



## HUMAN RESOURCES BOARD

Meeting Minutes  
Monday, October 3, 2022

### Opening:

The hybrid meeting of the Human Resources Board was called to order at 5:05 p.m. on Monday, October 3, 2022, by Chair Kerry Pendergast.

### Present:

Austin Attaway  
Brian Baird  
Deanna Brown  
Marsha Gonzalez  
H. Martin DeCampos  
Kerry Pendergast  
Michelle Stevens  
Miriana Gonzalez

### Absent:

#### • **Public Comment Period:**

- No Public Comments

#### • **Conduct Public Hearing to Accept Public Comment Regarding Human Resources Personnel Policies and Procedures**

Chair Kerry Pendergast opened public hearing and the following policies were presented:

- Appointment and Selection of City Attorney Classification and Salary Placement (I-17)
  - Drug-Free Workplace (III-5)
  - Long Term Disability Insurance (V-2)
  - Unpaid Voluntary Furlough (V-7)
  - Deferred Compensation (V-12)
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- Deputy Human Resources Director, Colene Torres gave the Board a verbal overview of policy (I-17) Appointment and Selection of City Attorney Classification and Salary Placement. Ms. Torres indicated that the policy was last revised in April 2017. Ms. Torres informed the Board that the changes to this policy includes revisions to establish a process for the appointment, selection and salary placement of Attorneys and support staff in the City Attorney's Office and to and to define classified and non-classified positions within the City Attorney's Office.
  - Ms. Torres informed the Board that the Risk Management Specialist and Risk Supervisor transferred from the Finance Department to City Attorney's Office and both positions are designated as classified positions. Ms. Torres indicated that the Administrative Services Manger was added to the non-classified positions section and the Legal Services Manager is no longer utilized in the department and has been removed from the list of classified positions.
  - Deputy Human Resources Director, Ms. Torres gave the Board a verbal overview of policy (III-5) Drug Free Workplace. Ms. Torres stated that this policy was last revised in February 2018. Ms. Torres indicated that this policy was revised to specify that the Parks, Recreation and Community Services Special Transportation division is a federal grant recipient and must comply with 41 U.S.C 8103. Drug free workplace requirements for Federal grant recipients. Furthermore, 49 CFR 32.205 states that the city must publish the following to be compliant with 41 U.S.C. 8103 employees must notify their employer in writing if convicted for a violation of a criminal drug statue occurring in the workplace no more than five calendar days.
  - Deputy Human Resources Director, Ms. Torres gave the Board a verbal overview of policy (V-2) Long Term Disability and indicated that this policy was last revised in July 2006. Ms. Torres stated that this policy includes revisions for uniformity of interpretation and application of the plan. Along with clarifies

coverage, enrollment, employee-paid insurance premiums and the process to file a claim. Ms. Torres informed the Board that enrollment in this plan is optional for employees in eligible units.

- Deputy Human Resources Director Torres gave the Board a verbal overview of policy (V-7) Unpaid Voluntary Furlough and indicated that this policy was last revised in December 2014. Ms. Torres stated that this policy includes revisions to establish guidelines for all eligible benefited employees in granting and taking of voluntary furloughs. Ms. Torres noted that the revisions define the eligibility for all full-time and part-time eligible employees who wish to participate. Furthermore, a new section was added that all requests must be submitted for approval two weeks prior to the first day of each furlough request. The policy also clarifies that if an employee has excess of 42 hours of vacation they may not participate until they are following the maximum hours allowed and their excess time has been reduced.
- Ms. Torres informed the Board that the revisions within this policy are in compliance with the FLSA and specify that employees will lose their FLSA exemption status during workweeks in which a furlough occurs. The revision also includes that employee may take a maximum of three months of voluntary furlough during a calendar year. Employees who participate will not have a break in service or any adjustment to the seniority, merit, or anniversary date.
- Deputy Human Resources Director gave the Board a verbal overview of policy (V-12) Deferred Compensation and indicated that this policy was last revised in July 2006. Ms. Torres stated that this policy was revised to allow participants to defer a designated portion of their salary on a pre-tax and/or after-tax basis to a Deferred Compensation 457 Plan. Ms. Torres informed the Board that the revisions establish guidelines for enrollments, employee contributions, city contributions, withdraw of funds, establishment of a Deferred Compensation Committee, and define loan provisions.
- Ms. Torres informed the Board a new section was added to allow employees who separate from employment to transfer any percentage or flat dollar amount of their final payoff check to the Plan during the year the employee separates.
- Board Member Brian Baird inquired about (V-7) Unpaid Voluntary Furlough the policy states voluntary is that the employees request to furlough. Ms. Torres responded yes that is the employees request and if an employee does not have vacation or sick time to take time off, the employee may request to take time off with no pay. Mr. Baird pointed out that the policy states the City Manager determines if cost savings measures should be taken is this a city requested event and not an employee requested event is there a reason for this. Deputy Human Resources Director Miriana Gonzalez responded and stated that the policy references the City Manager could use this as an option to allow for financial stability to allow employees to go on leave without pay.
- Board Member Brian Baird inquired about (III-5) Drug-Free Workplace and indicated that it doesn't seem that there is a penalty for non-reporting and asked what is the staff position on this. Ms. Torres informed Mr. Baird that this change was from the U.S.C. and this policy has not changed. Ms. Torres noted that the only significant change was to add in the verbiage regarding Special Transportation division must notify their employer in writing within five days. Mr. Baird inquired and asked if there is no penalty or incentive then its not carried through. Ms. Torres referred to our Discipline policy if corrective actions were not taken. Mr. Baird asked is their acknowledgments of this policy to our employees. Ms. Torres responded yes there is an acknowledgment in the City's new hire onboarding process.
- Vice Chair Martin H. DeCampos motioned to approve the policies as presented with a second by Board Member Deanna Brown. The policies passed unanimously.

**Ayes:** DeCampos, Pendergast, Baird, Gonzalez, Attaway and Brown

### **Presentation**

- Public Works Director, Gilbert Hernandez presented the Board with a PowerPoint presentation overview of the Public Works Department. The presentation included the departments mission, organizational chart, budget overview, employee, and diversity statistics, the department's current and projected employment opportunities, challenges, employee recognition and morale.
- Mr. Hernandez informed the Board that the department has a few major critical infrastructure projects (Mission Inn Ave Bridge and Market Street Bridge). Mr. Hernandez stated that both projects combined are well over one hundred million dollars and staff is looking for grant funding.
- Director Hernandez stated that Public Works service numbers for 2021 are very impressive and the services provided throughout the department showed staff closed 53,000 service requests. Mr. Hernandez stated that the department receives the most request from the community.

- Director Hernandez indicated that turnover within the department has been consistent in 2021 and turnover was approximately 11.7%. Mr. Hernandez indicated that he encourages promotional opportunities.
- Chair Kerry Pendergast asked if the salaries are competitive. Mr. Hernandez did reference that recently the City conducted a study on refuse and it was found that they were being paid a little lower compared to the market. After completing the study the salaries were adjusted and now the City offers a \$3,000 incentive to attract new employees. Mr. Pendergast asked about outsourcing Burrtec. Mr. Hernandez did inform the Board that currently the City is outsourcing Burrtec for two routes.
- Board Member Attaway asked if the Public Works Department has some temporary position vacancies and has the City considered utilizing temporary agencies for these vacant positions. Mr. Hernandez responded and informed the Board that the department does utilize temporary agencies.

## **Consent Calendar**

### **Minutes**

#### **• Review and Approval of April 4, 2022, Minutes**

- Board Member Brian Baird motioned to approve the minutes as presented with a second by Vice Chair Martin H. DeCampos. The motion passed unanimously.

**Ayes:** Baird, Brown, DeCampos, and Pendergast

**Abstain:** Gonzalez, Attaway

### **Discussion Calendar**

#### **• Code of Ethics and Conduct**

- The Human Resources Board had no recommendation changes to the Code of Ethic and Conduct.

### **Communications**

#### **• Human Resources Director Updates – Miriana Gonzalez, Deputy Human Resources Director**

- Deputy Human Resources Director Miriana Gonzalez informed the Board about upcoming high-level recruitments. Ms. Gonzalez stated that the City Manager recruitment is being handled by an outside vendor, the Community Economic Development Director, and DEI Officer is being handled in-house. Ms. Gonzalez informed the Board that positions filled include two (2) Assistant General Managers in Public Utilities along with four (4) positions in Human Resources.
- Ms. Gonzalez shared new training updates for Emerging Leadership Academy and indicated that those sessions are currently underway and four (4) out of six (6) classes have been completed with an expected graduation of December 7<sup>th</sup>. Ms. Gonzalez stated that the Human Resources Department also launched a new training this year in June (EPIC) training. Ms. Gonzalez indicated that nine (9) out of 17 of those courses have been completed. Deputy Director Gonzalez informed the Board that a new vendor has been selected for Harassment Prevention and that program will launch in the next 60 to 90 days.
- Deputy Director Gonzalez gave an update on the labor unions and informed the Board the City has completed seven (7) contracts.
- Board Member Marsha Gonzalez asked when did these contracts take effect. Ms. Gonzalez replied that they went into effect in July 2022 for IBEW and Refuse.

#### **• Items for Future Human Resources Board Consideration – Kerry Pendergast, Chair**

- No items identified

*Meeting was adjourned at 6:11 p.m. by Chair Kerry Pendergast.*

Minutes submitted by: Michelle Stevens, Secretary Human Resources Board