

**CIVIL SERVICE BOARD  
MEETING MINUTES**



DATE: December 6, 2010  
5:00 p.m. – 5:31 p.m.

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

STAFF: Terri Cassidy, HR Director  
David R. Hunt, City Attorney  
Jyll C. Ramirez, Administrative Assistant to the HR Director

**1. FLAG SALUTE**

Vice Chairperson Allen led the Pledge of Allegiance.

**2. ROLL CALL**

Board Member Talbot was absent (excused). All other Board Members were present.

**3. APPROVAL OF NOVEMBER 1, 2010 CIVIL SERVICE BOARD MEETING MINUTES**

A Motion was made by Board Member Coulter to approve the November 1, 2010 Civil Service Board Minutes. Board Member Dunlap seconded the Motion. It was approved 3 Ayes, 0 No, 1 Abstain (Allen, due to absence 11/01/10).

**4. TRAINING IN APPEAL PROCESSES AND HEARINGS, STANDARDS OF PROOF – Presented by Attorney Roy Clarke, Richards Watson & Gershon**

City Attorney David Hunt introduced Attorney Roy Clarke, Richards Watson & Gershon, to the Board as their advising counsel for the December 8, 9 and 10 open Appeal Hearing.

Mr. Clarke presented a PowerPoint tutorial to the Civil Service Board on the topic of *Burden of Proof* with regard to Employee Appeal Hearings.

**5. MONTHLY REPORT FROM THE SECRETARY**

HR Director Terri Cassidy delivered the monthly report to the Civil Service Board:

**a. Schedule Non-Civil Service Employee Termination Appeal Hearing – Potential Dates in January/February**

The Board Members discussed their availability in February, and decided Friday, February 18, 2011, would be the best day to hold the appeal hearing for the non-Civil Service Employee. Once Chairperson Logan confirms the date with Board Member Talbot (absent), we will move forward.

Ms. Cassidy reminded the Board that the open Appeal Hearing for a non-Civil Service employee is scheduled for December 8, 9 and 10, from 9:00 a.m. to 5:00 p.m., in the Council Chambers.

Another appeal hearing, for a different employee, is scheduled for December 17, 2010, 9:00 a.m. to 5:00 p.m, in the Council Chambers.

Board Member Coulter asked if the December 17 Appeal Hearing will be open or closed.

Ms. Cassidy told the Board that the appellant has not communicated that decision to HR or City Attorney's Office. However, the default is to be closed, unless the employee asks for an open hearing.

**b. Follow-up on Firefighter Candidates' Appeal of Denial of Original Employment**

Ms. Cassidy informed the Board that three Firefighter Candidates had filed an appeal of their Denial of Original Employment. Per Civil Service Rules, she met with each of the individuals, as the HR Director, and was successful in coming to a mutual understanding. All three individuals decided to withdraw their appeal requests. Once the Board adopts their new rules, in keeping with Measure V, candidates and applicants will no longer have the right to appeal to the Civil Service Board.

**c. Welcome Interim Fire Chief Mike Morgan**

Chief Morgan was unable to attend the CSB Meeting, due to a previous commitment. However, he is scheduled to attend the January 2011 Civil Service Board Meeting.

**d. Miscellaneous Items**

Ms. Cassidy informed the Board that the Newport Beach City Hall Campus is participating in a Holiday Closure and will be closed from Friday, December 24, 2010, through Friday, December 31, 2010. City Hall will reopen Monday, January 3, 2011, which is also the date scheduled for the Board's first Regular Meeting in 2011. Since staff will not be in the office to compile and send out packets the prior week, Ms. Cassidy suggested moving the Regular Meeting to Monday, January 10, 2011.

A Motion was made by Board Member Coulter to reschedule the Monday, January 3, 2011, Regular Civil Service Board Meeting to Monday, January 10, 2011. Board Member Dunlap seconded the Motion. It was approved 4 Ayes, 0 No.

At the last Civil Service Board Meeting, November 1, 2011, the Board approved to open the recruitment for Fire Paramedic. However, due to some questions, internal procedural difficulties and the need for clarification, we will be cancelling that recruitment and reopening it at a later time. The Fire Chief, Human Resources Director and Newport Beach Firefighters' Association all support cancelling the recruitment at this time.

Newport Beach Firefighters' Association President, Brian Mc Donough, addressed and notified the Board that the Association spoke with Fire Chief Mike Morgan and HR Director Terri Cassidy this morning, and they were in agreement to hold off on the recruitment until the process can be cleaned up and clear.

HR Staff wished Board Members and their families a happy and healthy holiday season.

## **6. STATUS REPORTS**

### **a. FIRE DEPARTMENT**

Fire Division Chief Ralph Restadius gave the status report for the Fire Department:

- The Fire, Police and Harbor Resources Departments demonstrated proficient coordination, November 21, 2011, when a private plane descended into Back Bay. All three departments responded quickly and worked cooperatively together.
- Last month, Chief Restadius informed the Board that the Fire Department had been training on sand entrapment; and last week, an on-duty Lifeguard noticed two young children trapped in a tunnel and was able to pull them out safely. The training served to be a valuable tool.
- Chief Restadius wished the Board Members a Happy Holiday.

### **b. POLICE DEPARTMENT**

Captain Gazsi delivered the Police Department's status report to the Board:

#### Recruitment Update

- The Police Custody Officer recruitment is in progress. Eight hundred, thirty-three (833) people applied. Of the 833, One hundred, twenty-eight (128) tested Saturday, December 4, and 36 will continue in the process.

Points of Interest

- Police Recruit Officers Alex Maslin, David Seriega and Joseph DeJulio are in week 15 at the Orange County Sheriff's Academy. They are still ranked in the top three of their class.
- Although the plane crash in Back Bay proved to be a tragedy, the Police Department enjoyed the opportunity to work closely with the Fire Department. Captain Gazsi complimented Emergency Services Coordinator Katie Eing and the Disaster Preparedness Division.
- Today, the Mayor and Council Members attended the testing of the Tsunami Warning siren at 15th Street and Balboa Boulevard. The testing was successful.

Recruitment Background

- Currently in the background process are three Lateral Police Officers, two Police Dispatchers and four Community Services Officers.

**7. BOARD MEMBER COMMENTS**

Board Member Dunlap congratulated HR for successfully managing all requests for appeal of original appointments at the staff level.

Chairperson Logan wished staff a Happy Holiday season and thanked them for their support and hard work.

**8. ITEMS FOR FUTURE AGENDAS**

None

**9. PUBLIC COMMENTS**

None

**10. ADJOURNMENT**

The Civil Service Board meeting adjourned at 5:31 PM.



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Terri Cassidy, HR Director  
Secretary to the Board