

**CITY OF RICHMOND, CA  
HUMAN RESOURCES MANAGEMENT DEPT.**

PERSONNEL BOARD  
REGULAR MEETING

WILDCAT CANYON CONFERENCE ROOM  
450 CIVIC CENTER PLAZA

**April 28, 2011  
MINUTES**

The Regular Meeting was called to order by Chairperson West at 4:34 p.m. Roll call was as follows:

Present: Lewis West, Chairperson  
Joanne Sidwell, Vice Chairperson  
Jodi Lines, Board Member  
Kimberly Stewart, Board Member  
(vacant position)

Absent: None

In Audience: Leslie T. Knight, Asst. City Manager/Human Resources Mgmt. Dir.  
Lisa Stephenson, Labor Relations Manager, HRM  
Rob Larson, Human Resources Personnel Officer, HRM  
Donna Newton, Senior Personnel Analyst, HRM  
Tim Higaes, Code Enforcement Manager, Richmond Police  
Department, Code Enforcement  
Anthony Williams, Captain, Richmond Police Department  
Lois Clark, Personnel Board Secretary, HRM

Lois Clark announced rules for the audience.

1. **ELECTION OF 2011 OFFICERS**

The Board briefly discussed the Board's Officers, and Chairperson West volunteered to serve as Chairperson. Chairperson West nominated Vice Chairperson Sidwell as Vice Chairperson, to which she agreed.

The Board unanimously agreed to maintain the status quo of the current Personnel Board composed of Chairperson West, Vice Chairperson Sidwell, and Board Members Lines and Stewart.

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2. APPROVAL OF MINUTES:
  - a. Regular Meeting of December 12, 2005
  - b. Regular Meeting of January 26, 2006

Vice Chairperson Sidwell made a motion to approve the minutes of December 12, 2005 and January 26, 2006; seconded by Board Member Lines. Item was approved by the following vote: AYES: Mr. West, Ms. Lines, and Ms. Sidwell. NOES: None. ABSENT: None. Ms. Stewart was not eligible to vote on this item.

3. APPROVAL OF THE REVISIONS TO DISCIPLINE HEARING STATEMENT BY THE CHAIR OF THE PERSONNEL BOARD (copy attached)

Chairperson West stated he reviewed the document, finds it adequate, and suggested moving forward.

Vice Chairperson Sidwell stated the issue arose during one of the last discipline hearings; it was in place 23 years ago when the meetings started at 7:30 p.m. Board Member Stewart commented that she likes the broadness of the statement.

Vice Chairperson Sidwell made a motion to approve the revisions to the Discipline Hearing Statement; seconded by Board Member Stewart. Item was approved by the following vote: AYES: Mr. West, Ms. Lines, Ms. Sidwell, and Ms. Stewart. NOES: None. ABSENT: None.

4. APPROVAL TO REVISE THE EXISTING CLASSIFICATION OF CODE ENFORCEMENT MANAGER (POLICE DEPARTMENT-CODE ENFORCEMENT DIVISION)

Leslie Knight, Assistant City Manager/Human Resources Management Director, introduced the item, stating the city has a Code Enforcement Manager. When he first was hired, there were fewer employees and less responsibility. Now there is more responsibility, and the proposed job description is revised to reflect actual duties and responsibilities, as well as other changes.

Donna Newton, Senior Personnel Analyst, provided a brief overview of the proposed item regarding the request to revise the existing classification of Code Enforcement Manager due to the department growing from 11 staff members to 30 staff members. Revisions will serve to update the job duties which were not clearly defined, and update the minimum required education and experience which she briefly explained.

Vice Chairperson Sidwell questioned whether the Board can assume that the increased education and experience requirement will have no effect on the current incumbent. Ms. Knight noted that the current employee is grandfathered into the position, and any new employee will be required to hold the revised education and experience.

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Mr. Higaes stated staff is in the process of updating all outdated literature which is distributed to the Richmond Neighborhood Coordinating Council and other community groups. Each Code Enforcement Officer is assigned to an area, and once updated, separate community meetings will be held to disperse the updated materials. In response to a question of Board Member Lines, Mr. Higaes confirmed he has been with the city almost 2.5 years.

Vice Chairperson Sidwell made a motion to approve the revision of the existing classification of Code Enforcement Manager (Police Department-Code Enforcement Division); seconded by Board Member Lines. Item was approved by the following vote: AYES: Mr. West, Ms. Lines, and Ms. Sidwell. ABSTAIN: Stewart. NOES: None. ABSENT: None.

5. APPROVAL TO ESTABLISH THE NEW CLASSIFICATION OF CODE ENFORCEMENT SUPERINTENDENT (POLICE DEPARTMENT-CODE ENFORCEMENT DIVISION)

Leslie Knight, Assistant City Manager/Human Resources Management Director, introduced the item, stating the request is to establish the new classification of Code Enforcement Superintendent (Police Department-Code Enforcement Division) which is not filled and is an entirely new classification. Because Code Enforcement has expanded so quickly, and the span of control is so large at this point, staff has determined that Mr. Higaes needs assistance at a higher supervisory level. The minimum qualifications are the same as the minimum qualifications for all superintendents, which she briefly explained.

Donna Newton, Senior Personnel Analyst, provided a brief overview of the proposed item regarding the request, mirroring Ms. Knight's comments.

Board Member Lines asked for an explanation of the cost recovery part of Code Enforcement, and Mr. Higaes explained that banks are walking away from properties just as many homeowners are leaving them vacant. Code Enforcement funds the initial clean-up and boarding of the properties, and then attempts to recover those funds through a lien.

Chairperson West questioned whether there were federal funds available to pay for this work, and Mr. Higaes said there may be federal funds becoming available because of new legislation; however, the city has been very effective at recovering money from liens, and staff continues to look for grant funding. He further described Code Enforcement's efforts of employing two individuals from Richmond Works who do all boarding activities, as well as coordination with all city departments and the county to tackle the problem.

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Board Member Lines questioned whether the superintendent position supervises all employees. Mr. Higaes explained that the existing supervisor should be out in the field assisting field crews, and what is happening is that he is in the office doing the work of the superintendent. Therefore, the position will oversee vehicle abatement, code enforcement, traffic and abatement, as well as support the manager.

Board Member Lines made a motion to approve the establishment of the new classification of Code Enforcement Superintendent (Police Department-Code Enforcement Division); seconded by Board Member Stewart. Item was approved by the following vote: AYES: Mr. West, Ms. Lines, Ms. Sidwell, and Ms. Stewart. NOES: None. ABSENT: None.

6. PUBLIC COMMENT: None

The meeting was adjourned at 5:50 p.m.

Respectfully submitted,



Leslie T. Knight  
Assistant City Manager/Human Resources Management Director

Encls. Revised Discipline Hearing Statement by the Chair of the Personnel Board, dated 04/04/11 (3 pages)

/lmh-lyc

## DISCIPLINE HEARING

### STATEMENT BY THE CHAIR OF THE PERSONNEL BOARD

This hearing, in the matter of \_\_\_\_\_, is held pursuant to Section 7(a) of Article 13 of the Charter of the City of Richmond and Rule XI of the Personnel Rules. Its purpose is to provide a fair presentation of the facts related to the personnel action taken in the case of this employee. The hearing will follow the following format:

1. All persons testifying at this hearing will be asked to leave the hearing room except for the subject employee and one person representing the City.
2. Opening Statements by the City, then by the employee or his or her representative. An Opening Statement is to be limited to summarizing the evidence which will be presented by the party.
3. Presentation of evidence by the City's attorney or representative, which may include the subject employee as a witness, and cross-examination of any witnesses by the employee or his or her representative. All witnesses will be sworn.
4. Presentation of evidence, including witnesses, by the employee or his or her representative, and cross-examination of any such witnesses by the City. Again, all witnesses will be sworn.
5. Rebuttal witnesses by one or both parties.

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6. Closing Statement by the City, Closing Statement by the employee or his or her representative, and finally, Rebuttal by the City.

The hearing will be informal; this Board is not required to follow formal rules of evidence. Disputed questions of law are permissible only for the purpose of placing the issue on the record and will not be resolved by this Board.

Objections to questions, documents, or witnesses are permissible only for the purpose of placing the objections on the record. If any objection is made based on privilege, this Board will sustain the objection. This Board hereby advises the party asserting the privilege that such party represents to the Board that the assertion of said privilege is consistent with Federal or State law. This Board instructs the inquiring party that this Board's ruling is not a legal ruling and that said party is advised that if said party believes the assertion of such privilege is inconsistent with such law, said party shall raise the issue with a court of proper jurisdiction.

Witnesses will be sworn under oath prior to testifying. The members of the Board may ask questions of each witness after the City and the employee or his or her representative have finished their questioning. This Board may make any modification to procedures herein described or impose any additional procedures, requirements or limitations in order to keep the

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proceeding moving forward in a reasonable and fair fashion. This hearing will be recorded in its entirety.

After Closing Statements by the parties have been completed, the Board will adjourn for deliberation. The Board will announce whether it is recommending that the appeal of the employee be granted or denied. The appeal will be granted or denied based on three affirmative votes of the Board.

If this hearing is not concluded ~~by 11:00 p.m.~~ after 3 ½ hours, the remainder of the hearing must be continued to another day or the Board must pass a motion to extend the time to adjournment of the meeting of the Personnel Board beyond ~~11:00 p.m.~~ 3 ½ hours.

Are there any questions? If not, the City may proceed.

/lyc

August 19, 1993

Revised April 4, 2011

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