. Mr. Stark is certainly welcome to submit a proposal to provide these services, and I encourage him to do so.

Respectfully,

Adam Hill
Chairperson, Board of Supervisors
District 3 Supervisor

Cc: Frank Mecham, District 1 Supervisor
Bruce Gibson, District 2 Supervisor
Paul Teixeira, District 4 Supervisor
James R. Patterson, Vice Chairperson, District 5 Supervisor

Jim Grant, County Administrative Officer
Tami Douglas-Schatz, Human Resources Director
Warren Jensen, County Counsel
Rita Neal, Assistant County Counsel

Civil Service Commission

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1055 Monterey Street, Suite D250 ◆ San Luis Obispo, California 93408 ◆ 805.781.5959

The San Luis Obispo County Civil Service Commission

Special Session Meeting

Monday August 29, 2011 @ 9:00 A.M.

1055 Monterey Street, Suite D-271, San Luis Obispo, CA

MINUTES

MEMBERS OF THE COMMISSION
Jeannie Nix, President
Bill Tappan, Vice President
Robert Bergman
Jay Salter
Arthur Chapman

Present: President Jeannie Nix, Vice President Bill Tappan, Commissioner Art Chapman, Commissioner Robert Bergman, Jay Salter

Staff: Acting Commission Secretary Dori Duke, Commission Clerk Robin Mason

Counsel: Commission Counsel/ Rules Negotiator Stephen Shane Stark

1. **Call to Order/ Flag Salute/ Roll Call**
   President Nix called the meeting to order at 9:01 A.M. and led the flag salute.

2. **Closed Session (per Government Code Section 549567):** Hearing of motions by the parties regarding Appeal #A09-025

   President Nix asked the parties to introduce themselves then adjourned into closed session at 9:03 A.M.

3. **Adjournment**
   The meeting was adjourned by President Nix at 4:18 P.M.

** Note: These minutes reflect official action of the Civil Service Commission. A digital record exists and will remain as the official, complete record of all proceedings by the Civil Service Commission.*

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