



BOARD OF SUPERVISORS  
AGENDA LETTER

**Agenda  
Number:**

**Clerk of the Board of  
Supervisors**  
105 E. Anapamu Street, Suite  
407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Human Resources  
**Department No.:** 064  
**For Agenda Of:** November 1, 2016  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Lori Gentles, Human Resources Director, 568-2816

Contact Info: Joseph Pisano, Employee Relations Manager, 568-2839

**SUBJECT:** *Placement of the County's Equal Employment Opportunity Function*

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**County Counsel Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Reassigns the vacant Equal Employment Opportunity function and funding from the County Executive Office to the Human Resources Department, and
- b) Approves the Budget Revision Request in Attachment A (BJE No. 0004792) to transfer total appropriations of \$172,047 from the CEO General Fund – (\$165,259) from Salaries and Employee Benefits, (\$5,200) from Services and Supplies and (\$1,588) from Other Charges – to Human Resources for the Equal Employment Opportunity function, and
- c) Approves the resolution in Attachment B reclassifying one vacant (1) FTE Program Business Leader - General (class 8030) to one (1) FTE at-will Enterprise Leader - General (class 8015), at the same appointing salary level, and

- d) Determines pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above actions are a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

**Summary Text:**

The proposed actions would reassign the Equal Employment Opportunity function, including one budgeted vacant Equal Employment Opportunity Manager position and all associated funding for this function, from the County Executive Office to the Human Resources Department. In addition, the recommended actions will reclassify the vacant management position from a Program Business Leader to an at-will Enterprise Leader. There is no increase in costs associated with this action.

**Background:**

During its meeting on September 20, 2011, the Board acted to merge the Human Resources (HR) Department into the County Executive Office (CEO), primarily to achieve cost savings. At that time the Equal Employment Opportunity (EEO) function was nominally located in HR but staffed by a part-time attorney in County Counsel, with administrative support from an Office Professional in HR. The recommendations to the Board at that meeting included moving the EEO function to County Counsel, but the Board delayed a decision and directed staff to seek input from the Civil Service Commission.

At the Commission's request, HR surveyed other California counties and found the EEO function was located in HR in all but two of the twenty counties that responded; in one of the remaining two counties the EEO function was in the CEO's office, and in the other County it reported directly to the Board of Supervisors. None of the counties that responded to the survey located the EEO function in a County Counsel's office. The Civil Service Commission believed placing the EEO function in County Counsel created at least the perception of a conflict of interest and recommended that the EEO function be located in the CEO along with the rest of Human Resources, and staffed by a full-time management-level position rather than by a part-time Deputy County Counsel. On December 13, 2011, the Board of Supervisors approved the recommendation to reassign the EEO function to CEO and to fill a position at a management-level to function as the County's EEO Manager.

As part of the County's Fiscal Year 2016-17 Budget, funding was approved for HR as a stand-alone department separate from the CEO, but the organizational placement and funding of the EEO function did not change. The recommended actions would reassign the Equal Employment Opportunity function and associated staff and funding from the County Executive Office to the Human Resources Department. The Civil Service Commission has been advised that HR would recommend that the Board return the EEO function to Human Resources.

As noted in the job description, the Enterprise Leader – General classification is an at-will manager “typically responsible for project(s), programs, initiatives, or services that have countywide and/or community-wide impacts and involve plans and/or decisions of a policy nature and of key importance to the County having a long-term impact.” The EEO Manager position is more appropriately classified at this level.

**Fiscal Analysis:**

**Budgeted:** Yes

The recommended actions do not increase costs, add staff, or change budgeted funds associated with the EEO function; this function, associated costs, and the previously allocated one FTE position and budget will simply move from the County Executive Office to Human Resources.

Pursuant to the County Budget Act (California Government Code Section 29125) and the County's Budget Revision Approval Policy, transfers and revisions may be made by the Board of Supervisors by a majority vote, if the transfer is between budget units (i.e. departments) within a fund if overall appropriations are not increased. In this case, the transfer is being made between two departments within the General Fund without an increase to overall appropriations.

cc: Mona Miyasato, County Executive Officer  
Michael C. Ghizzoni, County Counsel  
Theo Fallati, Auditor-Controller

Attachment A: Budget Journal Entry No. 0004792  
Attachment B: Resolution Changing Departmental Position Allocation