

1. ROLL CALL AND GREETING OF VISITORS

The meeting was called to order by Chair Ognyanovich at 3:34 p.m.

Commissioners Present: Chair Kathrina Ognyanovich, R. Lena Valdez, Virgil Schwab, Billy DeBerry, Martha Chavarria, Dr. Bettye Lusk, Robert Greene, Jayanti Addleman, Kay Kirkland

Commissioners Absent: Jose Rosillo, Fred Garcia, Sarah Mawhirter, Alejandro Hogan, Harry Gamotan

Guests and Staff Present: District Attorney Dean Flippo; Ken Carlin, Personnel Analyst; Sheri Hall, Administrative Assistant; Stephanie Hulse, Assistant District Attorney; Ed Hazel, Managing Deputy District Attorney; Melanie Rogers, Supervising District Attorney Investigator; Assistant County Counsel Lee Blankenship, Equal Opportunity Officer David Medrano, Administrative Secretary-Confidential Elisa Cantu, Equal Opportunity Analyst Bonita Monarque

Commissioner Kirkland was welcomed and introduced to the Commission. Commissioner Kirkland will be representing the Fifth Supervisorial District.

2. PUBLIC COMMENTS AND PETITIONS

None.

3. REVIEW AND APPROVAL OF MINUTES

The following corrections were made to the minutes of the January 2009 meeting:

Section 5 (Unfinished Business, Results of the Commission Priorities Survey) – Under Discussion, “Chair Mawhirter” should be listed as “Commissioner Mawhirter.” Also under Section 5, “Chair Schwab” should be listed as “Commissioner Schwab, Chair of the County Review of Monterey Plan Compliance Committee.”

Commissioner DeBerry asked that requests for information made by Commissioners be reflected in the minutes.

Commissioner Addleman moved to approve the minutes of the February 18, 2009 meeting, as corrected. Second by Commissioner Lusk. The minutes of the February meeting were approved as corrected.

4. DEPARTMENTAL REPORT

A. Departmental Equal Opportunity Plan Presentation – Dean Flippo, District Attorney

Equal Opportunity Officer David Medrano introduced District Attorney Dean Flippo to the Commission. The District Attorney’s Office has a staff of 50 attorneys. By statute, the District Attorney (DA) must 1) attend the courts and 2) investigate and prosecute, where appropriate, violations of criminal law. The DA Investigators, who are peace officers, handle the investigations for the Office. The staff specializes in various areas of criminal investigation and prosecution. The Office handles issues in areas such as consumer affairs, environmental matters, gangs, truancy, domestic violence and elder abuse (approximately 1000 domestic violence cases are filed each year), and fraud (welfare, auto insurance, workers’ compensation). The District Attorney also has a Victims’ Assistance Unit, which assists victims of violent crimes.

The DA's Office has some challenges with respect to hiring qualified minorities. The Office cannot hire attorneys who have not passed the State Bar exam. Of those who have passed California's State Bar exam, sixty-six percent are male; 34 percent are female. In the District Attorney's Office 52 percent of the attorneys are male and 48 percent are female. Of those who passed the State Bar, 84.4 percent are white. In the DA's Office, 84 percent of the attorneys are white. Hispanics who have passed the Bar are at 3.8 percent. The DA's Office has 8 percent; more than double the percentage of Hispanic candidates available in the state. Asians are at 5.3 percent; the DA's Office has 4 percent. With respect to African Americans, 1.7 percent have passed the Bar. African American attorneys are at 2 percent in the DA's Office. Prior to the hiring freeze, to attract attorney applicants, the department would recruit statewide, advertise in minority publications, and attend career fairs. The Office has recently hired two female investigators.

District Attorney Flippo stated that he strives to provide an environment which allows employees to progress and advance in their careers. Some of the current District Attorney's Office employees began their careers as volunteers with the Office. Many former DA's now serve as judges. The Commission thanked District Attorney Flippo for his presentation and commended him for the leadership he provides to his staff and department and to Monterey County. District Attorney Flippo was asked to provide information regarding the Department's volunteer program. Chair Ognyanovich requested that future job announcement from the District Attorney's Office be sent to the Seaside Branch of the NAACP

5. EQUAL OPPORTUNITY OFFICERS COMMENTS – DAVID MEDRANO

- Mr. Medrano thanked Chair Ognyanovich for her work on updating the format of the agenda.
- Mr. Medrano stated that the Equal Opportunity Office is in the process of completing an online discrimination/harassment training for County employees.
- Mr. Medrano provided a follow-up to Commissioner Gamotan's question regarding pending EEOC discrimination cases (from department presentation of January). Mr. Medrano stated that after further review by the department, it was discovered that there were five (5) pending discrimination cases, rather than six (6) as noted in the January report. Of the five (5) cases listed as pending in the report, one (1) has been closed (no cause finding), the remaining four (4) cases are currently pending. Mr. Medrano stated that investigations for complaints filed with the EEOC can take several years to complete.
- Mr. Medrano stated that he is waiting for a response to an inquiry he has made regarding sanctions for not completing the mandated ethics training.

6. NEW BUSINESS

Retreat

Chair Ognyanovich discussed the idea of having a training topic discussed at each Commission meeting in lieu of an annual retreat.

7. UNFINISHED BUSINESS

Annual Report

Commissioner Schwab suggested utilizing the minutes and reports from the Committees to come up with the annual report. The annual report could also include future planned activities.

Chair Ognyanovich discussed the need to schedule a meeting with Commissioners Gamotan, Schwab and Mr. Medrano regarding the Commission's priorities. Chair Ognyanovich will also attend the meeting.

6. REPORT FROM COMMITTEES

A. Departmental Review of Monterey Plan Compliance

Chair Ognyanovich appointed Commissioner Addleman as temporary chair of the Departmental Review of Monterey Plan Compliance Committee. A permanent chair will be selected by the committee members.

B. County Review of Monterey Plan Compliance

No report at this time. The Committee is waiting for a legal opinion from the Office of the County Counsel.

Chair Ognyanovich suggested that the reports be distributed electronically. To ensure compliance with the Brown Act, reports should be emailed to Mr. Medrano for proper distribution.

7. ANNOUNCEMENTS AND EVENTS

- Chair Ognyanovich announced the NAACP Anniversary celebration. The event will take place on February 21, 2009 at the Embassy Suites.
- Commissioner Lusk announced an upcoming event to recognize the Outstanding Women of Monterey County. The event will be held on March 29 at Hartnell College. Commissioner Lusk will provide additional information at the next meeting.

8. FUTURE AGENDA ITEMS

If you wish to have an item placed on the agenda, please contact or email Mr. Medrano.

9. DATE AND TIME OF NEXT MEETING

The next Commission meeting will be held on March 18, 2009.

10. MEETING EVALUATION

The two evaluations received from the January meeting will be provided at the next meeting.

11. ADJOURNMENT

The meeting was adjourned at 5:05.