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City Manager's Report
June 10, 2025 City Council Meeting
Prepared by: M. Cleve Morris, City Manager
Item #: 12.1

Subject: Appointment of members to the City's Personnel Board.

Recommendation: Certify the Employee Member Election and appoint four members to the City Personnel Board.

Purpose: The purpose of this item is to facilitate the appointment and seating of public members on the City's Personnel Board as defined in City Code Section 1-8-3 and 1-8-4.

Strategic Plan Strategy: 4) Strategy - Provide support to staff through behaviors and actions.

Background: The City's Personnel Board was established in 1982 by Ordinance 1310 as part of the adoption of a Personnel System. The duties of the Personnel Board are defined as follows:

The board, in a manner provided for in the rules and regulations of the classified service, shall hear appeals submitted by any person in the classified service (who is eligible for appeals pursuant to these rules and regulations or by state and/or federal statute) relative to any disciplinary action, dismissal, demotion, charge of discrimination or alleged violation of this chapter or the rules and regulations of the classified service and shall certify its findings and recommendations as provided in the rules and regulations of the classified service.

In the past 14 years, only one appeal has gone to the Personnel Board. That appeal occurred approximately 10 years ago. Due to the lack of activity, the terms of board members expired and they were not reappointed. The City has now received an appeal and therefore must reestablish the Board.

The members are to be appointed as follows:

There is hereby created a personnel board to consist of five (5) members, to be appointed by the city council, utilizing the following procedure for selection:

(A) Two (2) members shall be selected by the city council.

(B) Two (2) members shall be selected by employees through the process of secret ballot elections. The two (2) candidates receiving the highest number of votes will be certified to the city council, and the council shall appoint same to serve on the board.

(C) The four (4) members thus selected shall then submit one additional name to the council, and the council shall appoint same to serve as the fifth member of the board.

Discussion: As defined in City Code, an election was held for employees to elect two members to the board. The election procedures were conducted as follows:

- A nomination form was sent to all employees inviting them to nominate candidates for consideration.
- Two names were nominated.
- On June 5, 2025 a Secret Ballot Election was held in which all eligible employees were invited to vote. In addition to the two names nominated, a write-in option was provided.

Based on the outcome of the election, the following nominees were chosen by City employees to serve on the Board.

Ken Mikulecky, Former Public Works Employee
Scott McWhirter, SHIELD Volunteer

In accordance with City Code, Staff is certifying the election results to the City Council and recommending appointment of these two members to the Board

Staff has contacted the following City residents requesting their interest in serving on the Personnel Board. All have indicated their willingness and ability to serve.

Tom Cumpston – Current Measure H/L Member and former attorney for EID
Mark Acuna – Former Mayor and Councilmember
Pierre Rivas – Former City Employee, Mayor and Councilmember
Wendy Thomas – Former Mayor and Councilmember and County Supervisor
Patty Borelli – Former Mayor and Councilmember, current member of PEAC
Dennis Thomas – Former Mayor and Councilmember
Debbie Kal – Recent incumbent of Personnel Board

Staff is requesting that Council appoint two members to the Board. Once appointed, the four appointed members will select a fifth member to be appointed. Staff will bring that recommendation to the Council for your meeting on June 24, 2025.

In addition, in accordance with the code for setting up the initial Board, staff is recommending that Council select one employee selected member and one Council selected member to serve 4 year terms and that the other three members serve 2 year terms.

Options:

1. Appoint 4 members to the Board as requested by Staff.
2. Appoint a sub-committee of the Council to interview the applicants and select appointees.
3. Delay appointment at this time and provide further direction to staff.

Environmental: N/A

Cost: There is no cost associated with this action, however there will be cost in terms of staff time and City Attorney time to represent the City at the hearing.

Budget Impact: None at this time.



M. Cleve Morris, City Manager