

**CIVIL SERVICE BOARD
MEETING MINUTES**



DATE: December 7, 2009
4:30 pm – 5:23 pm

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

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

1. CONVENE IN OPEN SESSION- 4:30 PM

Chairperson Coulter opened the meeting at 4:30 pm.

City Attorney David Hunt announced the Board has scheduled a closed session, under Government Code 54956.9 (b) (1), due to potential exposure of litigation on one matter of which the disclosure of its underlying existing facts and circumstances would jeopardize the City's ability to explore alternative resolutions.

2. ADJOURN TO CLOSED SESSION

At 4:31 pm, Chairperson Coulter closed the open session and adjourned to closed session under Government Code 54956.9 (b) (1) – Regarding Potential Exposure to Litigation

3. RECONVENED FOR REGULAR MEETING – 5:00 PM

CLOSED SESSION REPORT

City Attorney David Hunt reported that no actions were taken.

4. FLAG SALUTE

The Pledge of Allegiance was led by Board Member Talbot.

5. ROLL CALL

All Board Members were present.

Chairperson Coulter recognized and welcomed former CSB Member Paula Godfrey and announced that she is the recently-elected Chairperson of Speak Up Newport. *"Speak Up Newport is a non-partisan city-wide residents group organized to promote the common good and general welfare of the Newport Beach community (www.speakupnewport.org)."*

The Board also acknowledged and greeted former CSB Member Doug Wood.

6. APPROVAL OF THE NOVEMBER 2, 2009 MINUTES

A Motion was made by Board Member Dunlap to approve the Minutes. Board Member Allen seconded the Motion. It was approved 5 Ayes, 0 No.

7. MONTHLY REPORT FROM THE SECRETARY TO THE BOARD

HR Director and Secretary to the Board Terri Cassidy asked the Board if they could take a moment to remember the significance of the day (Pearl Harbor Remembrance Day) and thanked everybody that has served our Country both in the past and present.

Ms. Cassidy continued to report:

- At the December 8 City Council meeting, City Manager Dave Kiff will be presenting *Phase One* of the Restructuring and Early Retirement Incentive Program for the Council's approval.
- HR is preparing for the upcoming Police Lieutenant and Sergeant promotional exams the week of December 14.
- City Hall will be closed from Thursday, December 24, at noon through Friday, January 1, 2010. We will be open for business on Monday, January 4, 2010, at 7:30 a.m. Due to the holiday closure, the Civil Service Agenda Packet will be delivered Wednesday, December 23, for the January 4, 2010 meeting.
- An Employee Performance Evaluation (EPE) Summit has been convened by Human Resources to address any issues that departments may have with the online system. The most recent EPE analysis will be included in the Agenda Packet for the January 2010 meeting.

Ms. Cassidy thanked Administrative Assistant to the Police Chief Suzanne Haro for her assistance and consummate professionalism during the PMA Investigation and Library Services Director Cynthia Cowell and her staff for their hospitality and accommodation for the interviews.

8. CITY ATTORNEY STATUS OF THE PMA INVESTIGATION REPORT

Mr. Hunt explained to the Board that he would address the status under Agenda Item No. 12.

9. FIRE DEPARTMENT STATUS REPORT

Fire Support Services Manager Terry Ulaszewski addressed the Board:

- Firefighter Jeff Cathey graduated from Fire Paramedic School.
- On Thursday, November 12, the Fire Department held a badge pinning ceremony for Firefighters Kevin Gonzalez and John Mollica, who were promoted to Fire Paramedics.
- After 45 years of service, Fire Captain Jerry Strom will be retiring on December 19, 2009.
- The Fire Department will once again be sponsoring the Spark of Love Campaign, which is a fundraiser that collects new toys for local disadvantaged children in the community.

10. REQUEST APPROVAL TO OPEN THE PROMOTIONAL RECRUITMENT FOR FIRE ENGINEER

Fire Division Chief Matheis explained to the Board that one of his assignments is to prepare and administer the testing process for the Fire Department candidates. When he was given this task over three years ago, he began to partner with Human Resources to help him comprise a transparent, relevant and suitable test for the appropriate position. Chief Matheis complimented HR Supervisor Rebecca Redyk for helping him develop this progressive standard for the process.

Ms. Redyk notified the Board that her and Chief Matheis' practice is to review their testing process at the conclusion of each recruitment to look for areas of improvement.

Ms Cassidy informed the Board that the City Manager is approving all exams (open and promotional) for the City, and Chief Lewis did receive authorization to open this promotional recruitment.

Board Member Talbot made a Motion to approve opening the promotional recruitment for Fire Engineer. The Motion was seconded by Vice Chairperson Logan. It was approved 5 ayes, 0 no.

11. POLICE DEPARTMENT STATUS REPORT

Police Department

Police Captain Gazsi addressed the Board and notified them of the following:

- On November 30, Police Recruit Beau Rains entered the Police Academy.
- After 30 years of service, both Lieutenant Craig Frizzell and Sergeant Joe Thrasher will be retiring this month.
- In addition to the three positions frozen in the Police Department, due to the fiscal down turn, eight more positions will become available as retirements and vacancies occur.
- The eligibility lists for Police Dispatcher, Community Services Officer and Police Cadet have expired and are open for recruitment.
- Currently on hold and in the background process are two Lateral Police Officers, four Police Recruit Officers and one, part-time MIS Technician.
- At the end of November, Police Officer Damon Psaros promoted to Police Sergeant and Police Sergeant Scott McKnight promoted to Police Lieutenant.

12. PMA PROMOTIONAL INVESTIGATION REPORT

City Attorney David Hunt reported to the Board that a local news outlet misquoted the former City Manager in a recent article. He assured the Board that the documented comment was inaccurate. He continued to recap the events of the PMA Investigation from the beginning of the process until this time (this can be reviewed in previous Minutes beginning in January 2009).

Mr. Hunt reminded the Board that Investigator Blaylock, assisted by Attorney Cynthia Blaylock, conducted 23 interviews, prepared hundreds of exhibits and reviewed thousands of documents to compile the final, 209-page, confidential report that the Civil Service Board reviewed in October. With direction from the Board, the City Attorney's Office prepared Resolution No 2009-02 for the Board's approval. Mr. Hunt noted for the record no prior action has been taken before this meeting.

Mr. Hunt requested that the Board consider the summarized report to determine:

- If it was prepared objectively, thoroughly and completely.
- If the Board chooses to adopt the findings.
- What recommendations the Board will be making to the City Council.

Chairperson Coulter asked the Board Members if they had any questions for staff, and there were none. He then opened up the item to the public for discussion. There were no comments made by the public.

Chairperson Coulter addressed Police Captain Tom Gazsi for the PMA's opinion on this matter.

Captain Gazsi shared with the Board that although this has been a difficult process for some staff members, the PMA is grateful for the time, effort and energy that so many people have given for this investigation. He continued to inform the Board that some positive changes in the Police Department have resulted as an outcome of this process, including a revised promotional process.

Chairperson Coulter requested input from the PEA.

Police Officer Mario Montero had no comment for the Board, on behalf of the PEA.

Board Member Allen thanked Jim and Cynthia Blaylock for their hard work. She continued to thank the Blaylocks, City Attorney's Office and Human Resources for the high quality of the investigation, and expressed her support for the resolution. The other Board Members echoed Board Member Allen's comments.

A Motion was made by Board Member Allen to recommend Resolution 2009-02 to the City Council. Vice Chairperson Logan seconded the Motion. It was approved 5 Ayes, 0 No.

City Attorney Hunt informed the Board that he will bring Resolution 2009-02 to the City Council in January 2010 for approval. Mr. Hunt also thanked the Blaylocks, Human Resources and the Police Department staff members for having the commitment to the organization for bringing this issue forward to the Board. He believes that the promotional process is a better procedure for it.

13. BOARD MEMBER COMMENTS

None

14. ITEMS FOR FUTURE AGENDAS

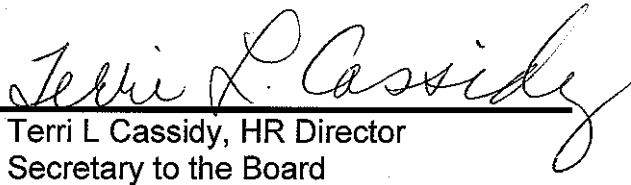
None

15. PUBLIC COMMENTS

None

16. ADJOURNMENT

The Civil Service Board meeting adjourned at 5:23 PM.


Terri L Cassidy, HR Director
Secretary to the Board

GUESTS AT OPEN SESSION:

Paula Godfrey, President, Speak Up Newport & Former CSB Member
Doug Wood, Former Civil Service Board Member
Bob Luman, Police Chief
Tom Gazsi, Police Captain
Rebecca Redyk, HR Supervisor
Sarah Rodriguez, HR Analyst
Paul Matheis, Fire Division Chief
Tara Finnigan, Public Information Manager
Mynette Beauchamp, Assistant City Attorney
Lauren Farley, Risk Manager
David Mais, Fire Deputy Chief
Terry Ulaszewski, Fire Support Services Manager
Mario Montero, Police Officer and Police Employees' Association (PEA)
Member
Jim and Cindy Blaylock, Investigators
Jim Kaminsky, Police Captain