



MEMORANDUM

To: Santa Ana City Council **Date:** July 18, 2023

From: City of Santa Ana Personnel Board

Subject: Personnel Board Responsibilities and Board Appointments

The intent of this memo is to inform the City Council of the responsibilities of the City of Santa Ana Personnel Board ("Board" or "Personnel Board") and how Board appointments may affect its execution of those responsibilities.

Description of Board:

The City of Santa Ana Personnel Board is established by the City of Santa Ana Charter and Municipal Code. One of the Board's principal duties is to provide a final administrative review of disciplinary matters involving permanent employees of the City of Santa Ana who have been demoted, suspended, or dismissed/terminated from employment. The Board's appellate review is a full evidentiary hearing wherein the Board applies its independent judgment to the law, facts, and arguments presented in each case.

Membership and Appointments:

The Personnel Board consists of seven (7) members appointed by the City Council. Like other boards and commissions, the term of a Board Member is the same as their appointing Councilmember. Upon election, a Councilmember appoints a Board Member and may re-appoint a current Board Member whose term has expired (subject to term limits specified in the Municipal Code).

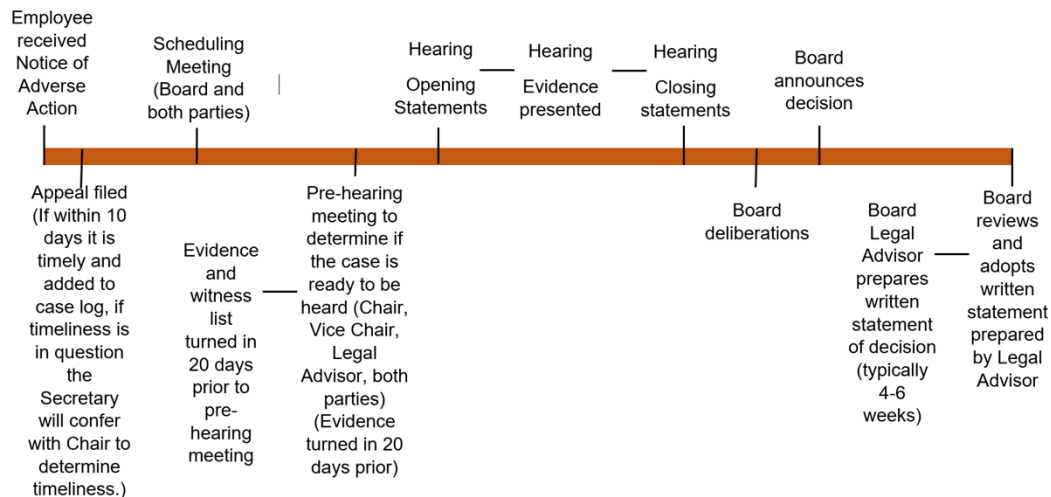
Board Appeal Process Affected by Membership Change:

The Board's Rules require that a majority of the same Board members hear and deliberate on all of the same issues in an appeal. Therefore, if a Board Member misses a portion of a disciplinary hearing, they are not allowed to continue with the hearing. Likewise, if a new Board Member joins the Personnel Board while a hearing is in process, they may not participate in the current proceedings. Further, a majority or quorum must be maintained among the Board Members for a hearing to properly conclude.

If a quorum is not met, the case must begin anew with at least four (4) Board Members. Appeal hearings are lengthy and costly to the City and to the

employee/appellant. The Board wishes to avoid not meeting a quorum and restarting a case if possible. Timely appointments assist in meeting a quorum.

Sample Timeline of an Appeal to the Personnel Board:



Personnel Board Status of Appeals:

The duration of individual hearings vary. On average, hearings take at a minimum twenty to twenty-five (20-25) calendar days to conclude, however the average case takes six (6) to ten (10) months. These proceedings include pre-hearing procedures, the evidentiary hearing, and Board deliberation and decision proceedings. Hearings are conducted in the evenings and require the coordination of many schedules due to the large number of individuals involved, including the employee/appellant and their representative(s), the City representative(s), City staff, the seven (7) Board members, Board counsel, witnesses, and a court reporter.

Approval of Memorandum:

During its regular meeting held on June 13, 2023, the Personnel Board voted to approve this memorandum and submit it to City Council.

C: Kristine Ridge, City Manager
 Jason R. Motsick, Executive Director of Human Resources
 Lori Schnaider, Human Resources Operations Manager