

# CIVIL SERVICE BOARD MEETING MINUTES



DATE: October 5, 2009

TIME: 5:00 pm – 5:31pm

BOARD: Doug Coulter, Chairperson  
Hugh Logan, Vice Chairperson  
Debra Allen, Board Member  
James “Mickey” Dunlap, Board Member  
Maiqual “Mike” Talbot, Board Member

STAFF: Terri L Cassidy, Human Resources Director and Secretary to the Board  
David Hunt, City Attorney  
Jyll C Ramirez, Administrative Assistant to the HR Director

GUESTS: Bob Luman, Police Chief  
Dave Mais, Fire Division Chief  
Paul Matheis, Fire Division Chief  
Bill Hartford, Police Lieutenant  
Lauren Farley, Risk Manager  
Rebecca Redyk, HR Supervisor  
Maggie Williams-Dalgart, HR Analyst  
David Syvock, Police Officer and PEA President

## **CALL TO ORDER - 5:00 PM**

Chairperson Coulter called the meeting to order at 5:00 p.m.

### **1. ROLL CALL**

All present.

### **2. FLAG SALUTE**

The Pledge of Allegiance was led by Board Member Allen.

### **3. APPROVAL OF SEPTEMBER 9, 2009 MINUTES**

A Motion was made by Board Member Dunlap to approve the Minutes for September 9, 2009 with one spelling correction. Vice Chairperson Logan seconded the Motion. It was approved 5 Ayes, 0 No.

#### **4. MONTHLY REPORT FROM THE SECRETARY TO THE BOARD**

Ms. Cassidy informed the Board:

- City Manager Dave Kiff has assembled a budget team to work on the City's fiscal challenges. Once the timing is right, the team will sit down with the other Department Directors and City Associations to determine the best path to take for the City.
- Negotiations will soon begin with the Association of Newport Beach Ocean Lifeguards (ANBOL), Lifeguard Management Association (LMA), Police Employees Association (PEA) and Police Management Association (PMA).
- Last month, Jan Perkins, with Management Partners, joined the City as the new Acting Assistant City Manager. She will be assisting City Manager Kiff with organizational challenges and work on improving our strong, professional Citywide team.
- HR staff hosted the annual Health Fair at the Central Library on September 30. The Health Fair provided a one-stop shop for information on employee benefits and also offered staff members the seasonal flu shot and blood pressure and cholesterol evaluations.
- HR Director Cassidy reached out to City Department Directors requesting feedback regarding the reasons for the high percentage of late evaluations. The most common statement from the departments is that the technology is not registering correct dates. Human Resources will convene a Summit including a representative from each department to address and resolve these issues, which will allow us to submit a more meaningful analysis to the Board.

Chairperson Coulter noted that the City Attorney, City Clerk and the Recreation & Senior Services Departments have completed all of their evaluations. He commended the departments for not having any late evaluations.

Chairperson Coulter requested an update on the Blaylock report.

Mr. Hunt reported that it is in the drafting stages, and he reassured the Board that they will be able to review it before the special, closed session. The entire document in full is confidential and not a public document. The Board-approved public document will address the seven questions presented in the scope of the Civil Service Board investigation.

#### **5. FIRE DEPARTMENT STATUS REPORT**

Chief Lewis notified the Board that:

- On October 15, the Chamber of Commerce is hosting the Firefighters and Lifeguards Appreciation BBQ at the Newport Dunes.
- The “Public Safety Day” event will be held October 11, from 10:00 a.m. – 3:00 p.m., at the Police Headquarters and Fire Station #3 Facility.
- There have been recent promotions to the Paramedic job class. There are no more openings for this rank.
- The Firefighter classification has a few vacancies; however, those appointments are currently on hold, pending the fiscal analysis.

## **6. POLICE DEPARTMENT STATUS REPORT**

Chief Luman reported:

- Recruitment and testing has been temporarily suspended.
- Officer Michael Whitmarsh graduated from Golden West College Police Academy, on September 11, 2009. He is currently in the Police Department’s Field Training Officer program.
- Five Police Recruit Officers are attending the Orange County (OC) Sheriff’s Academy; two are due to graduate September 30, 2009, and three intend to graduate on February 22, 2010. Further, one Police Recruit Officer will begin the OC Sheriff’s Academy on November 30, 2009.
- Three Police Officers have resigned; two in September and one in October, and one Police Officer was unable to successfully pass probation.
- In December, three retirements are expected, and by January 2010, the Police Department expects to be short six, sworn positions.
- Eligibility lists for Police Dispatcher, Community Services Officer and Police Cadet have expired. The recruitment for these three positions and the Custody Officer classification has been suspended at this time.

## **7. REQUEST APPROVAL TO EXTEND THE POLICE SERGEANT PROMOTIONAL LIST TO DECEMBER 16, 2009**

Chief Luman explained that in April 2009, when Chief Klein suspended all Police Department promotions, pending the outcome of the PMA Investigation, there were no vacancies in the upper management ranks. In May 2009, a Police Lieutenant retired, which created an opening that still has not been filled. However, once that position is filled, there will then be a Police Sergeant opening. Therefore, if the findings of the investigation determine that the lists are valid, he would like to promote off of the existing Lieutenant and Sergeant Promotional Eligibility lists. To achieve that goal, he would need to extend the lists so that they do not expire in the interim. If the investigation concludes that the promotional process is unfair and invalid, then he would ask the Board for their approval to vacate the lists.

Board Member Allen asked if both Police Associations support this proposal.

The Police Employees Association (PEA) President, David Syvock, was in attendance and confirmed his support of Chief Luman's plan on behalf of the PEA. There were no PMA Members present; however, in a memo dated July 8, 2009 from the *then* Police Chief John Klein, it reads *Mark Hamilton reported that the majority of the PMA members were agreeable to an extension of the promotional lists for a time consistent with the length of the PMA-requested Civil Service Board investigation.*

A Motion was made by Board Member Dunlap to approve the extension of the Police Sergeant Promotional List to December 16, 2009. Board Member Talbot seconded the Motion. It was approved 5 Ayes, 0 No.

**8. REQUEST APPROVAL TO EXTEND THE POLICE LIEUTENANT PROMOTIONAL LIST TO DECEMBER 4, 2009**

A Motion was made by Board Member Allen to approve the extension of the Police Lieutenant Promotional List to December 4, 2009. Board Member Talbot seconded the Motion. It was approved 5 Ayes, 0 No.

**9. BOARD MEMBER COMMENTS**

None

**10. ITEMS FOR FUTURE AGENDA**

Mr. Hunt notified the Board that he will be addressing the City Council on October 13, 2009, with the Board's recommendations regarding the Candidates' Right to Appeal for Original Appointment.

**11. PUBLIC COMMENTS**

None

**12. ADJOURNMENT**

The Civil Service Board meeting adjourned at 5:31 p.m.

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Terri L. Cassidy, J.D.  
Secretary to the Board  
Director of Human Resources