

September 8, 2021, CSB Agenda Item Comments

These comments on Newport Beach Civil Service Board (CSB) agenda items are submitted by:
Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

Item V.1.A. APPROVAL OF MINUTES FOR THE JULY 7, 2021, REGULAR MEETING

The following minor correction to the passage shown in *italics* is suggested in ~~strikeout-~~
underline format:

Page 6, Item VIII, paragraph 1: "*Vice Chair ~~grant~~ Grant stated only what she had
previously requested as far as a presentation of the Civil Service Board's duties.*"

Item VI.2. CIVIL SERVICE BOARD: ROLES AND RESPONSIBILITIES

I appreciate the slides from the presentation being made available for review prior to the meeting.

From a casual review of them, one might have the impression the Civil Service Board's scope is limited to matters related to Newport Beach's Civil Service System, which, at present, is limited to certain City safety employees.

While the name of the board is, and apparently always has been, "Civil Service" Board, it seems important to emphasize that a reading of its current authorization in City Charter Section 711 indicates the modern day board has both the power and the duty to address employment issues involving more than just the currently-designated Civil Service employees. In fact, it seems intended to serve as a citizens group overseeing the City's handling of *all* its employees, all of whom are "civil servants" in a broader sense.

This is evident from Subsection 711(b): "*Act in an advisory capacity to the City Council on problems concerning **personnel** administration.*" Where "*personnel*" is not restricted to "*Civil Service personnel.*"

And from Subsection 711(c): "*Receive and hear appeals submitted by **any person employed by the City** relative to any appointment, promotion, suspension, demotion, dismissal or other disciplinary action and to make determinations thereon.*" Which is qualified by "*The Board's determinations shall be final **for persons included in the Civil Service System***" – implying the Board has the power and duty to make non-final decisions regarding the listed matters affecting non-Civil Service System employees.

And from Subsection 711(d): "*Make any investigation concerning the administration of personnel in the municipal service and report its findings to the City Council and City Manager when requested to do so by the City Council, the City Manager **or by any organized City Employees' association***" – which certainly implies the employees' association making the request may be an association of other than Civil Service employees.

Finally, while Subsection 711(d) grants the board a power of investigation only on request, it would be good to clarify if the advisory power granted in Subsection 711(b) is also understood to be one exercised only on request. Or if the board can proactively provide advice to the Council on matters it thinks need attention. I would guess the citizens' intent was the latter.