

SPECIAL MEETING OF THE
CIVIL SERVICE COMMISSION
CULVER CITY, CALIFORNIA

July 29, 2020
7:00 P.M.

Call to Order & Roll Call

Chair Ford called the special meeting of the Civil Service Commission to order at 7:00 P.M. in via Webex.

Present: Chair Michelle Ford
Vice Chair John Kuechle
Commissioner Danielle Sheppard
Commissioner Julie Zatz
Commissioner Albert Vera

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Pledge of Allegiance

Michelle Ford led the Pledge of Allegiance.

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Public Comment - Items Not On the Agenda

Chair Ford invited public comment.

Amy Webber, Human Resources Analyst, indicated that no public comment had been received.

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Receipt and Filing of Correspondence

Amy Webber, Human Resources Analyst, indicated that no correspondence had been received.

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Action Items

Item A-1

Training: Conducting Administrative Hearings and the Role of the Civil Service Commission

Cristina Talley, Talley and Talley Law, summarized the hearing process; noted that the Commission is a pathfinder and decisionmaker; discussed the hearing process; the upcoming appeal of a disciplinary matter; the process; Civil Service Rule 11.14; the role of the Chair; objections; evidence; leeway; decorum; preponderance of evidence; clarification that the City does not have to establish that the rules or policies violated were necessary, fair or appropriate; and application of facts to make decisions.

Discussion ensued between Ms. Talley and Commissioners regarding Commissioner knowledge of rules; application of rules in a discriminatory manner; pre-hearing conference materials; the federal and state constitution; First Amendment Rights; due process; acceptance of the rules as valid; and adherence to the Oath of Office.

Cristina Talley, Talley and Talley Law, discussed closing arguments; deliberation in Closed Session; application of evidence to the rules; credibility of witnesses; truth vs. perception; determining the most accurate version of the situation; different types of evidence; the duty to consider all evidence presented at the hearing; standard of review; burden of proof; the DeNovo Hearing; reasonable evidence to support the decision; and deference to the decisionmaker.

Additional discussion ensued between Ms. Talley and Commissioners regarding trusting that the supervisor was making a decision within the rules to the extent there is credible evidence to support the decision; the inability to put your judgment before the judgment of the supervisor; suitable consequences; the burden to justify imposition of consequences; reasonable progression of discipline; other factors involved; and establishment of reasoning.

Cristina Talley, Talley and Talley Law, discussed grounds to modify or reject the disciplinary action; employee proof for affirmative defenses; interpretation of the rules; ordinary and common meaning; rendering of findings and the written decision; the role of counsel; draft of findings to support

the decision; Commission review; finalization; and presentation of the final decision.

Further discussion ensued between Ms. Talley and Commissioners regarding rules with discretion in their application; past instances; context for the rule; intent of the rule and department policy; vague rules that are susceptible to more than one meaning; cases of first impression; and unchallenged rules.

Cristina Talley, Talley and Talley Law, discussed bias; the potential to be discredited due to a relationship with a witness; the responsibility to disclose a potential bias; and the script provided to the Chair for the beginning of the hearing.

Additional discussion ensued between Ms. Talley and Commissioners regarding whether there would be a visual component to the hearing; actions of Los Angeles county; the importance of being able to see the witnesses and the appellant; support for using live cameras during a formal hearing; replication of a live process remotely; Rule 11.14; the process; scheduling; the Pitchess Motion; procedures for presenting things under seal; and information distributed to Commissioners.

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Public Comment - Items NOT on the Agenda (continued)

Chair Ford invited public comment.

Amy Webber, Human Resources Analyst, indicated that no public comment had been received.

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Items from Staff

None.

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Items from Commissioners

Commissioner Vera thanked Ms. Talley and staff for the informative training session.

Chair Ford echoed Commissioner Vera's comments.

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Adjournment

There being no further business, at 8:05 P.M., the Civil Service Commission adjourned to a regular meeting to be held at 7:00 P.M. on Wednesday, August 5, 2020.

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Mily C. Huntley, Esq.
Human Resources & Equity Manager, of Culver City, California
SECRETARY TO THE CIVIL SERVICE COMMISSION
Culver City, California

APPROVED _____

Michelle Ford
CHAIR of the Civil Service Commission
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.

Jeremy Green
CITY CLERK

Date