

1. ROLL CALL AND GREETING OF VISITORS

The meeting was called to order by Chair Ognyanovich at 3:32 p.m.

Commissioners Present: Chair Kathrina Ognyanovich, Vice Chair Alejandro Hogan, Virgil Schwab, Martha Chavarria, Dr. Bettye Lusk, Robert Greene, Kay Kirkland, Sarah Mawhirter, Fred Garcia, Harry Gamotan

Commissioners Absent: Jose Rosillo, Jayanti Addleman, R. Lena Valdez, Billy DeBerry; all were excused.

Guests and Staff Present: Deputy County Counsel Ellen Jahn, Equal Opportunity Officer David Medrano, Administrative Secretary-Confidential Elisa Cantu

2. PUBLIC COMMENTS

None.

3. REVIEW AND APPROVAL OF MINUTES

The following addition was made to the minutes of the February 2009 meeting; under Section 4 (Departmental Equal Opportunity Plan Presentation – District Attorney Dean Flippo) Commissioner Kirkland requested that the suggestion made during the February departmental presentation, to post job announcements in the Marina Library, particularly for non-attorney positions and to attract African American applicants, be noted in the minutes.

Commissioner Chavarria moved to approve the minutes of the February 18, 2009 meeting, as amended. Second by Vice Chair Hogan. The minutes were approved.

4. EQUAL OPPORTUNITY OFFICER'S COMMENTS - DAVID MEDRANO

- Mr. Medrano stated, according to the law firm of Liebert and Cassidy, there were no penalties for failure to complete the ethics training. Some agencies have established their own penalties; however the law itself does not address penalties for those who do not complete the training.
- Due to unforeseen circumstances, the Assessor's Office presentation has been rescheduled to the April meeting.
- County department heads have been preparing their budgets for the 2009-2010 fiscal year. The projected budget deficit for the County is between \$49 million and \$51 million.

5. ANNUAL REPORT

Mr. Medrano stated that, per the Commission bylaws, the annual report must be submitted by July 30 of each year. Commissioner Schwab stated that annual reports are generally submitted in late June or early July (end of the fiscal year). Commissioner Kirkland added that the bylaws state that the Commission votes on the draft annual report prior to the June meeting, with committee reports submitted to the Chair and approved by the Commission by the May meeting. Mr. Medrano agreed to contact the Chair of each committee regarding their reports for inclusion in Commission's annual report.

6. REPORT FROM COMMITTEES

Chair Ognyanovich requested that two additional items be added to the meeting's agenda. The first item (Item C) to be discussed under Reports from Committees is a report from the Ad Hoc Committee on Commission priorities and Discussion of Implementation of Diversity Policy and Proposition 209 implications (Item D). There were no objections to the addition of the agenda items.

A. Departmental Review of Monterey Plan Compliance

No report at this time. A meeting for early April will be scheduled. An email with the proposed dates and times will be sent to the Committee members. Members of this committee are Commissioners Addleman (acting Chair), Garcia, Lusk, Mawhirter, Valdez, DeBerry, Chavarria, and Gamotan.

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. Outside counsel has been retained for the purpose of providing an opinion as to whether or not Garza is legally in effect. Commissioner Chavarria requested copies of the minutes from the last standing committee meeting. The members of this committee are: Commissioners Schwab (Chair), Lusk, DeBerry and Gamotan.

Vice Chair Hogan expressed his concern regarding the absence of standing committee reports. The reports are needed for the preparation of the Commission's annual report.

C. Ad Hoc Committee on Commission Priorities, Meeting of March 10, 2009

A written report was submitted by Commissioner Schwab. Commissioner Schwab discussed the Commission's six top priorities and suggested ways the priorities could be implemented. Commissioner Gamotan moved to accept the ad hoc committee's report; seconded by Commissioner Garcia. The motion passed. Vice Chair Hogan asked that copies of the committee report be provided to the Commission.

D. Diversity Policy and Proposition 209 Implications

Chair Ognyanovich asked the Commissioners if there was interest in forming a subcommittee to establish a diversity policy and address Prop. 209 implications. Chair Ognyanovich asked for a motion to establish such an ad hoc committee. Since there was no motion made, Mr. Medrano suggested that a few Commissioners work toward defining the recommendation to determine what is needed. Commissioner Gamotan agreed that more is needed to determine what is involved in establishing a policy and how much Commissioner and staff time would be required.

Commissioner Lusk requested clarification on the next steps for the Ad Hoc Committee on Commission Priorities. Commissioner Schwab stated that the Commission ranked their priorities, but there was no discussion on ways to implement the priorities. The ad hoc committee was formed to review the priorities and determine the "next steps." Commissioner Schwab stated that he does not see the ad hoc committee as a standing committee. The ad hoc committee met to discuss next steps for the Commission, but it was his hope to dissolve the ad hoc committee and allow the full commission to take on the task of implementing the priorities. Chair Ognyanovich added that the priority of establishing a diversity policy received 18 votes from Commissioners. There was discussion regarding the intent of the maker of the "diversity policy priority." A question was raised as to the need for a diversity policy given the Monterey Plan and the various consent decrees and other nondiscrimination policies. Mr. Medrano stated The Plan addresses fair and equal treatment of individuals, but does not address the value of diversity. Vice Chair Hogan suggested that the at the next meeting, the Commission ask those present of the intent of the six identified priorities before the issue of a "diversity policy" is further pursued. Commissioner Schwab stated that having a

diversity policy is important and could be in place with or without the decrees. Mr. Medrano stated that there is a difference between a diversity policy and a diversity statement. Chair Ognyanovich suggested that the item be agendaized for the next meeting, to include a report from Commissioner Schwab. Medrano agreed to poll the Commissioners regarding the diversity policy item to determine the intent of the priority.

7. RETREAT ITEMS

1. Code of Ethics – Expectations/Implementation

At the request of the Chair, there was discussion on the issue of ethics. The Commission's Code of Ethics was adopted in 2007. There is a plan of action to implement the Code of Ethics in the orientation for new Commissioners. Chair Ognyanovich requested that the item be agendaized for finalization during the April meeting.

Items for Subsequent Meetings:

A. Attendance – Definitions and Criteria

B. Employee Participation – Dissemination

The above items were not discussed.

8. ANNOUNCEMENTS AND EVENTS

Commissioner Lusk announced an upcoming event to recognize the Outstanding Women of Monterey County. The event will be held on March 29 (3-5) at Hartnell College. Those to be honored are: Wendy Brickman, Carole Erickson, Tina Starkey Lopez, Diane Carrillo-Estrada, Angie Morfin, Margaret Noroian, Bruna Cerri Odello and Terrin Eisemann.

9. FUTURE AGENDA ITEMS

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

10. DATE AND TIME OF NEXT MEETING

The next Commission meeting will be held on April 15, 2009.

11. MEETING EVALUATION

The two evaluations from the March meeting were received.

12. ADJOURNMENT

Vice Chair Hogan moved to adjourn meeting. Seconded by Commissioner Lusk. The meeting was adjourned at 5:05.