



City of Culver City

Staff Report

File #: 22-888, **Version:** 1

Item #: PH-1

Public Hearing: (1) Consider Amendments to the Civil Service Rules, Rule 3; and (2) Make Recommendations to the City Council for Approval and Adoption of Amendments.

Meeting Date: April 6, 2022

Contact Person/Dept: Steven V. Pham, Interim Human Resources Director

Phone Number: (310) 253-5640

Fiscal Impact: Yes ☐ No ☐ **General Fund:** Yes ☐ No ☐

Public Hearing: [X] **Action Item:** ☐ **Attachments:** [X]

Public Notification: (Email) Meetings and Agendas (11/24/21, 12/31/21, 01/27/22 and 04/01/22); Publication Culver City News (11/25/2021)

Department Approval: Onyx Jones, Assistant City Manager (04/01/22)

RECOMMENDATION

Staff recommends that the Civil Service Commission: (1) Conduct a Public Hearing to consider proposed amendments to the Civil Service Rules (Rules), Rule 3; and (2) make recommendations, if deemed necessary, to the City Council for approval and adoption of such amendments.

PUBLIC HEARING PROCEDURES

1. Chair seeks motion to receive and file the affidavits of publication and posting of notices and correspondence received in response to the public hearing notices; and,
2. Chair calls for a staff report and the Commission may pose questions to staff as desired; and,
3. Chair seeks a motion to open the public hearing; and,
4. Chair seeks a motion to close the public hearing after all public testimony has been presented; and,
5. Commission discusses the item and arrives at a decision.

BACKGROUND

At the April 7, 2021 regular Commission meeting, then Vice Chair Kuechle requested and received

consensus to agendize a discussion regarding possible amendments to the Rules. At the June 2, 2021 regular Commission meeting, the Commission's discussion resulted in the appointment of two commissioners to serve as a Subcommittee to complete further review of the proposed list of Rules for review, and for the Subcommittee to return to the full Commission with proposed Rules amendments.

The Subcommittee met with staff on June 24, 2021, July 7, 2021, August 18, 2021, September 23, 2021, and October 21, 2021. At those meetings, the Subcommittee reviewed and discussed proposed revisions to the Rules that were identified by the Commission, specifically focusing on Rule 3: Classification. The Subcommittee also recommended focusing on the Rules with the most pressing areas of concern first and coming back to the full Commission periodically for the Commission to make recommendations to the City Council. The Subcommittee's recommendations to Rule 3 are before the Commission tonight for full discussion.

At the Commission's regular August 4, 2021 and September 1, 2021 meetings, the public hearing to consider amendments to Rule 3 of the Civil Service Rules was agendized. At both regular meetings, the Commission unanimously voted to continue the matter to allow the Commission's Ad Hoc Subcommittee (Subcommittee) an opportunity to meet and make further revisions considering comments received at these meetings. At the Commission's regular October 6, 2021 meeting the public hearing to consider amendments to Rule 3 of the Civil Service Rules was agendized to continue to a future meeting. The Commission unanimously voted to continue the public hearing to November 3, 2021. At the Commission's regular November 3, 2021, the Commission requested that the public hearing be re-noticed and brought back to the Commission at a future date.

On December 1, 2021, the Civil Service Commission opened the public hearing, heard public comment, and continued the hearing to the next meeting. The Civil Service Commission again continue the public hearing to February 2, 2022 during their January 5, 2022 regular meeting to allow the Staff to continue reviewing the Rule 3 with the bargaining units.

On February 2, 2022, the Commission re-convened the public hearing, heard public comment, and continued the hearing to the next meeting for the Subcommittee to review the public comment received as well as concerns raised by Chair Kuechle.

DISCUSSION

Attachment 1 includes proposed amendments to various sections of Rule 3: Classification. The proposed changes reflect the Commission's discussion and recommended changes from the December 1, 2021 meeting and public comments received by Culver City Employees Association (CCEA) and Culver City Management Group (CCMG) from the September 1, 2021 meeting. These changes attempt to clarify existing procedures, streamline processes, and ensure that the Rules comply with the City Charter and Municipal Code.

Specifically, at the Commission's regular meeting of December 1, 2021, the Commission's discussion included changes to clean-up grammatical issues and consistently capitalize defined terms. The discussion resolved the Commission's goal to have classification specifications be approved administratively, and identified that staff and the City Attorney's staff to look at consistency between

the Rules and related Municipal Code language. Further, the Commission's discussion and recommended edits to Rule 3.1, paragraph 1 and paragraph 2 were made.

Following the Commission's regular meeting of December 1, 2021, the Rules Subcommittee met on December 14, 2021. At this meeting the Subcommittee addressed concerns unresolved from the December 1st meeting including when to address the definition of terms items not currently defined, Rule 3.1 and Rule 3.3 were reviewed to ensure an accurate representation of the Policy and Procedures sections of the Classification rule, and addressed clarify who is a "party" within Rule 3.3. The Subcommittee reviewed these concerns and incorporated items into the various edits above from December 1st meeting for the February 2, 2022 Public Hearing item.

Staff has researched the concerns brought forth by CCEA and CCMG. CCEA expressed concern about removed language. The Subcommittee has added that language back to the proposed Rules. CCMG's concerns about a lack of an appeal process are covered by the process to appeal to the City Manager or file a grievance as well as the meet and confer process the City currently participates in with each bargaining unit before finalizing a new or revised classification.

In order to amend the Civil Service Rules, Rule 17.3 requires that a hearing be held to give the public an opportunity to discuss the proposed amendments. The notice of public hearing was sent to the City Council, bargaining units, City employees, and published in the local newspaper, Culver City News, on November 25, 2021. The notice has also been posted on the City's public bulletin board in City Hall and sent via GovDelivery email notification.

Staff is recommending that the Commission consider the proposed amendments to Civil Service Rules, Rule 3: Classification from the Subcommittee in Attachment 1; and recommend, by majority vote, the proposed amendments for City Council adoption. Should the Commission desire, by majority vote, to make additional amendments to Civil Service Rules, Rule 3: Classification then the Commission may send their additional amendments back to the Subcommittee and staff for further review.

FISCAL ANALYSIS

There is no fiscal impact associated with the discussion of this Agenda item.

ATTACHMENTS

1. 2022-04-06 - ATT 1 - Proposed Amendments, with redline edits, to Civil Service Rules, Rule 3: Classification
2. 2022-04-06 - ATT 2 - Final Proposed Draft Amendments to Civil Service Rules, Rule 3: Classification
3. 2022-04-06 - ATT 3 - Affidavit

MOTION

That the Civil Service Commission:

Make Recommendations, if deemed necessary, to the City Council for Approval and Adoption of Proposed Amendments to Civil Service Rules, Rule 3: Classification.