

SPECIAL MEETING AGENDA

Monday, November 28, 2016

City of Huntington Beach PERSONNEL COMMISSION

5:30 PM - Meeting Room B-8
Civic Center - 2000 Main Street
Huntington Beach CA 92648

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act the following services are available to members of our community who require special assistance to participate in Personnel Commission meetings. If you require special assistance, 48-hour prior notification will enable the city to make reasonable arrangements. To make arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas, please contact the City Clerk's Office at (714) 536-5227, or request assistance from staff at the meeting.

1. CALL TO ORDER

Commissioners: Edwards, Lane, Rivera, Storm, Thompson

Staff Liaison: Ken Domer, Assistant City Manager

Also present:

Michele Warren, Secretary to the Personnel Commission/Director of Human Resources

Mike Vigliotta, Chief Assistant City Attorney

JoAnn Diaz, Principal Personnel Analyst

Sandy Henderson, Personnel Analyst Senior

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS

The Personnel Commission welcomes public comments on all items on this agenda or of community interest. We respectfully request that this public forum be utilized in a positive and/or constructive manner. Please focus your comments on the issue or problem that you would like to bring to the attention of the Personnel Commission. Negative comments directed at individuals are not acceptable.

Three (3) minutes per person. Time may not be donated to others. No action can be taken by the Personnel Commission on this date unless agendaized. This is the time to address the Personnel Commission regarding items of interest or on agenda items other than public hearings.

4. APPROVAL OF MINUTES

- Meeting of September 21, 2016
- Meeting of October 19, 2016

For questions, please contact Sandy Henderson at (714) 960-8828

5. PUBLIC HEARING

Public Hearing conducted in accordance with Personnel Rule 12 regarding amendments to the City's Classification Plan. Reference materials included.

a. Discussion regarding proposed new job classification of **Senior Trial Counsel** in the Office of the City Attorney, amending the City's Classification Plan.

Recommended Action:

Approve the new job classification of **Senior Trial Counsel** amending the City's Classification Plan.

6. LABOR RELATIONS UPDATE

7. SECRETARY'S REPORT

8. COMMENTS FROM COMMISSIONERS

Announcements, brief report regarding Commissioner activities and request information from Staff.

ADJOURNMENT

Meeting adjourned to the next regularly scheduled meeting of December 21, 2016.

MINUTES

Wednesday, September 21, 2016

City of Huntington Beach PERSONNEL COMMISSION

5:30 PM - Meeting Room B-8
Civic Center - 2000 Main Street
Huntington Beach CA 92648

Pending approval by Personnel Commission at the meeting on October 19, 2016
(These minutes are not verbatim. A recording of the meeting is available in the Human Resources Department, lower level of City Hall, for one year following meeting date.)

CALL TO ORDER

Commissioner Rivera called the meeting to order at 5:30 PM.

ROLL CALL

Commissioners present: Edwards, Lane, Rivera, Thompson

Commissioners absent: Storm

Others Present:

Michele Warren, Secretary to the Personnel Commission/Director of Human Resources

JoAnn Diaz, Principal Human Resources Analyst

Sandy Henderson, Personnel Analyst Senior

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

A Correction was made to the minutes:

The meeting adjourned at 5:48pm to the next regularly scheduled meeting of ~~October 19~~
September 21, 2016.

A motion was made by Commissioner Thompson and seconded by Commissioner Edwards to approve the amended minutes for the August 17, 2016 meeting.

VOTE:	The motion was carried
AYES:	4
NOES:	0
ABSENT:	1
ABSTAIN:	0

PUBLIC HEARING

- a. Approve the job specification revisions of the position of **Human Resources Manager** in the Human Resources Department amending the City's Classification Plan.

A motion was made by Commissioner Thompson and second by Commissioner Lane to approve the revised job specification as amended.

VOTE: The motion was carried
AYES: 4
NOES: 0
ABSENT: 1
ABSTAIN: 0

- b. Approve the job specification revisions of the position of **Senior Risk Management Analyst** in the Human Resources Department amending the City's Classification Plan.

A motion was made by Commissioner Thompson and second by Commissioner Lane to approve the revised job specification as amended.

VOTE: The motion was carried
AYES: 4
NOES: 0
ABSENT: 1
ABSTAIN: 0

LABOR RELATIONS UPDATE

Michele Warren, Human Resources Director, stated that there is nothing new to report with regard to Labor Relations.

SECRETARY'S REPORT

Ms. Warren reported that the City is still working through the mechanics with the Information Systems Department on the IS Classification review. The parties met today to answer supplemental questions regarding the classification review process. They have three weeks to provide appeal information or any other information they wish to provide regarding this classification review. This item will be brought before the commission at a later date.

COMMENTS FROM COMMISSIONERS

Commissioner Thompson requested that the Commission take a moment to take a look at the City Hall 9/11 Memorial.

ADJOURNMENT

The meeting adjourned at 5:48 PM to the next regularly scheduled meeting of October 19, 2016.

MINUTES

Wednesday, October 19, 2016

City of Huntington Beach
PERSONNEL COMMISSION

5:30 PM - Meeting Room B-8
Civic Center - 2000 Main Street
Huntington Beach CA 92648

Pending approval by Personnel Commission at the meeting on November 16, 2016
(These minutes are not verbatim. A recording of the meeting is available in the Human Resources Department, lower level of City Hall, for one year following meeting date.)

CALL TO ORDER

Commissioner Storm called the meeting to order at 5:30 PM.

ROLL CALL

Commissioners present: Lane, Storm, Thompson

Commissioners absent: Edwards, Rivera

Others Present:

Michele Warren, Secretary to the Personnel Commission/Director of Human Resources

JoAnn Diaz, Principal Human Resources Analyst

Sandy Henderson, Personnel Analyst Senior

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

The approval of the minutes from the meeting of September 21, 2016 has been continued to the next Personnel Commission meeting due to lack of quorum.

PUBLIC HEARING

- a. Approve the job specification revisions of the position of **Police Records Administrator** in the Police Department amending the City's Classification Plan.

A motion was made by Commissioner Storm and second by Commissioner Thompson to approve the revised job specification as amended.

VOTE: The motion was carried
AYES: 3
NOES: 0
ABSENT: 2

ABSTAIN: 0

- b. Approve the job specification revisions of the position of **Code Enforcement Technician** in the Community Development Department amending the City's Classification Plan.

A motion was made by Commissioner Storm and second by Commissioner Lane to approve the revised job specification as amended.

VOTE: The motion was carried

AYES: 3

NOES: 0

ABSENT: 2

ABSTAIN: 0

LABOR RELATIONS UPDATE

Michele Warren, Human Resources Director, reported that there has been no communication from SCLEA and that there are no pending grievance matters. She also reported that the Information Systems class review will be brought before the commission at the next personnel commission meeting. The commission will receive information on this prior to the next meeting so that the commissioners will be given time to review the information.

SECRETARY'S REPORT

Ms. Warren stated there are no new items to report.

COMMENTS FROM COMMISSIONERS

None

ADJOURNMENT

The meeting adjourned at 5:38 PM to the next regularly scheduled meeting of November 16, 2016.



**CITY OF HUNTINGTON BEACH
INTER-DEPARTMENTAL COMMUNICATION
HUMAN RESOURCES**

TO: PERSONNEL COMMISSION
FROM: MICHELE WARREN, DIRECTOR OF HUMAN RESOURCES
SUBJECT: CREATION OF SENIOR TRIAL COUNSEL CLASSIFICATION
DATE: NOVEMBER 28, 2016

The Office of the City Attorney has requested a new job classification of **SENIOR TRIAL COUNSEL**. The primary responsibility for this classification will be to lead the City's trial and litigation efforts in all civil lawsuits and to work with other attorneys who are litigating cases on behalf of the City. The job class will be FLSA exempt – Learned Professional and is represented by the Management Employees Organization (MEO). The compensation for this classification will be established at MEO333 (Hourly Range: \$66.54 - \$82.44).

The City and MEO have met and conferred regarding the creation of this new classification and its inclusion into the classification plan.

At this time, staff requests the Personnel Commission to approve staff's recommendations in accordance with Personnel Rule 12 regarding amendments to the City's Classification Plan.

STAFF RECOMMENDATION

Proposed Job Class Title:	Senior Trial Counsel
Pay Grade:	MEO333
Hourly Rate:	\$66.54 - \$82.44
Annual Salary:	\$138,403 - \$171,475
Action:	Create the recommended job classification for inclusion into the City's Classification Plan
Affected Employees:	None

Attachment: Senior Trial Counsel Job Class Specification

Cc: Michael Gates, City Attorney
Scott Smith, MEO President
Aaron Peardon, OCEA Representative

CITY OF HUNTINGTON BEACH
CLASS SPECIFICATION



TITLE: SENIOR TRIAL COUNSEL

DATE: NOVEMBER 2016

PERSONNEL COMMISSION APPROVAL:	NOVEMBER 2016
COUNCIL APPROVAL:	DECEMBER 2016
JOB CODE:	0333
EMPLOYMENT STATUS:	REGULAR FULL-TIME
UNIT REPRESENTATION:	MEO
FLSA STATUS:	EXEMPT

JOB SUMMARY

Under the direction of the City Attorney, leads the City's trial and litigation efforts in all civil lawsuits, either for prosecution of or in the defense, on behalf of the City of Huntington Beach. Works with other attorneys who are litigating cases on behalf of the City.

SUPERVISION RECEIVED

Reports to: City Attorney and the Chief Assistant City Attorney

DISTINGUISHING CHARACTERISTICS

Differs from other attorney classes in the City Attorney's Office in that the Senior Trial Counsel focuses on litigation activity and trying cases in court.

EXAMPLES OF ESSENTIAL DUTIES

- Handles litigation in State and Federal courts and administrative tribunals, including preparing pleadings, motions, and discovery documents, taking depositions, arguing motions, attending conferences and hearings, and trying cases before juries, court, and administrative hearing officers;
- Advises the City Attorney and the City Council, as appropriate, concerning litigation to which the City is a party including litigation assigned to outside counsel by the City Attorney;
- Provides direction, supervision, and oversight to all other attorneys in the City Attorney's office who are working on, or are assigned to, litigating lawsuits;
- Manages and oversees, daily litigation activities, including court calendars, document management, case management, and legal support staff training regarding litigation protocol and procedure;
- Controls and manages City expenditures for outside counsel as assigned by the City Attorney;
- Advises the City Attorney concerning changes in law or practice that may affect City liability;
- Conducts, supervises, or arranges for investigations related to assigned casework;
- Confers with City department representatives to provide advice and counsel on prosecution laws and ordinances affecting their work; researches legal issues and provides legal opinions and advice; prepares legal reports and opinions; consults and confers with other attorneys, court officials, and law enforcement agency in the preparation and trial of assigned casework;
- Researches, analyzes, and interprets existing laws, court decisions, pending legislation and other legal authorities;
- Assists in the coordination of special projects and teams related to area of assignment;
- Assists in the development and implementation of department goals, objectives, policies, procedures and work standards related to area of assignment;
- Represents the City in meetings where litigation matters are discussed with various boards and

CITY OF HUNTINGTON BEACH

CLASS SPECIFICATION



TITLE: SENIOR TRIAL COUNSEL

DATE: NOVEMBER 2016

committees as assigned by the City Attorney;

- Maintains effective and extensive professional relationships with legal representatives of other local, state and federal agencies;
- Reports to work as scheduled, works a variety of schedules including evenings, weekends, and/or holidays as required;
- Performs other such legal duties as may be required by the City Attorney.

The preceding duties have been provided as examples of the essential types of work performed by positions within this job classification. The City, at its discretion, may add, modify, change or rescind work assignments as needed.

MINIMUM QUALIFICATIONS

Any combination of education, training, and experience that would likely provide the knowledge, skills, and abilities to successfully perform in the position is qualifying. A typical combination includes:

Knowledge of:

- Trial practice and preparation
- Jury selection (voir dire)
- California Evidence Code
- Preparing and arguing Motions in Limine before trial
- Effective selection and retention of trial experts
- Effective direct and cross examination
- Principles, practices and procedures of contract, tort, public entity, government tort, personal injury, employment, and other areas of civil law
- Principles of judicial and trial procedures and rules of evidence
- Principles and practices of constitutional, civil and administrative law and procedures
- Superior and Federal court systems and proceedings and administrative procedures necessary to try cases in State and Federal courts and before a wide range of administrative boards
- Litigation management and strategies
- California civil and Appellate procedures
- Federal and state laws, Penal Codes, City Charter and Municipal Codes, and Municipal Zoning Codes
- Organization, function, and legal limitations on the authority, enforcement and procedural issues of various City departments
- Federal and state constitutional and statutory provisions related to municipalities
- Accepted legal principles and court decisions

Ability to:

- Take direction and supervision from the City Attorney and Chief Assistant City Attorney
- Direct and supervise other attorneys working on litigation
- Try to completion jury and bench trials
- Select a jury
- Prepare witnesses for depositions and trial, prepare experts to testify at trial
- Conduct direct and cross examination of witnesses at trial

CITY OF HUNTINGTON BEACH

CLASS SPECIFICATION



TITLE: SENIOR TRIAL COUNSEL

DATE: NOVEMBER 2016

- Prepare written discovery and responses to written discovery
- Prepare a variety of motions, including Motions for Summary Judgment
- Research, analyze and apply legal principles, facts evidence and precedents to legal cases
- Represent the City effectively and persuasively in courts and administrative hearings
- Analyze, appraise, and organize facts, evidence, and precedents and present them in oral and written reports
- Consistently prepare and present statements of law, fact and argument clearly, logically and persuasively both orally and in writing
- Litigate cases, manage litigation processes, and oversee the work of others who are trying cases
- Review, discuss, and advise the City Attorney, City Council and City Manager regarding legal policy issues
- Exhibit a high degree of integrity and sound judgment in the performance of assigned work tasks
- Work cooperatively with other employees, customers, clients, and the public
- Produce documents written in the English language using proper sentence structure, punctuation, grammar, and spelling
- Maintain confidentiality of sensitive information
- Oversee the work of other legal and paraprofessional staff
- Communicate orally with customers, clients, and the public using a telephone and in group and face-to-face, one-to-one settings

Education: Graduation from a law school accredited by the American Bar Association with a Juris Doctorate degree.

Experience: Five (5) years' increasingly responsible experience in the litigation and trying of cases in the State of California with a minimum of ten (10) jury and five (5) bench trials to verdict in Superior Court. Admission to practice in the State and Federal jurisdictional courts.

License/Certification: Active membership in the State Bar of California.

Possession of a valid California Class C driver license with an acceptable driving record by time of appointment and throughout period of employment required.

SPECIAL CONDITIONS

Employees regularly assigned/required to drive a city or personal vehicle in the course and scope of work shall be required to participate in the DMV Employer Pull Notice program.

Public Employee Disaster Service Worker: In accordance with Government Code Section 3100, all Huntington Beach city employees are required to perform assigned disaster service worker duties in the event of an emergency or a disaster.

CITY OF HUNTINGTON BEACH

CLASS SPECIFICATION



TITLE: SENIOR TRIAL COUNSEL

DATE: NOVEMBER 2016

PHYSICAL TASKS AND ENVIRONMENTAL CONDITIONS

Incumbents must be able to meet the physical requirements of the class and have mobility, balance, coordination, vision, hearing and dexterity levels appropriate to the duties to be performed.

Work involves detailed concentration for long periods of time in a modified office environment and sitting for extended periods. The incumbent must be able to meet the physical requirements of the class and have mobility, balance, coordination, vision, hearing and dexterity levels appropriate to the duties to be performed. Work is primarily performed indoors. In an office environment, the work requires sitting at a desk or table for prolonged periods of time and daily use of a computer, keyboard, mouse and screen. The incumbent uses a computer and related equipment and sits, stands, walks, climbs, pushes, pulls, reaches, grasps, lifts and moves tools and equipment weighing 25 pounds or less.

Reasonable accommodation(s) for an individual with a qualified disability will be considered on a case-by-case basis.