

# civil service commission

## BOARD OF REVIEW AND APPEALS



### Commissioners

Don Becker  
Alyse M. Lazar  
Haywood Merricks III  
Joyce A. Taylor  
James Vandenberg

**MINUTES  
REGULAR BUSINESS MEETING  
THURSDAY, JULY 25, 2013  
9:30 a.m.**

**County of Ventura Government Center  
LOWER PLAZA ASSEMBLY ROOM**

- I. **CALL TO ORDER** – Chair Merricks called the meeting to order at 9:30 a.m.
- II. **ROLL CALL** - Commissioners present: Chair Merricks, Vice-Chair Becker and Commissioners Vandenberg, Lazar and Taylor. Staff present: Cheryl Shaw, Commission Assistant, Robert Orellana, Law Advisor, and Jim Dembowski (IR).
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MINUTES FOR APPROVAL** – The minutes of the Regular Business Meeting of May 23, 2013, were approved on motion by Commissioner Vandenberg, seconded by Commissioner Taylor.
- V. **PUBLIC COMMENTS** – None.
- VI. **OLD BUSINESS** – William Markov (Case Number 10-221-13-01) regarding Preemptory Writ of Mandate issued by Superior Court clerk dated July 10, 2013; Stipulation of counsel for continuance based upon unavailability of petitioner’s counsel.

Chair Merricks noted that the stipulation was received and based upon availability of counsel, ordered the matter continued to the regular business meeting of October 24, 2013. The Commission further directed staff to coordinate with the Commission’s law advisor, Lee Cooper, to respond accordingly to the writ issued by the Superior Court.

- VII. **NEW BUSINESS** – Election of Chair and Vice-Chair of the Commission pursuant to Article III, Section 1 of the Commission’s Bylaws.

Commissioner Lazar expressed that in keeping with past practice that the current Chair and Vice-Chair continue to serve for another year. Chair Merricks opened the nominations. Commissioner Merricks was unanimously re-elected as Chair following nomination by Commissioner Vandenberg, seconded by Commissioner Lazar.

Commissioner Becker was unanimously re-elected as Vice-Chair of the Commission following nomination by Commissioner Lazar, seconded by Commissioner Vandenberg.

**VIII. REQUEST FOR HEARING** – Karen Souza Smith, Case # 13-017-19-01  
(Termination, Ventura County Health Care Agency)

Anthony Strauss appeared on behalf of the petitioner, Karen Souza Smith, who was also present. Assistant County Counsel Matthew Smith was present for the Health Care Agency, though he stated that the hearing would be handled by Assistant County Counsel Emily Gates. Mr. Smith confirmed that the County had no objection to the Petitioner's request for hearing. Having found the petition sufficient upon motion by Commissioner Lazar, seconded by Commissioner Becker, Chair Merricks assigned Commissioners Lazar, Becker and Vandenberg to the hearing panel. Commissioner Lazar was assigned as Chair of the panel, with Lee Cooper assigned as the Commission's law advisor. The hearing will commence on October 21, 2013 at 9:00 a.m.

**IX. REQUEST FOR INVESTIGATION** – None.

**X. INFORMATIONAL** – None.

**XI. COMMISSION/STAFF COMMENTS** –

- A. Presentation of report to the Board of Supervisors of the Commission's activity for fourth fiscal quarter and year end summary.

Commissioner Lazar thanked Ms. Shaw for her work in preparation of all reports. Upon motion of Commissioner Lazar, seconded by Commissioner Vandenberg, Chair Merricks was directed to sign the letter to the Board of Supervisors which will be forwarded to the Clerk of the Board.

- B. Review of draft form for use in appeals to Civil Service Commission.

Following discussion of the contents and wording of the form, and comments from Mr. Dembowski, staff was directed to make certain, suggested amendments and bring the form back for review at the next regular business meeting.

**XII. ADJOURNMENT** - The meeting was adjourned at 9:55 a.m.