

**CITY OF SANTA BARBARA  
CIVIL SERVICE COMMISSION**

**MINUTES**

**REGULAR MEETING**

Monday, January 11, 2021

4:15 p.m.

Via GoToMeeting

**ORDER OF BUSINESS:**

1. *Call to Order & Roll Call.* The meeting was called to order by Chair Donna Lewis. Present: Commissioners Alan Kasehagen, and Lindsey Charles. Staff members Graciela Reynoso, Megan Wilson, Wendy Levy, and Erik Uchida were present.
2. *Public Comment.* Nobody wished to make a public comment.
3. *Approval of the Minutes from the Civil Service Commission Meeting on November 9, 2020.* A motion to approve the minutes from the Civil Service Commission meeting on November 9, 2020 was made and seconded. The motion was approved by all Commissioners.
4. *Acknowledge the Hearing for Christopher Martinez was Canceled at the Request of the Counsel for the Employee.* Ms. Lewis asked who requested that the hearing be cancelled. Ms. Reynoso answered that the hearing was cancelled by the counsel for Mr. Martinez. There was discussion over the wording of the cancellation request. Ms. Lewis requested that City staff follow up with the counsel for Mr. Martinez or with the City's attorney to verify that the hearing is cancelled indefinitely.
5. *Discuss Potentially Adding Mediation to Civil Service Hearing Procedures.* Ms. Lewis suggested that mediation be added to the Civil Service Hearing Procedures under the section for "Pre-Hearing Actions", specifically between the steps for "City Staff Meeting" and "Establishment of Hearing Date." Ms. Lewis stepped through the draft mediation provisions that she provided to Commissioners via email just before the meeting. She provided a definition of what mediation involved and the definition of a successful mediated outcome. She listed sources for mediators: Superior Court's list of vetted mediators and a California State agency that provides mediation. If the parties involved could not agree on a mediator from those sources, one of the parties would provide a list of three available mediators from which the other side would then strike a name, after which the list-offering party could strike one of the remaining two mediators and the one remaining would be used as a mediator. The Commission then discussed how best to determine date/time and location for mediation sessions. Ms. Lewis spoke about how the mediation process would conclude. She suggested that if mediation did not result in a successful outcome, the mediator would decide an appropriate time to discontinue mediation. Ms. Lewis also discussed who would be involved in mediation suggesting that the appellant bring their labor representative and the City be represented by the HR Manager and department head for the

appellant. It was suggested that both sides could agree to bring their attorneys as well. The Commission agreed to provide the draft language to City Attorney, Ariel Calonne, for his review and continue the discussion concerning mediation at the next meeting with Mr. Calonne.

6. *Discuss How to Resolve an Even Number of Commissioners Reaching a Tie Vote in a Civil Service Appeal Hearing.* The Commission agreed to discuss this issue at the next meeting with City Attorney, Ariel Calonne.
7. *Discussion of Upcoming Hearings.* No hearings are currently scheduled.
8. *Topics for Next Meeting.* The Commission would like to resume the discussion regarding the cancellation of the Civil Service Hearing for Christopher Martinez. The Commission would like to continue their discussion about potentially adding mediation to the Civil Service Commission Hearing Procedures. The Commission would also like to continue their discussion on the ramifications of a tie vote from the Hearing Board in an employee appeal hearing.
9. *Adjournment of Meeting.* A motion to adjourn the meeting was made, seconded, and approved.

Materials related to an item on this agenda submitted to the Civil Service Commission after distribution of the agenda packet are available for public inspection in the Human Resources Office located at City Hall, 735 Anacapa Street, Santa Barbara during normal business hours.

In compliance with the Americans with Disability Act (ADA), if you need special assistance to participate in this meeting, please contact Wendy Levy at 564-5316. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.