

Notice
Fair Political Practices Commission
Budget and Staffing Committee Meetingⁱ
March 11, 2020 1:00 p.m.
Unapproved Minutes

The Budget and Staffing Committee was called to order at 1:00 p.m.

1. State Personnel Board Audit Discussion.

- a. Loressa Hon, Chief of Administration, gave background on procedures of State Personnel Board Audits that are supposed to be conducted every two years. Our agency audit was for July 2018 to June 2019. Chair Miadich asked Ms. Hon to share the majorly adverse findings:
 - a. Newly hired employees did not complete ethics training within the six-month period,
 - b. Salary and determination of salary was keyed incorrectly by HR staff and SPB has accepted the response on this finding,
 - c. Out of Class pay cannot be issued until the 91st day but based on the circumstance and climate of the agency, FPPC decided to pay our Assistant General Counsel out of class on day one since they were still in their probationary period and taking on the General Counsel role as well as their own.
- b. TJ Jones, Executive Director, stated that those were the very serious issues and there were several less serious issues including:
 - a. When hiring a transcriber, you must notify the union. The fix will be to notify every union when that situation arises again,
 - b. Probation reports were not being submitted on time,
 - c. There are not annual evaluations given to employees.
- c. Mr. Jones further stated he has already sat down to start oral evaluations and has a meeting in the next week or two to discuss how to evaluate the rest of the agency. Commissioner Cardenas asked if the reviews are supposed to be completed annually and if we have metrics we plan to use. Mr. Jones stated he has forms at the ready to give the reviews that include metrics to use for review.
- d. As a policy going forward, the Committee agreed to provide a copy of the full report to the Chair immediately after receiving the final audit report and then issue to the Commission at the following Commission Meeting.

2. Collections Process and Discussion of Options for Additional Procedures

- a. Chair Miadich asked staff to layout a report on current processes and existing mechanisms.
- b. Loressa Hon, Chief of Administration described the process the office currently uses to start the collection process and the steps the Administration Division takes in collecting. The current use is FTB tax interceptions, but the Division used to do property liens as well.
- c. Chair Miadich asked why we no longer use property liens as a collection method. Galena West, Chief of Enforcement, stated liens are no longer used because the Commission decided to be less aggressive at a time and never stated we should be using liens since then.
- d. Ms. Hon discussed using wage garnishment as a collection tool but stated wage garnishment is a larger, lengthier process that would involve the Legal Division.
- e. Dave Bainbridge, General Counsel, stated all the collection options: bank account levies, real property liens, business property liens, wage garnishment, and FTB tax interceptions.

- f. Chair Miadich asked the staff to investigate the other options under the law to bring back for the Committee to discuss at the April Committee meeting for full discussion at the April Commission meeting.
- g. Commissioner Cardenas asked how much money is currently uncollected. Ms. Hon responded the number was just under \$800,000.
- h. The Committee plans to advise the Commission to reinstitute real property liens as part of the collection process.

3. Process and Timing of Staff Evaluations.

- a. TJ Jones, Executive Director, reported that all evaluations of all staff members will be completed before the end of the fiscal year, with the intention of meeting with senior staff and identifying direct reports.
- b. Chair Miadich and Commissioner Cardenas would like a written process for effectively conducting performance evaluations. Commissioner Cardenas suggests training staff on how to correctly evaluate and empower other employees.

4. Update on Budget Change Process and/or Proposals.

- a. Loressa Hon, Chief of Administration, discussed the changed timeline for budget change submissions and would like to change the timeline to report Budget Change Processes to early February or late January instead of the originally scheduled March. This year, the FPPC refrained from submitting any Spring Finance letters to the Department of Finance based on the DOF guidelines given this year.

- 5. Commissioner Cardenas expressed concern over meeting issues and telework possibilities due to the COVID-19 pandemic. TJ Jones, Executive Director, reported that IT was testing capabilities of holding meetings by video conference and that Loressa Hon, Chief of Administration was working closely with GovOps to plan future operations should the need arise.

The meeting concluded at 1:46 p.m.

ⁱ The Commission has established two separate two-person standing advisory committees, the Budget and Personnel Committee and the Law and Policy Committee, to allow greater participation by individual Commissioners in making recommendations to the full Commission. In recognition of the public's interest in the meetings of these committees, the Commission has directed the committees to allow the public to monitor committee deliberations, whenever possible, by publishing a five-day notice of the meeting and allowing callers to listen to the proceeding with a call-in telephone number. Additionally, the Commission is permitting public participation in the noticed meeting in person or via telephone.

As two-person advisory committees, Bagley Keene Open Meeting Requirements (Government Code Sections 11120 - 11132) do not apply to the committee meeting. However, the Commission will be soliciting public comment before and during the meeting. If you would like to comment on an agenda item prior to the meeting, you may email your comments to the Commission Assistant at CommAsst@fppc.ca.gov. Any comments submitted prior to the meeting will be provided to the committee members for consideration at the meeting.