



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: January 11, 2022

Placement: Administrative:
Set hearing for January 25, 2022 (first reading) and February 1, 2022 (second reading)

Estimated Time: 15 minutes on January 25, 2022

Continued Item: No

If Yes, date from:

Vote Required: Majority

TO: Board of Supervisors
FROM: Department Maria Elena De Guevara, Human Resources Director
Director(s) 568-2816
Contact Info: Joseph Pisano, Employee Relations Division Chief, 568-2839

DocuSigned by:
Maria Elena De Guevara
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SUBJECT: Amendment to Chapter 27 - Personnel of the Santa Barbara County Code

County Counsel Concurrence

As to form: Yes

Other Concurrence

As to form:

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

On January 11, 2022 set a hearing for January 25, 2022 to consider recommendations regarding an amendment to Chapter 27 – Personnel of the Santa Barbara County Code as follows:

On January 25, 2022:

- A. Approve the introduction (first reading) of an ordinance amending Chapter 27 - Personnel (Attachment A) of the Santa Barbara County Code; and
- B. Read the title of the Ordinance and waive full reading of the Ordinance; and
- C. Continue the item to the Administrative Agenda of February 1, 2022 to consider the adoption (second reading) of an ordinance amending Santa Barbara County Code, Chapter 27 - Personnel.

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On February 1, 2022:

- A. Adopt the attached ordinance (second reading) amending Chapter 27 – Personnel of the Santa Barbara County Code; and
- B. Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), because it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

The recommended actions will add language that was inadvertently omitted from Article I, Chapter 27, Section 27-5 and correct language that should have been deleted in Article II, Chapter 27, Section 27-25 when changes were made to those sections of the ordinance in early 2021. The County has satisfied its obligations to meet and confer with recognized labor groups regarding any changes within the scope of bargaining.

Background:

Human Resources practices at the County of Santa Barbara are governed in part by the County Code Chapter 27 - Personnel referenced in the recommended actions.

In April 2021, the Board considered and took final action to adopt recommended changes to Chapter 27 – Personnel of the County Code. Later in 2021, it came to the attention of County Human Resources that the final version of the document that was filed with the Clerk of the Board omitted a needed reference in Section 27-5 to two specific subsections in Section 27-25. This omission inadvertently required a competitive examination to fill positions that include “elected County officers, persons serving without compensation, [and] public members of boards and commissions,” among other categories of vacant positions where competitive exams have not historically been required and should not be required in the future. In addition, a redundant phrase in Section 27-25 (a)(5) that should have been deleted remained in the document.

The recommended actions would amend Chapter 27 – Personnel of the Santa Barbara County Code to include a reference to Section 27-25 (a)(5) that would retain the requirement for a competitive examination to fill vacancies in positions for Department Heads and Assistant Department Heads. This was not a change in 2021. In addition, the reference to Section 27-25 (a)(11) clarifies that vacancies to at-will Enterprise Leader positions are now subject to the same provisions for competitive examinations as the Department Heads and Assistant Department Heads, which was a change intended in the 2021 revisions. The recommended actions also delete the redundant language in Section 27-25 (a)(5).

The changes set forth in the recommended actions are tracked in red in the following sections and in Attachment B:

Section 27-5. - Filling vacant positions excluded from civil service.

Vacancies in positions excluded from the civil service system by **sections 27-25 (a)(5) and (a)(11)**

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of this Code shall be filled based on the qualifications of the candidates, including their relevant knowledge, experience, skills, and abilities, as ascertained through competitive examination that comply with standards and procedures the human resources director shall establish. **Section 27-25. - Persons deemed exempt from provisions of this article.**

(a) All employees of the county shall be included in the civil service system except the following:

- (1) Elected county officers;
- (2) Persons serving without compensation;
- (3) Public members of boards and commissions;
- (4) The county executive officer, assistant county executive officers, and deputy county executive officers;
- (5) Appointed department heads, and appointed assistant department heads other than those specified in subdivision (a)(4) of this section; ~~however, appointed department heads and assistant department heads shall remain subject to the provisions relative to recruiting and selection;~~
- (6) Persons performing work: (a) pursuant to Government Code section 25359, or any similar statute or ordinance; (b) in lieu of incarceration, or in exchange for a reduced period of incarceration; (c) pursuant to a sheriff's work release program; (d) pursuant to a post-conviction sentence or court order; or (e) as a condition of probation;
- (7) Persons rendering professional, scientific, technical, or expert service of a temporary nature;
- (8) Persons employed under contract;
- (9) Temporary, seasonal, extra help, and limited term employees;
- (10) Staff assistants to members of the board of supervisors;
- (11) Persons appointed to an enterprise leader position, unless the board of supervisors has determined the position should be included in the civil service system; and
- (12) In accordance with the intent and purposes of this article, any other person appointed to a position the board of supervisors has determined should not be included in the civil service system.

No other changes are proposed to Chapter 27 - Personnel of the County Code adopted by the Board in April 2021; a full clean copy of the proposed revised Chapter 27 of the County Code without tracked changes appears in Attachment A.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: There are no fiscal impacts associated with the recommended actions.

Special Instructions:

1. Direct the Clerk of the Board to publish notice pursuant to Government Code Section 25124.

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2. Return one copy of the adopted ordinance and one Minute Order by email to Stephanie Langsdorf, Civil Service Commission Secretary at SLLangsdorf@countyofsb.org, and one copy to the Director of Human Resources at mdeguevara@countyofsb.org.

Attachments:

Attachment A- Revised Article I and Article II, Chapter 27 - Personnel, Santa Barbara County Code – Clean Copy

Attachment B- Revised Article I and Article II, Chapter 27 - Personnel, Santa Barbara County Code – Changes Tracked

Authored by: Joseph Pisano

cc: Mona Miyasato, County Executive Officer
Rachel Van Mullem, County Counsel