

1. ROLL CALL AND GREETING OF VISITORS

The meeting was called to order by Chair Ognyanovich at 3:30 p.m.

Commissioners Present: Chair Kathrina Ognyanovich, Jayanti Addleman, Maria Castillo, Martha Chavarria, Billy DeBerry, Freda Escobar, Fred Garcia, Kay Kirkland, Betty Lusk, Virgil Schwab

Commissioners Absent: Robert Greene

Guests and Staff Present: Assistant County Counsel Lee Blankenship, Equal Opportunity Officer David Medrano, Associate Equal Opportunity Analyst Bonita Monarque, Elisa Cantu Administrative Secretary

2. PUBLIC COMMENTS

There were no public comments.

3. PRESENTATION OF RESOLUTION

The resolution honoring Commissioner Rosillo will be presented to Mrs. Rosillo at a later date.

4. REVIEW AND APPROVAL OF MINUTES

Commissioner DeBerry expressed concern regarding comments that appeared in the minutes of the June meeting. Commissioner DeBerry stressed the importance of Commissioners not speaking on behalf of the Commission on matters that were neither discussed nor approved by the Commission.

Chair Ognyanovich raised an issue with respect to the accuracy of comments, which were attributed to her. Staff was asked to review the recording of the June meeting and correct the minutes if appropriate.

Commissioner Castillo moved to take action on the June minutes at the September meeting, so that staff can review the recording. Seconded by Commissioner DeBerry. The motion passed (Commissioner Kirkland voting no).

5. REVISION – ETHICS TRAINING INCLUSION IN BYLAWS

There was discussion regarding how to enforce compliance with the requirement to have all Commissioners complete the ethics training. A suggestion was made to amend the bylaws to state that completion of the ethics training is a requirement for all Commissioners. Those Commissioners who fail to complete the training can either be removed from the Commission, not reappointed, or will not be allowed to vote on Commission-related matters. Assistant County Counsel Blankenship advised that prohibiting a Commissioner from voting or being seated would be problematic. Other suggestions to encourage completion of the training were to designate a regularly scheduled Commission meeting as an ethics training session and to inform the appropriate Supervisor or organization that their representative has not completed the ethics training. There are no penalties for failure to complete the course in the statute. Commissioner DeBerry stated that there should be something in place to ensure each Commissioner is in compliance with the training requirement. However, since all Commissioners were currently in compliance with the mandated training requirement, the item was closed and will be revisited as needed.

6. ATTENDANCE

Chair Ognyanovich stressed the importance of attending Commission meetings, particularly the standing committee meetings, which have had difficulties obtaining a quorum. The majority of the Commissioners stated that they strive to attend all meetings; however because of other commitments, it was difficult to attend every meeting. A suggestion was made to schedule the committee meetings either before or after the regularly scheduled Commission meetings. Another suggestion was to have a joint meeting. According to Assistant County Counsel Blankenship, there can be a joint meeting of the two committees. The joint meeting must be agendized and noticed according to the Brown Act. Commissioner Kirkland suggested that either the Chair of the Commission or committee chairs contact new Commissioners to provide them with information regarding the function of the committees and invite new Commissioners to participate. Chair Ognyanovich asked Assistant County Counsel Blankenship if committees could still meet if they do not have a quorum and conduct business, without taking any action. Assistant County Counsel Blankenship could not render an opinion as he was not provided with necessary information in advance of the meeting. Commissioner Schwab stated that county review committee has yet to appoint a chairperson because the committee has not had a quorum. Mr. Medrano stated that when scheduling committee meetings, a meeting time either before or after a scheduled Commission meeting will also be offered in addition to other times/dates.

7. PARTICIPATION OF EMPLOYEES

Chair Ognyanovich asked that the Commissioners email Mr. Medrano with their suggestions on how the Commission can encourage the participation of employees.

This item was tabled.

8. EQUAL OPPORTUNITY OFFICER'S COMMENTS - DAVID MEDRANO

- Mr. Medrano stated that the online state mandated sexual harassment training for County employees is moving forward with several departments participating,
- Commissioner Hogan has resigned from the Commission.
- Mr. Medrano reminded Commissioners that they can park in the visitors' lot (two hours) or on the street adjacent to the Government Center (four hours in most areas). Commissioners can also request parking permits to park in the designated slots (Planning Commission) in the employee lot across the street.

9. ANNUAL REPORT

Mr. Medrano stated that he did not receive any comments regarding the draft annual report which was submitted at the June meeting. Therefore the Commission moved forward with approving the 2008 annual report for submission to the Board of Supervisors. Commissioner Schwab moved to approve; seconded by Commissioner Kirkland. The motion passed.

10. REPORT FROM COMMITTEES

A. Departmental Review of Monterey Plan Compliance

Commissioner Addleman stated the committee met on July 20th. They are moving ahead with their committee annual report. A second meeting has been scheduled. The committee hopes to have recommended forms and questions by the next Commission meeting.

B. County Review of Monterey Plan Compliance

Commissioner Schwab stated that Commissioner Lusk has resigned from the committee, which leaves four members on the committee (Commissioners Schwab, DeBerry, Chavarria, and Garcia). The committee has narrowed down the issues with the draft Monterey Plan to six issues. Draft language has been prepared for four of the six issues. One outstanding issue relates to obtaining departmental EEO plans and how the process works. Commissioner Schwab discussed the possibility of holding a joint committee meeting to address the department EEO plan issue. The other outstanding issue centers on probationary employees, including promotions, and how they can be incorporated into the Plan. The committee is operating with the understanding that the Garza Consent Decree is in effect. Commissioner Kirkland was appointed to the committee.

10. ANNOUNCEMENTS AND EVENTS

There were no announcements.

11. FUTURE AGENDA ITEMS

- Development of a Diversity Policy for the County for possible approval and implementation
- Election of Vice Char

12. DATE AND TIME OF NEXT MEETING

The next Commission meeting will be held on September 16, 2009.

13. ADJOURNMENT