SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET

Creation Date: 4/21/03
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Resolution(s): 93-2003
Ordinance(s):
Contract(s):
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Index: --Letter of Civil Serivce Commission dated April 10, 2003

Item: 26. ADOPTED RESOLUTION NO. 93-2003 amending Resolution No. 247-76 Personnel Regulations as it relates to the Civil Service Rules, Section 130, providing for notification of special and emergency meetings, consistent with the requirements of the Brown Act, as recommended by the Chair of the Civil Service Commission and the Personnel Director

Res 93-2003

COUNTY OF SANTA CRUZ

CIVIL SERVICE COMMISSION

JERALD TERRY, CHAIRMAN

701 OCEAN STREET, SUITE 310
SANTA CRUZ, CA 95060

TELEPHONE: (831) 454-2600
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APPROVED AND FILED
BOARD OF SUPERVISORS
DATE: 4/29/03
COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD
BY Alicia Muniz DEPUTY

April 10, 2003

AGENDA: April 29,2003

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

CIVIL SERVICE COMMISSION RULE CHANGE PROVIDING NOTIFICATION FOR SPECIAL AND EMERGENCY MEETINGS CONSISTENT WITH THE BROWN ACT

Dear Members of the Board:

On January 16, 2003, the Civil Service Commission approved a Civil Service Rule change and now recommends that change to the Board for concurrence. The recommended rule change amends the Civil Service Commission's special meeting provisions to make them consistent with the Ralph M. Brown Act. The Brown Act (Government Code Sections 54950-54963) governs the conduct and noticing of public meetings. The Act mandates a twenty-four (24) hour notice prior to a special meeting, and provides for emergency meetings under limited circumstances as set forth in Government Code Section 54956.5. The current Civil Service Rules require a seventy-two (72) hour notice for special meetings and has no provision for emergency meetings.

The proposed change to the Civil Service Rules would reduce the special meeting notice requirement from seventy-two (72) hours to twenty-four (24) hours, and would allow for emergency meetings as set forth in the Government Code. These changes are included in the attached resolution and are recommended by the Commission for your approval.

Therefore, it is RECOMMENDED that your Board approve the attached resolution amending Resolution No. 247-76 to amend the Personnel Regulations with the attached revisions to the Civil Service Commission Rules relating to notice requirements for special and emergency meetings.

Very truly yours,

Jerald Terry
Chair, County Civil Service Commission

DTW:LH:mg

RECOMMENDED:

Dania Torres Wong
Director of Personnel

RECOMMENDED:

Susan A. Mauriello
County Administrative Officer

cc: Civil Service Commission
Personnel Department
All Employee Representation Groups

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 93-2003
Amending Resolution NO. 247-76

On the Motion of Supervisor Wormhoudt
Duly seconded by Supervisor Campos
The following resolution is adopted:

RESOLUTION AMENDING PERSONNEL REGULATIONS

WHEREAS, the Civil Service Commission has adopted changes to the Civil Services Rules in relation to the Ralph M. Brown Act, and

WHEREAS, it is now desirable and necessary to amend said Civil Service Rules to effect said changes, and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Personnel Regulations 130, Section I.A. Meetinss of the Civil Service Commission, Subsection 1. Ralph M. Brown Act, will be amended as shown in Attachment A, as written and incorporated herein by reference.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 29th day of April, 2003, by the following vote:

AYES: SUPERVISORS Beautz, Wormhoudt, Campos, Almquist and Pirie
NOES: SUPERVISORS None
ABSENT: SUPERVISORS None

ELLEN PIRIE
Ellen Pirie, Chairperson of the Board

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

Approved as to form:

Assistant County Counsel

Attached: Attachment A, Resolution 247-76 as amended

cc: All Departments
Civil Service Commission

STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ)
I, SUSAN A. MAURIELLO, County Administrative Officer and ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California do hereby certify that the foregoing is a true and correct copy of the resolution passed and adopted by and entered in the minutes of the said board. In witness whereof I have hereunto set my hand and affixed the seal of the said Board on May 2, 20 03.
SUSAN A. MURIELLO, County Administrative Officer
By Alicia Murillo Deputy

SECTION I

CIVIL SERVICE COMMISSION

A. Meetings of the Civil Service Commission

1. Ralph M. Brown Act: (Amended 5/16/94 Res 203-94)

a. The Commission is a legislative body of a local agency, the County of Santa Cruz, and therefore subject to the provisions of the Ralph M. Brown Act, Government Code Sections 54950-549603, governing the conduct of public meetings. By its nature, the Commission will conduct closed executive sessions from time to time to consider the appointment, employment, or dismissal of public officers and employees and to hear complaints or charges brought against such officers or employees. Such officers and employees have the right to request a public hearing in such cases.

b. At least seventy-two (72) hours prior to each regular meeting, an agenda for the regular meeting shall be mailed to each Commission member, and to each representative of the news media, and to each other person who has submitted a written ~~requires~~ request to the Commission for notification of meetings, and shall be posted at least'seventy-two (72) hours prior to the regular meeting at a location that is freely accessible to the public. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda except that members of the Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights or ask a question for clarification, refer the matter to staff or to other resources for factual information, or request staff to report back at a subsequent meeting concerning any matter. Notwithstanding the foregoing, action may be taken on an item of business not appearing on the posted agenda upon a determination by two- thirds vote of the membership of the Commission, or if less than two-thirds of the members are present, by unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the County subsequent to the agenda being posted.

c. At least ~~seventy-two (72)~~ twenty-four (24) hours prior to each special meeting, an agenda for the special meeting shall be ~~mailed~~ delivered to each eCommission member and to each representative of the news media personally or by any other means and mailed to each other person who has submitted a written request to the Commission for notification of meetings; and shall be posted at least ~~seventy-two (72)~~ twenty-four (24) hours prior to the special meeting at a location that is freely accessible to members of the public. No business other than that listed on the agenda shall be considered at a special meeting.

d. Under limited circumstances set forth in Government Code Section 54956.5, the Commission may hold an emergency meeting without complying with the usual advance notice and posting requirements. The news media shall be notified by telephone one (1) hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the Chairperson or designee notifies the Commissioners of the emergency meeting.

de. Public participation in Commission meetings shall be allowed as follows:

(1) An opportunity for members of the public to directly address the Commission on any item of the agenda of interest to the public shall be provided before or during the Commission's consideration of the item.

(2) In addition, the agenda will provide for community oral communications on items not on the agenda which are within the subject matter jurisdiction of the Commission at the beginning of each regular meeting agenda.

(3) The chairperson of the Commission may establish reasonable limits on the amount of time allocated to each speaker on a particular item, and the Commission may establish reasonable limits on the total amount of time allocated for public testimony on a particular item or the total amount of time allotted for community oral communications. When further discussion is required, the Commission may vote to allot time in the agenda of the following meeting.

ef. All subcommittees shall comply with the notice and agenda requirements otherwise applicable to the Commission, except for subcommittees composed solely of less than a quorum of the members of the Commission which are not standing subcommittees of the Commission with either a continuing subject matter jurisdiction or a meeting scheduled fixed by resolution or other formal action of the Commission.

2. Meetings: Meetings of the Commission shall be held as necessary to conduct business on a timely basis.

3. Quorum: Three members of the Commission shall constitute a quorum for the conduct of business and the affirmative votes of three members shall be required to give effect to any action of the Commission.

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c. At least twenty-four (24) hours prior to each special meeting, an agenda for the special meeting shall be delivered to each Commission member and to each representative of the news media personally or by any other means and mailed to each other person who has submitted a written request to the Commission for notification of meetings; and shall be posted at least twenty-four (24) hours prior to the special meeting at a location that is freely accessible to members of the public. No business other than that listed on the agenda shall be considered at a special meeting.

d. Under limited circumstances set forth in Government Code Section 54956.5, the Commission may hold an emergency meeting without complying with the usual

advance notice and posting requirements. The news media shall be notified by telephone one (1) hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the Chairperson or designee notifies the Commissioners of the emergency meeting.

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3.) The chairperson of the Commission may establish reasonable limits on the amount of time allocated to each speaker on a particular item, and the Commission may establish reasonable limits on the total amount of time allocated for public testimony on a particular item or the total amount of time allotted for community oral communications. When further discussion is required, the Commission may vote to allot time in the agenda of the following meeting.

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