

SPECIAL MEETING OF THE
CIVIL SERVICE COMMISSION
CULVER CITY, CALIFORNIA

August 13, 2020
7:00 P.M.

Call to Order & Roll Call

Chair Ford called the special meeting of the Civil Service Commission to order at 7:02 P.M. in Mike Balkman Council Chambers at Culver City Hall 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

Albert Vera 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

Consideration of a Request for a Continuance of a Disciplinary Appeal Hearing Currently Scheduled to Begin on August 24, 2020

Amy Webber, Human Resources Analyst, provided a summary of the material of record.

Ken Yuwiler, appellant counsel, discussed meeting participants; work to resolve the issue; confidence that both parties would be able to reach an agreement; issues with having the hearing in a virtual manner; a request to set a new date in the future; and whether to set a date for a live hearing in the future.

Sarah Martoccia, Fire Department counsel, concurred that it was reasonable to continue the special hearing; suggested scheduling a special hearing for one month in the future; and she noted that both parties were very close to resolution.

Discussion ensued between meeting attendees and Commissioners regarding people present to address any issues; putting the City in the best possible light moving forward; scheduling; leaving dates in place to provide incentive for the parties to resolve the matter; significant substantive issues; preparing for an instance if an agreement is not reached; concern with a looming deadline vs. concern with having things stretch on; the desire to have the issue be resolved quickly; Commissioner availability; concern with extending the matter to an uncertain date; a suggestion to defer the matter to the next regular meeting; setting appeal hearing dates; and whether an authority or briefing would be submitted.

Jacob Kalinski, Culver City Firefighters Association representative, noted that if the matter was not continued it would force the union's hand; the feeling that the item required bargaining; the desire to avoid filing an unfair labor practice charge; and hope that the item could be settled.

Additional discussion ensued between Mr. Kalinski and Commissioners regarding whether anything short of an in-person hearing would result in an objection; the inability to hold in-person hearings any time soon; the meet and confer effort; the bargaining process; opposition to waiving rights; concern with delving into areas outside of the purview of the

Commission; the need to proceed with caution; whether an administrative hearing could proceed remotely; the fair compromise to defer the matter to allow the parties to settle; concern with proceeding on the assumption that the hearing would occur virtually; the decision made by City Management staff to proceed virtually; the goal to avoid addressing procedural issues by allowing time to negotiate a settlement; the request not to set new hearing dates; allowing for an amicable solution; the joint agreement from both parties to request a continuance; the feeling that both parties have had plenty of time; concern with setting a precedent; and the need to set parameters moving forward.

Commissioner Vera proposed a motion to agendize the matter for the next available date and then determine whether to move forward as a Commission and, if the matter has not been settled, set dates to move forward in a timely manner. Commissioner Zatz seconded the motion and the discussion continued.

Cristina Talley, Talley and Talley Law, clarified that the motion was to defer consideration of the request for a continuance until it can be held in person to one of the scheduled appeal hearing dates and if the matter is not settled by that time, the Commission would determine on the pending request to continue until the matter can be held in person, and if the Commission decides to move forward remotely, the Commission would set dates at that time.

Commissioner Vera concurred regarding the intent of his motion and agreed upon August 26, 2020 as the date to agendize the matter.

MOVED BY COMMISSIONER VERA, SECONDED BY COMMISSIONER ZATZ AND UNANIMOUSLY CARRIED, THAT THE CIVIL SERVICE COMMISSION AGENDIZE THE MATTER FOR AUGUST 26, 2020 AND THEN DETERMINE WHETHER TO MOVE FORWARD, AND IF THE MATTER HAS NOT BEEN SETTLED, SET DATES TO MOVE FORWARD IN A TIMELY MANNER.

Amy Webber, Human Resources Analyst, indicated that staff would prepare the matter for the agenda for the special meeting to be held on August 26, 2020.

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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

Chair Ford thanked everyone for their efforts.

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Adjournment

There being no further business, at 8:11 P.M., the Civil Service Commission adjourned to a regular meeting to be held at 7:00 P.M. on Wednesday, September 2, 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