

Agenda Item #25.B.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.



Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
Phone 916-263-7800 Fax 916-263-7855 Web www.bvnpt.ca.gov

BOARD MEETING MINUTES

June 6, 2017

SACRAMENTO, CALIFORNIA
Department of Consumer Affairs
1747 N. Market Blvd., Suite 186
Sacramento, CA 95834

BOARD MEMBERS PRESENT:

Tammy Endozo, L.V.N. Member, President
Bernice Bass de Martinez, Public Member, Vice
President
John Dierking, Public Member
Donna Norton, L.V.N. Member
Cheryl Turner, Public Member
Ken Maxey, Public Member
Paul Sellers, P.T. Member
Samantha James-Perez, P.T. Member

BOARD MEMBERS ABSENT:

Andrew Moreno, Public Member

BOARD STAFF:

Cheryl Anderson, Acting Assistant Executive
Officer
Jen Johnson, Staff Services Manager I
Lanessa Guerra, Education Analyst
Vicky Saavedra, Evaluation Analyst
Rebecca Bon, Board Counsel, DCA
Ryan Marcroft, Assistant Chief Counsel, DCA

1. CALL TO ORDER, ROLL CALL, AND ESTABLISHMENT OF QUORUM

The meeting was called to order by Board President, Tammy Endozo, at 1:07 p.m., Tuesday, June 6, 2017, at the Department of Consumer Affairs, 1747 N. Market Blvd., Suite 186, Sacramento, California 95834.

Ms. Endozo took attendance of Board Members by roll call. A quorum was confirmed. Board Members introduced themselves. Cheryl Anderson, Acting Assistant Executive Officer introduced Board staff. DCA Legal introduced themselves.

2. PLEDGE OF ALLEGIANCE

2. PLEDGE OF ALLEGIANCE

Donna Norton led those assembled in the Pledge of Allegiance.

3. PUBLIC COMMENT NOT ON THE AGENDA

The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a)).

Public Comment: None.

Board Discussion: None.

4. SUGGESTIONS FOR FUTURE AGENDA ITEMS

Public Comment: None.

Board Discussion:

- Ms. Norton commented she wanted to assure other items discussed in previous board meetings make it to the agenda.
- Samantha James-Perez noted she previously requested AB 387 be placed on an agenda, however, from her understanding this bill was tabled and can be taken off agenda. John Dierking confirmed this is correct.
- Cheryl Turner requested an update and status of the continuing education audit.

5. 2017 – 2019 STRATEGIC PLAN – Update from Executive Committee

Public Comment:

- John Vertido stated he recommends once the strategic plan is approved it be disseminated to the Board management and supervisors and identify the goals that fall within their units to help support and come up with metrics to support the plan. Mr. Vertido also suggested a “red, yellow, and green” progress method be incorporated, which will reflect the progress when the plan is reviewed again. Mr. Vertido also recommended to request staff to provide metrics to support should questions arise.

Board Discussion:

- Ms. Endozo stated the committee met with Ms. Anderson on May 22nd and reviewed the strategic plan.

- Bernice Bass de Martinez stated during the May 22nd committee meeting not only did the committee review the strategic plan, but are also in process of adding additional goals and deliverables which will be ready for the full Board at the next formal board meeting.

6. DISCUSSION AND POSSIBLE ACTION TO ESTABLISH AN ADMINISTRATIVE COMMITTEE

Public Comment: None.

Board Discussion:

- Ms. Endozo stated during the last Executive Committee meeting, an Administrative Committee was added, which will modify the structure and allow rank and file staff to have discussion with board members, the committee will also keep the Board abreast of any issues that may arise. The Committee consists of Ms. James-Perez and Ms. Turner. Ms. James-Perez will chair the committee.
- Ms. James-Perez stated the Administrative Committee would address overall morale and overall big picture type items. Ms. Endozo confirmed.
- Ms. Norton stated she understands why topic came up, however is concerned the committee may be an avenue to circumvent the supervision and direction of management and Executive Officer (EO). Ms. James-Perez advised it was a recommendation from the Assembly Business and Profession Committee to form the committee, and recommended the Board take it seriously.
- Mr. Dierking asked the intent and does the Board formally vote to establish the committee? Ms. Endozo stated the intent is to formally vote to keep the committee so the Board does not end up in a similar position.
- Mr. Dierking asked Legal if there are any restrictions on authority to ameliorate any morale issues that might emerge. Ryan Marcroft, Assistant Chief Counsel, DCA, advised the Board cannot step into the shoes of union representation, disciplinary matters, and other scenarios, but maybe one of the first jobs of the committee would be to catalog some of the different rules and specify in more detail the scope of what exactly the committee might be doing.
- Ms. Norton asked Ms. Turner her feelings and ability to serve on the committee. Ms. Turner advised she served on other boards and runs her own business for over 30 years, and has insight that may be helpful to the committee.
- Ms. Bernice Bass de Martinez stated the committee provides potential second- avenue for Board staff.

- Mr. Marcroft recommended amending procedural manual.

MOTION: Move to form Administrative Committee pursuant to recommendations that have been made, also amend and update the administrative manual as necessary.

Moved: John Dierking

Seconded: Ken Maxey

Tammy Endozo – **Yes**; Bernice Bass de Martinez – **Yes**; John Dierking – **Yes**; Donna Norton – **Abstain**; Cheryl Turner – **Yes**; Ken Maxey – **Yes**; Paul Sellers – **Yes**; Samantha James-Perez – **Yes**; Andrew Moreno – **Absent**
YES: 7; NO: 0; ABSTAIN: 1; ABSENT: 1; THE MOTION PASSED.

7. CLOSED SESSION

- Before convening into closed session Ms. Endozo announced she received an email from Dr. Brown resigning from her position effective June 3, 2017.
- Mr. Dierking asked if proper authentication was provided regarding the resignation. Mr. Marcroft advised yes, DCA received the documentation and it was provided by Dr. Brown, which can be provided to the Board during closed session.
- Ms. James-Perez noted the Board may have had some hiccups, however there were visionary changes Dr. Brown brought to the Board. Ms. James-Perez stated she appreciates the time Dr. Brown spent with the Board.
- Ms. Endozo recognized Dr. Brown for her talents and skills, and appreciation of her time as EO.
- Mr. Dierking noted he felt Dr. Brown was a fine leader, and perhaps there was some resistance to change with the staff level. Mr. Dierking noted Dr. Brown held strong administrative and personal skills that benefited the people of State of CA, consumers in particular.
- Ms. Turner stated she regrets not to have had the opportunity to discuss whether Dr. Brown should be retained or let go.
- Ms. Norton stated she wishes Dr. Brown well and hopes all the changes Dr. Brown vehicled can be sustained.
- Director of Nursing of Clovis Adult School stated she found Dr. Brown delightful and supportive. She would like to let it be known she hopes the Board receives a nurse as the Executive Officer.

- Mr. Vertido, Nursing Instructor of Curam College of Nursing, stated he found Dr. Brown vibrant, energetic, and knowledgeable of nursing arts. Mr. Vertido encourages the Board to place a P.T., L.V.N., or R.N. as the EO to avoid any further complications.
- Regional Dean of Nursing for Oregon, California, and Missouri, stated there is not enough nurse representation and the Board really needs to have a strong nurse leader.

The Board will meet in closed session pursuant to Government Code section 11126, subdivisions (a)(1) and (2) to hear and discuss complaints or charges made against the Executive Officer, and to discuss and take action on the continued employment of the Executive Officer, unless she exercises her right to have this agenda item heard in open session. If this matter is heard in open session, the Board may convene in closed session to deliberate on the decision to be reached pursuant to Government Code section 11126, subdivision (a)(4).

8. The Board will meet in closed session, if necessary, pursuant to Government Code section 11126, subdivision (a)(1) to discuss and possibly take action on the appointment of an acting or interim Executive Officer.

- Upon reconvening into open session, Ms. Endozo announced by majority vote the Board appointed Ms. Anderson as interim Executive Officer, effective date is when Ms. Anderson is sworn into office by Oath of Office.
- Mr. Marcroft clarified it was a unanimous vote.

9. Discussion of procedures to search for and select a new Executive Officer, if necessary, including the possible selection of search committee.

Ricardo DeLaCruz, Personnel Officer, Human Resources, Department of Consumer Affairs, discussed next steps in recruitment of EO and provided job posting template and EO duty statement. Mr. DeLaCruz stated in order to expedite the hiring process the Board may delegate to the selection committee to make adjustments to the duty statement or take up the duty statement at a future Board meeting.

Public Comment: None.

Board Discussion:

- Ms. James-Perez clarified the duty statement includes requirement the EO to be R.N., L.V.N., or P.T.
- Ms. Turner accepted to serve on the selection committee.

- Ms. Norton noted to the committee to keep in mind the Board prefer admirable qualifications.

MOTION: Move to elect the Administrative Committee act as the selection committee

Moved: Tammy Endozo

Seconded: Bernice Bass de Martinez

Tammy Endozo – **Yes**; Bernice Bass de Martinez – **Yes**; John Dierking – **Yes**; Donna Norton – **Yes**; Cheryl Turner – **Yes**; Ken Maxey – **Yes**; Paul Sellers – **Yes**; Samantha James-Perez – **Yes**; Andrew Moreno – **Absent**
YES: 8; NO: 0; ABSTAIN: 0; ABSENT: 1; THE MOTION PASSED.

MOTION: Move to omit language regarding outdated law, and place in the desired qualifications of duty statement that the EO be a R.N., L.V.N., or P.T.

Moved: Donna Norton

Seconded: Cheryl Turner

Tammy Endozo – **Yes**; Bernice Bass de Martinez – **Yes**; John Dierking – **Yes**; Donna Norton – **Yes**; Cheryl Turner – **Yes**; Ken Maxey – **Yes**; Paul Sellers – **Yes**; Samantha James-Perez – **Yes**; Andrew Moreno – **Absent**
YES: 8; NO: 0; ABSTAIN: 0; ABSENT: 1; THE MOTION PASSED.

10. Adjournment.

Meeting adjourned at 7:27 p.m.

Prepared By: _____ Date: _____
Cheryl Anderson
Interim Executive Officer

Approved By: _____ Date: _____
Tammy Endozo
President