

CITY OF RICHMOND, CA
HUMAN RESOURCES MANAGEMENT DEPARTMENT

**PERSONNEL BOARD
REGULAR MEETING**

**CITY COUNCIL CHAMBERS
440 CIVIC CENTER PLAZA
RICHMOND, CA 94804**

**November 18, 2015
MINUTES**

The regular meeting was called to order by Vice Chair Yvonne Nair at 5:15 p.m. on November 18, 2015.

1. ROLL CALL

Present: Yvonne Nair, Vice Chair Member
McKinley Williams, Board Member
Vicki Winston, Board Member

Absent: Elaine Merriweather, Chair
Vinay Pimple, City Council Member/Personnel Board Liaison

2. STATEMENT OF CONFLICT OF INTEREST

- None

3. APPROVAL OF MINUTES

- Regular Meeting of October 22, 2015

SPEAKERS:

- None

Board Member Vicki Winston made a motion to approve the minutes of October 22, 2015. Board Member McKinley Williams seconded the motion. Minutes were approved by the following vote: AYES: Y. Nair, M. Williams, V. Winston. NOES: None.

4. PUBLIC COMMENT

SPEAKERS:

Cordell Hindler: inquired about the costly use of outside attorneys versus the use of the knowledgeable and reliable City Attorneys for Personnel Board hearings. ~~On another note, Cordell mentioned that he is now on the Library Commission and he foresees changes such as improvements to staffing and~~

Vice Chair Nair at this point recommended that Cordell speak on this item later during said agenda item.

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<http://www.ci.richmond.ca.us/index.aspx?NID=1090>

Cordell requested that his comments be stricken from the record. In closure, he mentioned the hygiene of the library clientele.

5. NEW BUSINESS

SPEAKERS:

- None

- a. Approval to establish the new classification of Lead Police Records Specialist (Police Department)

SPEAKERS:

- None

Principal Personnel Analyst Maria Blue and Police Records Supervisor Kay Carzoli described the need for the new classification of Lead Police Records Specialist for the Police Department. The current staffing of Police Records Specialist is nine and optimally would be 15 employees to cover the Records Division during the 24 hour/7 day a week. The Police Records Specialist cover the lobby during business hours of 7 a.m. to 8 p.m. and cover three other agencies, El Cerrito, Kensington, and San Pablo, on weekends and after business hours which include multiple tasks such as, but not limited to, vehicle entries locally along with state and national entry, clearance checks, criminal histories, missing people, hold warrants. During business hours, the Police Records Specialists are required to enter Ramey warrants immediately upon receipt, fingerprinting, vehicle releases, helping officers and citizens who come to the counter. Having more supervision during the other two shifts that Records Supervisor Kay Carzoli is not present in the Police Department would make for more efficiency. Also, having another supervisor present to solve problems immediately versus awaiting a Sergeant to handle would be helpful.

This position will be a promotional opportunity for those with three years of Police Records Specialist experience and completion of the Records Management course with additional supervisory training once appointed to this position.

Board Member Vicki Winston made a motion to approve the establishment of the new classification of Lead Police Records Specialist. Board Member McKinley Williams seconded the motion. Classification was approved by the following vote: AYES: Y. Nair, M. Williams, V. Winston. NOES: None.

- b. Questions of ethics in relation to the Personnel Board Charter and administration of Personnel Board business (Vice Chair Nair)

DISCUSSION:

City Assistant Attorney Shannon Moore was invited to the meeting to answer any questions in reference to the AB 1234 training.

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Vice Chair Nair expressed her concern over the ethics of positions being brought to the Personnel Board and the Board did not approve the classification and the classification moved forward without the approval of the Personnel Board. The other ethical issue is the fairness of using outside attorneys versus the attorneys in the City Attorney's office.

Secretary Stephenson clarified that the classification not approved by the Board was not changed. In terms of the outside attorneys, the union and the City have an independent decision to choose attorneys or not. The unions have brought in attorneys. In arbitrations it is the norm for both sides to have legal representation. Which attorneys are selected is ultimately the decision of both of the parties.

Secretary Stephenson does not believe that it is unethical to use outside attorneys and it isn't unethical for the union to use attorneys. Board Member Winston agrees with this. The employee(s) would have to raise this issue with their union.

Vice Chair Nair expressed concern on the use of expensive attorneys when an employee may not have any legal representation. Lisa explained that the knowledge on whether the union has sought an attorney to represent an employee during a grievance is not known until the arrival at the grievance.

Vice Chair Nair questioned why a City Attorney is needed when the Board is deliberating. The City Charter does not require an attorney in the room during deliberation. Assistant City Attorney Moore described that this issue has been brought to both Bruce Goodmiller and Bruce Soublet attention. The City Attorney's position is that an attorney be present during closed session. Vice Chair Nair requested whether the Personnel Board could request to not have a City Attorney present during deliberation.

Assistant City Attorney Moore will send an email explaining the reasoning for an attorney in a closed session/deliberation and the role of the attorney during said session.

Board Member Winston stated that need for an attorney during said sessions for legal perimeters is helpful without the input of any opinions.

SPEAKERS:

- None

c. Board Member Winston report on interview with Library Director Katy Curl

Board Member Winston left a detailed voicemail message for Library Director Katy Curl but did not receive a return call. Board Member Winston volunteered to post questions to the Library Director by email. Vice Chair Nair agreed that this should be pursued.

At this point, no one from the Library Commission was in attendance. Library Commissioner Hindler was in attendance but left due to a conflict in schedule.

Secretary Stephenson stated that the Library Director Curl stated that many of the library issues have been resolved. Discussions continue between Human Resources Director Stephenson, Human Resources Personnel Officer Donna Newton, the union, and library management on concerns about the bookmobile.

For next month, this can be moved to Unfinished/Old Business Library issues.

Board Member Winston stated that she would email everyone on the Board and Commission with specific questions she has gathered over the past few years from public comment and materials received from library employees during Personnel Board meetings.

The Personnel Board requested that Secretary Stephenson request an update from the Library Director on the audit and report on during the next Personnel Board meeting.

6. UNFINISHED/OLD BUSINESS

SPEAKERS:

- None

a. Discuss the following Library issues with Library Commission Chair Weems:

1. Communications
2. Bookmobile driver and Library associate
3. Richmond Library and Cultural Services Department Internal Audit
4. Anonymous letter

DISCUSSION:

No Library Commission representative was present at the meeting.

Communications – Human Resources Director Stephenson, as an impartial party, has been working with the union to facilitate some of the day-to-day issues. At this point, nothing is pending.

Bookmobile driver and Library Associate – this has moved forward by working together with the Library and Risk Management on how the bookmobile is going to be staffed and training on the operations of bookmobile.

Richmond Library and Cultural Services Department Internal Audit – Board Member Winston has requested from the Library Director an update and will share any information received with the Library Commission.

Anonymous letter – Secretary Stephenson had it reviewed by one of the attorneys for any content that would require an investigation and it was determined unnecessary. Vice Chair Nair expressed her concern on the fear of retaliation voiced in the letter. Secretary Stephenson stated that both the City Manager and she take a very strong position on

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retaliation. Employees are encouraged to talk to their union, herself, or the City Manager when they feel they have been retaliated against.

Next agenda: Board Member Winston will send an email reporting and therefore there is no need to place on the agenda. Assistant Attorney Soublet stated it is not a Brown Act violation if there is not a back and forth communication. Send and don't respond to all.

6a will change to discuss the Richmond Library and Cultural Services Department Internal Audit.

City Assistant Attorney Shannon Moore will report to the Personnel Board by email on the need for an attorney during closed session.

Library Commission meetings are bi-monthly on the second Tuesday, (January, March, May, July, September, November). This information will be emailed to the Personnel Board.

REMINDER: The December meeting is on the third Wednesday.

7. REVIEW OF SUBPOENA(S)

- None

8. CONSIDERATION OF PROBLEMS AND REPORTS

- None

9. ADJOURNMENT OF REGULAR MEETING

Regular meeting adjourned at 6:03 p.m.