



COUNTY of VENTURA
COUNTY EXECUTIVE OFFICE

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Human Resources Director
Labor Relations

September 12, 2023

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

**Subject: Public Hearing Regarding Adoption of an Ordinance to Place the Classification of Clerk-Recorder Compliance Officer in the Unclassified Service; Adoption of a Resolution to Establish One Classification and Salary Range (Clerk-Recorder Compliance Officer); Allocation of One Position of Clerk-Recorder Compliance Officer to the Clerk-Recorder's Office; Allocation of Two Fixed Term Positions of Technical Specialist IV, One Fixed-Term Position of Office Assistant III-C, One Fixed-Term Position of Program Administrator III, and One Regular Position of Agency Public Information Officer III to the Ventura County Employees' Retirement Association; Authorization for the Auditor-Controller to Process the Necessary Budgetary Transactions; and Adoption of an Amended Management, Confidential Clerical, and Other Unrepresented Employees Resolution, With No Material Impact on Funding Status of Retirement System.
(Recommendation No. 2 Requires 4/5ths Vote.)**

Recommendations

It is recommended that your Board:

1. Adopt the attached Resolution:
 - a. Establishing the following one (1) classification and salary range, effective, September 17, 2023:

Job Code	Classification	FLSA Status	Union Code	Compensation Frequency	Salary Range
00723	Clerk-Recorder Compliance Officer	P	MB2	Salaried	\$133,220.29 - \$186,526.67

- b. Authorizing the addition of the following position allocation in the Ventura County Clerk-Recorder & Registrar of Voters' Office, effective September 17, 2023:

Job Code	Description	Business Unit	Dept. (Unit)	FTE	Compensation Frequency	Salary Range
00723	Clerk-Recorder Compliance Officer	REC	1021	1	Salaried	\$133,220.29 - \$186,526.67

- c. Authorizing the addition of the following four (4) fixed-term position allocations in the Ventura County Employees' Retirement Association (VCERA) effective September 17, 2023, for up to 24 months expiring September 16, 2025:

Job Code	Description	Business Unit	Dept. (Unit)	FTE	Compensation Frequency	Salary Range
521	Technical Specialist IV-MB	RET	6160	2	Hourly	\$27.155133 - \$38.020916
1350	Office Assistant III-C	RET	6160	1	Hourly	\$22.962070 - \$32.150051
748	Program Administrator III	RET	6160	1	Salaried	\$78,490.38 - \$109,897.31

- d. Authorizing the addition of the following position allocation in the Ventura County Employees' Retirement Association (VCERA) effective September 17, 2023:

Job Code	Description	Business Unit	Dept. (Unit)	FTE	Compensation Frequency	Salary Range
454	Public Information Officer III	RET	6160	1	Salaried	\$102,579.23 - \$143,610.93

2. Hold a public hearing regarding the adoption of an Ordinance amending the Ventura County Ordinance Code, Division 1, Chapter 3, Article 4, Civil Service System, to place the classification of "Clerk-Recorder Compliance Officer" in the unclassified service. Read Ordinance in title only, set a second hearing on September 26, 2023, and adopt the Ordinance at the conclusion of the second hearing.
3. Adopt the attached proposed amended Management, Confidential Clerical, and Other Unrepresented Employees Resolution (Management Resolution), attached as Exhibit 1 (redlined) and as Exhibit 2 (clean copy):
 - a. Amending Article 4, Sections 403-D and 403-E, to add the Manager-Ambulatory Care Nursing to the list of classifications eligible for certification pay.

- b. Amending Article 4, Section 403-E, to add Assistant Insurance Services Administrator to the list of classifications eligible for certification pay.
 - c. Amending Article 4, Section 416, to include Intermittent Compensation for licensed Post-Graduate resident physicians.
 - d. Amending Article 5, to delete Sections 501 and 507 and renumber the remaining sections.
 - e. Amending Article 12, Section 1212, to clarify calculations for annual leave redemption and align with union MOA provisions, retroactive to July 1, 2023.
4. Adopt the attached proposed updated Exhibit 1 to the Management Resolution to add the new classification of Clerk-Recorder Compliance Officer and update the classifications eligible for Executive Annual Leave.

DISCUSSION

1.a. & 1.b. Classification Establishment and Allocation Establishment

Agency/Dept: Ventura County Clerk-Recorder & Registrar of Voters' Office

Classification(s) to be established: Clerk-Recorder Compliance Officer

Fiscal/Mandates Impact

Mandatory: No
Source of Funding: General Fund
Funding Match Required: None
Impact on Other Departments: None

Fiscal Impact

These requests are to establish the recommended classification and establish a new position allocation for that classification. We anticipate that the Clerk-Recorder Compliance Officer classification will be filled via open recruitment. There will be no fiscal impact as the position was included in the FY 2023-2024 budget for the Clerk-Recorder's Office with an anticipated annual cost of \$251,800 including benefits.

Discussion

The Ventura County Clerk-Recorder & Registrar of Voters (CCR) requested the establishment of one (1) "at-will" classification to be directly responsible for legislative analysis, monitoring, and implementation of applicable state law to ensure regulatory compliance for the County Clerk-Recorder and Elections divisions.

The current environment drives the need for a stand-alone compliance officer within the CCR office. This position will be responsible for legal analysis and compliance with all regulatory requirements and will ensure every aspect of the operations of the CCR office is in full alignment with complex legal requirements.

Most County of Ventura employees are covered by civil service rules and, as a result, enjoy a variety of civil service protections. In the public sector, it is common for senior level management positions to be exempted from civil service ("unclassified") and serve in an "at will" capacity to the appointing authority.

The salary range recommendation for the proposed unclassified Clerk-Recorder Compliance Officer (CRCO) classification is equal to its unclassified counterpart, Assistant County Clerk & Recorder.

1.c. Allocation Establishment

Agency/Dept: Ventura County Employees' Retirement Association

Classification(s) to be established: FIXED-TERM: 2-Technical Specialist IV-MB, 1-Office Assistant III-C, 1-Program Administrator III

Fiscal Impact

It is anticipated that the 24-month fiscal impact resulting from this action will be approximately \$535,000, including the cost of benefits.

Discussion

As a result of the Alameda Decision and the subsequent Board of Retirement Resolution, the Ventura County Employees' Retirement Association (VCERA) has a considerable need for additional clerical staff to perform duties related to pension calculation changes and payments to affected County employees and retirees. The requested positions will strengthen the VCERA operations team with sufficient staffing to accurately and timely undertake implementation of the Board of Retirement Resolution.

The two Technical Specialist IV-MB positions will provide specific assistance in the information technology area in implementing the Board of Retirement Resolution, while the Office Assistant III-C and Program Administrator positions will perform the same duties and functions as corresponding existing positions within VCERA.

1.d. Allocation Establishment

Agency/Dept: Ventura County Employees' Retirement Association

Classification(s) to be established: Agency PIO III

Fiscal Impact

It is anticipated that the annual fiscal impact, as a result of this action, will be approximately \$195,000, including the cost of benefits.

Discussion

The current VCERA Agency PIO is a fixed-term position that will end before the end of FY 2024. Due to the enhanced visibility of pension programs related to the Board of Retirement Resolution, it is important that VCERA maintain consistency and continuity of all of its communications. The current incumbent in the fixed-term position has indicated he is not interested in this regular position, resulting in the need for VCERA to recruit as soon as possible for the proposed regular position. The ability to fill the new position prior to the expiration of the fixed-term position will allow for a smooth transition of communications, without any disruption. VCERA has informed us that the employee hired for this role will ensure timely communication and will provide ongoing communications related to all aspects of employee and retiree pensions.

2. Budget Adjustments

Ventura County Clerk-Recorder & Registrar of Voters' Position

As discussed above in connection with Recommendation 1.b, it is recommended that your Board add a Clerk-Recorder Compliance Officer position in the office of the Ventura County Clerk-Recorder & Registrar of Voters.

Current FY 2023-2024 Adopted Budget for Ventura County Clerk-Recorder & Registrar of Voters – BU1901				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$5,874,787	\$5,874,787	\$5,874,787	\$0.00
Revenue	\$5,783,000	\$5,783,000	\$5,783,000	\$0.00
Net Cost	\$91,787	\$91,787	\$91,787	\$0.00

3. Unclassified Service

For the following reasons, it is recommended that your Board adopt an Ordinance amending the Ventura County Ordinance Code, Division 1, Chapter 3, Article 4, Civil Service System, to place the classification of Clerk-Recorder Compliance Officer in the unclassified service (attached as Exhibit 5). If your Board concurs, a second hearing to adopt the Ordinance will be scheduled for September 26, 2023.

Discussion

The proposed classification of Clerk-Recorder Compliance Officer reports directly to the Clerk-Recorder. This classification has a high level of responsibility, is among the highest-

level managers within the Clerk-Recorder's Office, and is responsible for coordinating, planning, and administering regulatory compliance for the County Clerk/Recorder and Elections Divisions. This position also ensures agency-wide observance of pertinent state law, including as the department's legislative analyst, monitoring, implementing, and applying applicable legislation.

Due to the scope and complexity of this job class, it is recommended that your Board adopt an Ordinance placing this classification in the unclassified service. A second hearing to adopt the Ordinance will be set for September 26, 2023.

4. Management Resolution Amendments

4.a. Article 4, Premium Pay – Section 403 D Nursing, Cardiopulmonary, and Rehabilitation Personnel

Discussion and Fiscal Impact

It is anticipated that the annual fiscal impact, as a result of this action, will be approximately \$8,470 for five certifications as the amendment merely adds a single classification (Manager-Ambulatory Care Nursing) to the list of the specific management classifications eligible for certification pay. HCA has requested and believes it is necessary to add this classification to ensure compensation parity with the other classifications that are currently eligible.

4.b. Article 4, Premium Pay – Section 403(E) Nursing, Cardiopulmonary, and Rehabilitation Personnel

Discussion and Fiscal Impact

It is anticipated that the annual fiscal impact resulting from this action will be approximately \$8,320 as the amendment merely adds two classifications (Manager-Ambulatory Care Nursing and Assistant Insurance Services Administrator) to the list of the specific management classifications eligible for certification pay. HCA has requested and believes it is necessary to add these classifications to ensure compensation parity with the other classifications that are currently eligible.

4.c. Article 4, Premium Pay – Section 416 Intermittent Compensation

Discussion and Fiscal Impact

It is anticipated that the annual fiscal impact as a result of this action will be approximately \$99,840 as the amendment adds three classifications - Post-Graduate Years II-III and Chief Resident Physician (Residents) - to the list of the management classifications eligible for Intermittent Compensation. The fiscal impact is estimated at 1,664 patient encounters per year with a cost of \$60 per encounter. These Residents' services are billed to the patients and the annual revenue generated from patient billing for their services is estimated at \$129 per patient encounter for an annual total of \$214,589

(approximately \$114,749 more than the payments to the Residents). Therefore, any Intermittent Compensation paid under this Section is more than offset by monies received for their services. HCA has requested and believes that adding Residents to the eligible list will provide additional compensation to the incumbents thereby enhancing recruitment and retention of these positions.

4.d. Article 5, Health Insurance

Discussion and Fiscal Impact

There is no fiscal impact to this change. The amendment deletes obsolete Section 501 – Health Insurance and obsolete Section 507 – Part-Time Employee Flexible Credit Allowance and renumbers the remaining sections consecutively. The County originally used composite pricing with a single level for all employees prior to changing to a tiered approach which requires a higher contribution for employees who cover their dependents. Current Section 502 provides the tiered rates which renders Sections 501 and 507 unnecessary and obsolete.

4.e. Article 12, Paid Leave – Section 1212 Rate of Pay for Annual Leave Redemption

Fiscal/Mandates Impact

Mandatory:	No
Source of Funding:	Various
Funding Match Required:	No
Impact on Other Departments:	None

Summary of Fiscal Impact:

	<u>FY 2023-24</u>
Total Cost	\$0

Discussion

An amendment to the Management Resolution was brought before your Board and adopted on December 13, 2022, adding language that established a Medical Opt-Out Option for eligible employees who do not wish to participate in County-sponsored health plans. This language was added to ensure the program is in compliance with regulatory requirements and to align with various union MOAs.

Prior to this amendment, employees eligible to redeem annual leave pursuant to Management Resolution Sections 1205 and 1206 were entitled to receive compensation for their redeemed leave, which included base pay and all of the items listed in Section 1212. The amount included the value of the flex benefit amount regardless of whether the employee elected or opted out of participation in the County health plans. Upon amending the Management Resolution to include the Medical Plan Opt-Out Option

as opposed to receiving the full flex benefit and having a fee deducted for those employees opting out of County health plans, it was intended that employees electing the Medical Plan Opt-Out Option would continue to have the amount of the flexible benefit that they would have otherwise received used in the calculation of their compensation upon redeeming annual leave pursuant to Sections 1205 and 1206. For clarity, counsel has advised that language be added to the section which explicitly states that employees electing the opt-out provision continue to receive the full value of the flex benefit added for purposes of calculating their leave redemption.

The amendment to Section 1212 will be effective retroactively to the date the new Medical Opt-Out Option became effective on July 1, 2023.

5. Adoption of Amended Exhibit 1 to the Management Resolution

We recommend adoption of an amended Exhibit 1 to the Management Resolution to add the classification of Clerk-Recorder Compliance Officer and to amend the current Executive Annual Leave provision for all classifications with Benefit Category "2". Due to clerical error, a few of the Benefit Category "2" classifications were not designated as eligible for Executive Annual Leave on Exhibit 1. This amendment will correct the oversight.

This letter has been reviewed by the County Executive Office, County Counsel, and the Auditor-Controller's Office. If you have any questions, please feel free to contact me at (805) 654-2561.

Respectfully submitted,



Shawn Atin
Assistant County Executive Officer/Human Resources Director



Sevet Johnson, PsyD
County Executive Officer

c: Jeffery S. Burgh, Auditor-Controller
Tiffany N. North, County Counsel
Mike Pettit, Assistant County Executive Officer
Kaye Mand, Assistant County Executive Officer/Chief Financial Officer

Attachments:

- Resolution Concerning Classifications and Salary Ranges
- Exhibit 1 – Management Resolution Redlined

- Exhibit 2 – Management Resolution Clean Copy
- Exhibit 3 – Management Resolution Exhibit 1 Redlined
- Exhibit 4 – Management Resolution Exhibit 1 Clean Copy
- Exhibit 5 – Ordinance Amending Ventura County Ordinance Code, Division 1, Chapter 3, Article 4