



HUMAN RESOURCES BOARD

Meeting Minutes
Monday, November 1, 2021

Opening:

The hybrid meeting of the Human Resources Board was called to order at 5:01 p.m. on Monday, November 1, 2021 by Chair Deanna Brown.

Present:

Brian Baird
Kerry Pendergast
H. Martin DeCampos
Giovanny Palacios
Deanna Brown
Michelle Stevens
Rosemary Koo
Rene Goldman

Absent:

• **Public Comment Period:**

- No Public Comments

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

Chair Deanna Brown opened public hearing and the following policies were presented:

- Reinstatement Policy (I-4)
 - Employee Transfers Policy (I-13)
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- Deputy Human Resources Director, Colene Torres gave the Board a verbal overview of policy (I-4) Reinstatement. Ms. Torres informed the Board that this policy was last revised in July 2006. Ms. Torres stated that this policy includes revisions to establish a uniform policy that describes eligibility for reinstatement and the degree of benefits that an individual shall receive if reinstated after voluntary separation, layoff, or demotion. In addition, Ms. Torres stated that this policy clarifies that former employees requesting reinstatement are not guaranteed automatic reinstatement even if the position remains vacant.
 - Ms. Torres indicated that regular former employees reinstated within twelve months do not have to requalify for a position held.
 - Ms. Torres made note that a new section was added to clarify that reinstatements for employees who were laid off within a twenty-four-month period shall be entitled to the same vacation rate attained as well as credit for previously accumulated sick leave hours lost at time of separation.
 - Deputy Human Resources Director Torres gave the Board a verbal overview of policy (I-13) Employee Transfers and Voluntary Demotions and indicated that this policy was last revised in November 2011. Ms. Torres stated that this policy has been revised to establish guidelines for current employees who apply for an internal/external transfer within the City or to be considered for a lower-level classification. Ms. Deputy Director Torres made note that internal/external transfers will not result in a change in compensation.
 - Ms. Torres informed the Board a new section was added to inform employees seeking a demotion to a lower-level position, in a classification previously held, may be granted voluntary demotion outside of the normal recruitment process if it is convenient to the City and a vacancy exists.
 - Ms. Torres informed the Board that each of these policies align with each of the five cross-cutting threads (Community Trust, Equity, Fiscal Responsibility, Innovation, and Sustainability & Resiliency).
 - Board Member Brian Baird inquired that both Reinstatement and Voluntary Demotion would come in at the same salary step as previously held. Ms. Torres replied yes that is correct, but there are times

when employees make more and are demoting to a lower-level position and the employee would be placed at the top of the salary range of the new classification. As for Reinstatements, the employee comes in at the same salary of the same classification prior to separation.

- Board Member H. Martin DeCampos asked is twenty-four-months standard to other Cities. Ms. Torres informed the Board that reinstatements are allowed within twelve months.
- Board Member Kerry Pendergast inquired about voluntary demotions and asked if the City sees a lot of demotions throughout the year. Ms. Torres responded that demotions are common, but most of them are from Parks and Recreation during the summer to fall months.
- Board Member Brian Baird inquired about voluntary demotions and asked if employees receive the same compensation for a demotion or receive a lower level of compensation. Ms. Torres informed Mr. Baird that the employee will receive a lower level of compensation.
- Vice Chair Kerry Pendergast motioned to approve the policy as presented with a second by Board Member Baird.

Ayes: Pendergast, Baird, Palacios, and Brown

Abstain: DeCampos

Discussion Calendar

- Deputy Human Resources Director, Colene Torres provided an update on the status of all Policies and Procedures
- Ms. Torres informed the Board that the City has a total of 64 policies and of those 64 policies, 26 policies have been completed and adopted by City Council, 1 policy is ready to be presented to the City Council, 10 policies are currently under staff review, 4 policies are pending with the union for review, 1 policy is pending with the union for their response, there is 1 policy that is currently being worked on and hope to present this to the December Board meeting, 1 policy is pending review with the City Attorney's Office, 2 policies were presented to the Board today, and 18 policies need to be reviewed.
- City Safety Manager, Charles McDonald provided the Board with a Covid-19/Safety Stand-Down Update.
- Mr. McDonald informed the Board that in the last three months the City has seen a slight decrease in cases. Mr. McDonald indicated that August had 33 cases, September had 18 cases, and in October the City had 17 cases.
- Mr. McDonald noted that 20% of city staff have voluntarily submitted their vaccine cards.
- City Safety Manager McDonald indicated that on September 28, 2021 the City had three sessions pertaining to the City-Wide Safety Stand Down Updates. During those three sessions 1400 employees attended.
- Board Member Brian Baird inquired what the City's case rate for the last 6 months has been (2 quarters). Ms. Goldman responded and indicated that there were 13 cases in February, 9 cases in March, and in April there was a drop 4 cases, in May 2 cases, in June 3 cases, and in July we see a surge to 28 cases. The City currently has 2100 employees.
- Senior Deputy City Attorney, Rosemary Koo informed the Board of AB 361 Compliance.
- Ms. Koo informed the Board that on October 1, 2021, the Brown Act was amended to add requirements for entities that conduct meetings via teleconference during a state of emergency. During an emergency if a body is holding a meeting there are certain rules that must be in place and the Board is meeting teleconference and at a physical location, and if the Board meeting is disrupted ex., we lose power and all our broadcasting capabilities goes down we are prohibited from taking any action and all items must be brought back to the next meeting.
- Ms. Koo also added that every thirty days during an emergency the legislative body must make findings that we have considered the circumstances of the state of emergency and that the Board finds either state of the emergency continues to directly impact the ability of its members to safely meet in-person or that state and local officials continue to recommend or impose social distancing measures. These codes can be found in California Government Code Section 54950.

- Chair Brown inquired regarding State of Emergency pertaining to AB 361 and asked if this is how the Government State of Emergency is defined. Ms. Koo responded and indicated that this is related to the Government State of Emergency.
- Board Member H. Martin DeCampos motioned to approve AB 361 Compliance with a second by Vice Chair Kerry Pendergast. The motion passed unanimously.

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

Presentation

- Senior Deputy City Attorney presented the Board with a PowerPoint Presentation overview of the Brown Act.
- Ms. Koo informed the Board that the Brown Act was put into code in 1953. Ms. Koo stated that all meetings shall be open and open to the public the agenda needs to be posted at least 12 days prior to the meeting. The Human Resources Board is an advisory committee and is covered by the Brown Act. Board Members may not respond directly to any communication through social media platforms regarding a matter within your subject matter jurisdiction. The public has a right to attend, observe and participate in these meetings. If a Brown Act is violated, it could be a misdemeanor.
- Board Member Brian Baird inquired about a violation of HUB and SPOKE analogy. Mr. Baird asked how you would know if you are in violation. Ms. Koo said that if an item is going to be placed and taken on an agenda the safest route is to not discuss it if it is outside the meeting.

Consent Calendar

Minutes

• Review and Approval of September 14, 2021 Minutes

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

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

Board Attendance

- Vice Chair Kerry Pendergast motioned to excuse Board Member Jayne Reid's absence from the Human Resources Board meeting on September 14, 2021. Board Member H. Martin DeCampos seconded the motion. The motion passed unanimously.

Ayes: Baird, Pendergast, DeCampos, Palacios and Brown

Communications

- **Human Resources Director Updates – Rene Goldman, Human Resources Director**
 - Human Resources Director, Rene Goldman informed the Board that on October 4, 2021 Pamela Galera was selected as the new Director of Parks, Recreation, and Community Service.
 - Ms. Goldman informed the Board that we have onboarded four (4) new Human Resources staff members.
 - Ms. Goldman stated that in September the City launched Diversity web-based Training and the completion date for this training is November 15th. Ms. Goldman indicated that as of today we have reached 75% completion rate.
- **Items for Future Human Resources Board Consideration – Deanna Brown, Chair**

- Board Member Brian Baird requested an update on open positions within the City and by department And asked what is also being done to fill the open positions.
- Chair Brown added to Mr. Baird's request and asked what the challenges are the City is facing with these positions.

Meeting was adjourned at 6:05 p.m. by Chair Deanna Brown.

Minutes submitted by: Michelle Stevens