



City of Santa Clara

Meeting Agenda

Civil Service Commission

Monday, February 22, 2021

7:00 PM

Virtual Meeting

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 (“The Brown Act”) and Section 708 of the Santa Clara City Charter, the Chairperson calls for a Special Meeting of the Civil Service Commission of the City of Santa Clara, to commence and convene on Monday February 22, 2021, at 7:00 pm for a Special Meeting on Zoom to consider the following matter(s) and to potentially take action with respect to them.

Pursuant to the provisions of California Governor’s Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, Committee members will be attending the meeting remotely. The City of Santa Clara has implemented methods for the public to participate remotely via Zoom link or phone call in.

To join Zoom Meeting please use this URL to join.

<https://santaclaraca.zoom.us/j/97059145929?pwd=YnJ4a2NSNXplaDZrc0FOaFpIWDBKdz09>

Meeting ID: 970 5914 5929

Passcode: 793515

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

1.A 21-133 [Action to Approve the Civil Service Commission Meeting Minutes of January 11, 2021.](#)

Attachments: [Civil Service Commission Meeting Minutes - January 11, 2021.](#)

1.B 21-287 [Note and File the Current Status and Requisition Report dated January 31, 2021](#)

Attachments: [Current Status and Requisition Report Dated January 31, 2021.](#)

PUBLIC PRESENTATIONS

GENERAL BUSINESS

- 2 21-190 Action to Extend Probationary Period for Two Fire Captains (Employee No. 04981 and 05750)

- 3 21-191 Action to Extend Probationary Period for Two Water Sewer Maintenance Worker I's (Employee No. 07888 and 07896)

- 4 21-193 [Request to Extend Eligible List for Fire Captain \(Job Code 475\)](#)

- 5 21-194 [Request to Extend Eligible List for Firefighter I \(Job Code 487\)](#)

- 6 21-288 Action to Extend Probationary Period of Customer Service Supervisor (Employee No. 04035)

- 7 21-331 [Action to Adjust the Examination Weighting Plan for Water Sewer Maintenance Worker I \(Job Code 914\) on a One-time Basis](#)

- 8 21-332 [Acceptance of the resignation of Dave Stealey from the Salary Setting Commission, declare a vacancy for the partial term ending January 1, 2025 and consider appointment of remaining applicant](#)

Attachments: [Resignation Letter.docx](#)
 [Voting Guidelines](#)
 [Applicant - R. Misra](#)
 [Conflicts Review – Salary Setting Commission Applicants](#)
 Memo

STAFF REPORT

COMMISSIONERS REPORT

ADJOURNMENT

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

21-133

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Action to Approve the Civil Service Commission Meeting Minutes of January 11, 2021.

RECOMMENDATION

Approve the Meeting Minutes of January 11, 2021.



City of Santa Clara

Meeting Minutes

Civil Service Commission

01/11/2021

7:00 PM

Virtual Meeting

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, Committee members will be attending the meeting remotely. The City of Santa Clara has implemented methods for the public to participate remotely via Zoom link or phone call in.

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Meeting ID: 970 5914 5929

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CALL TO ORDER AND ROLL CALL

Vice Chair McAllister called the meeting to order at 7:10 pm. The Civil Service Commission recited the Pledge of Allegiance.

Present 3 - Vice Chair Carolyn McAllister, Commissioner Franklin Felizardo, and Commissioner Tahir Naim

Absent 2 - Chair Willie D. Brown Jr., and Commissioner John Casey

CONSENT CALENDAR

A motion was made by Commissioner Naim, seconded by Commissioner Felizardo, to approve the Consent Calendar.

Aye: 3 - Vice Chair McAllister, Commissioner Felizardo, and Commissioner Naim

Absent: 2 - Chair Brown Jr., and Commissioner Casey

- 1.A [21-1410](#) Action to Approve the Civil Service Commission Meeting Minutes of December 14, 2020

Recommendation: Approve the Meeting Minutes of December 14, 2020.

A motion was made by Commissioner Naim, seconded by Commissioner Felizardo, to approve the Consent Calendar, Civil Service Commission Meeting Minutes of December 14, 2020.

Aye: 3 - Vice Chair McAllister, Commissioner Felizardo, and Commissioner Naim

Absent: 2 - Chair Brown Jr., and Commissioner Casey

- 1.B [21-45](#) Note and File the Current Status and Requisition Report dated December 31, 2020

Recommendation: Note and File the Current Status and Requisition Report dated December 31, 2020

A motion was made by Commissioner Naim, seconded by Commissioner Felizardo, to approve the Consent Calendar, to note and file the Current Status and Requisition Report dated December 31, 2020.

Aye: 3 - Vice Chair McAllister, Commissioner Felizardo, and Commissioner Naim

Absent: 2 - Chair Brown Jr., and Commissioner Casey

PUBLIC PRESENTATIONS

None

GENERAL BUSINESS

- 2 [21-77](#) Action to Extend Probationary Period of a Fire Captain (Employee No. 05752)

Recommendation: Approve the extension of the probationary period for a Fire Captain - 24 Hours (Employee No. 05752)

A motion was made by Commissioner Naim, seconded by Commissioner Felizardo to extend the probationary period of a Fire Captain (Employee No. 05752).

Aye: 3 - Vice Chair McAllister, Commissioner Felizardo, and Commissioner Naim

Absent: 2 - Chair Brown Jr., and Commissioner Casey

STAFF REPORT

None

COMMISSIONERS REPORT

None

ADJOURNMENT

The meeting was adjourned at 7:16 pm.

A motion was made by Vice Chair McAllister, seconded by Commissioner Naim, to adjourn the meeting.

Aye: 3 - Vice Chair McAllister, Commissioner Felizardo, and Commissioner Naim

Absent: 2 - Chair Brown Jr., and Commissioner Casey

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

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City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
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Agenda Report

21-287

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Note and File the Current Status and Requisition Report dated January 31, 2021

RECOMMENDATION

Note and File the Current Status and Requisition Report dated January 31, 2021

ATTACHMENT

1. Current Status and Requisition Report dated January 31, 2021

Current Status and Requisition Report

Dated January 31, 2021

Requisition	Classification	Department	Number of Positions Approved to Fill
19180	Combination Inspector	Community Development	2
19246/19253	Plans Examiner	Community Development	3
19162	Senior Inspector	Community Development	2
19250	Assistant Electric Utility Engineer	Electric Utility	1
20273	Electric Utility Electrician Technician	Electric Utility	2
20272	Electrician	Electric Utility	TBD
19154	Electric Utility Engineer	Electric Utility	1
19157	Principal Electrical Estimator	Electric Utility	1
560C-CONT	Journey Lineworker	Electric Utility	TBD
19241	Senior Electric Utility Engineer	Electric Utility	1
TBD	Senior Electric Crew Foreperson	Electric Utility	1
31-20-795	Staff Aide II	Electric Utility	1
24-20-897	Utility Field Services Worker	Finance	1
TBD	Driver Engineer	Fire	TBD
19209	Library Program Coordinator	Library	1
19213	Library Technology Assistant	Library	1
98-19-650C/35-14-689C	Police Officer Recruit/Lateral	Police	4
19256/19262	Public Safety Dispatcher I/II	Police	3
19173/19244	Associate Engineer (Civil)	Public Works/Engineering	1
TBD	Senior Engineer	Public Works	2
19287	Street Maintenance Worker III	Public Works	1
19187	Street Maintenance Worker IV	Public Works	1
19020	Tree Trimmer II	Public Works/Streets Division	1
20282	Senior Civil Engineer (Traffic)	Public Works	1
TBD	Equipment Operator	Water and Sewer Utilities	1
19159/19208	Water and Sewer Maintenance Worker I	Water and Sewer Utilities	2



Agenda Report

21-190

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Action to Extend Probationary Period for Two Fire Captains (Employee No. 04981 and 05750)

ACTION AND AUTHORITY

The Fire Department is requesting to extend the probationary period for two Fire Captain - 24 Hours (Job Code 475S) pursuant to Civil Service Rule 4.20(b) which provides that, "Any permanent employee who is an applicant for promotion may have their probationary period extended by the Commission to permit the acquisition of required licenses or certificates or completion of training. Regular classified employees may have their probationary period extended by the Commission for reasons of sickness or absence."

DISCUSSION

Two Fire Captains - 24 Hours (Employee No. 04981 and 05750), who have permanent status with the City as a Fire Driver/Engineer, were promoted to the classification of Fire Captain - 24 Hours on May 17, 2020. The minimum qualifications for this position require the incumbents to successfully complete the *Company Officer 2C: Fire Inspections and Investigation* course within 12 months of appointment. This course is administered by the Office of the State Fire Training Marshall. Due to the COVID-19 Pandemic, a majority of the State Fire Training courses have been postponed or cancelled. These employees have not been able to take this course, which is a requirement for the position.

Currently, the employees are scheduled to take the course in May 2021. However, it can take several weeks for the employees to obtain the results of the course. Therefore, the Department is requesting an extension of the probationary period by approximately three (3) months. This should allow adequate time for the employees to obtain the certification results or allow time to find another course should the course continue to be postponed.

The employee's original probation end date is May 17, 2021; therefore, the new probation end date will be adjusted by approximately three (3) months or upon receipt of the course results.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no additional cost to the City other than administrative staff time.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Approve the Extension of the Probationary Period for Two Fire Captains - 24 Hours (Employee No. 04981 and 05750)

Reviewed by: Ashley Lancaster, Division Manager, Human Resources

Approved by: Aracely Azevedo, Director of Human Resources



Agenda Report

21-191

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Action to Extend Probationary Period for Two Water Sewer Maintenance Worker I's (Employee No. 07888 and 07896)

ACTION AND AUTHORITY

The Water and Sewer Utilities Department is requesting to extend the probationary period for two Water Sewer Maintenance Worker I's (Job Code 914) pursuant to Civil Service Rule 4.20(b) which provides that, "Any permanent employee who is an applicant for promotion may have their probationary period extended by the Commission to permit the acquisition of required licenses or certificates or completion of training. Regular classified employees may have their probationary period extended by the Commission for reasons of sickness or absence."

DISCUSSION

Two (2) probationary Water Sewer Maintenance Worker I's (Employee No. 07888 and 07896), were hired with the City on March 9, 2020 (Employee No. 07888) and March 23, 2020 (Employee No. 07896), respectively. The minimum qualifications for this position require the incumbents to possess a valid Water Distribution System Operator Certificate (Grade D-1 or above) issued by the California Department of Health Services within one (1) year of appointment. Due to the COVID-19 Pandemic, the State Water Resources Control Board cancelled all exams for 2020. These employees have not been able to take this course, which is a requirement for the position. Candidates for this exam are to be scheduled to retest in 2021; however, the test date for these candidates is unknown at this time. It is anticipated they will be able to test within the first quarter of 2021; although as of to date, test dates have not been released or scheduled.

To allow adequate time for the employees to be able to take the test and due to the uncertainty of the examination date, the Department is requesting an extension of the probationary period by approximately six (6) months. This should allow adequate time for the employees to obtain test results or time to reschedule the test should testing continue to be postponed.

The employees' original probation end dates are March 9, 2021 (Employee No. 07888) and March 23, 2021 (Employee No. 07896); therefore, the new probation end date will be adjusted by approximately six (6) months or upon initial receipt of certification.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes

in the environment.

FISCAL IMPACT

There is no additional cost to the City other than administrative staff time.

PUBLIC CONTACT

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RECOMMENDATION

Approve the Extension of the Probationary Period for Two Water Sewer Maintenance Worker I's (Employee No. 07888 and 07896)

Reviewed by: Ashley Lancaster, Division Manager, Human Resources

Approved by: Aracely Azevedo, Director of Human Resources



Agenda Report

21-193

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Request to Extend Eligible List for Fire Captain (Job Code 475)

ACTION AND AUTHORITY

The Fire Department is requesting to extend the eligible list for Fire Captain (Job Code 475) pursuant to Civil Service Rule 4.3 (Duration of Lists) which provides that, "Eligible lists shall remain in force for a period of one (1) year. Eligible lists for sworn promotional positions in the police department shall remain in force for a period of two (2) years. The eligible list may be extended to two (2) years with the approval of the Commission. The eligible list for entry level Police Officers shall remain in force for six (6) months. The Director of Human Resources may abolish an eligible list if that list contains less than five (5) names."

BACKGROUND

The current eligible list for Fire Captain (Job Code 475) was established on March 22, 2020 and is set to expire on March 23, 2021. The Fire Department is requesting approval for the Commission to extend the Fire Captain (Job Code 475) eligible list for one (1) year with a new expiration date of March 23, 2022.

DISCUSSION

Due to the COVID-19 Pandemic and the City hiring freeze, the Fire Department has not been able to fill any Fire Captain (Job Code 475) positions since the list was established. In order to quickly fill their positions with candidates from the existing list, it is recommended that the Commission approve the extension of the eligible list for one (1) year with a new expiration date of March 23, 2022. Extending the eligible list will allow the Fire Department to hire off of the current eligible list which has 14 active and qualified candidates remaining on the list. Establishing the list for a sworn promotional position is an extensive process and extending the eligibility list will expedite the recruitment process in the future.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no additional cost to the City other than administrative staff time.

PUBLIC CONTACT

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notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Staff recommends the Civil Service Commission approve the request to extend the eligible list for Fire Captain (Job Code 475) by one (1) year with a new expiration date of March 23, 2022

Reviewed by: Ashley Lancaster, Human Resources Division Manager

Approved by: Aracely Azevedo, Director of Human Resources



Agenda Report

21-194

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Request to Extend Eligible List for Firefighter I (Job Code 487)

ACTION AND AUTHORITY

The Fire Department is requesting to extend the eligible list for Firefighter I (Job Code 487) pursuant to Civil Service Rule 4.3 (Duration of Lists) which provides that, "Eligible lists shall remain in force for a period of one (1) year. Eligible lists for sworn promotional positions in the police department shall remain in force for a period of two (2) years. The eligible list may be extended to two (2) years with the approval of the Commission. The eligible list for entry level Police Officers shall remain in force for six (6) months. The Director of Human Resources may abolish an eligible list if that list contains less than five (5) names."

BACKGROUND

The current eligible list for Firefighter I (Job Code 487) was established on May 19, 2020 and is set to expire on May 20, 2021. The Fire Department is requesting approval for the Commission to extend the Firefighter I (Job Code 487) eligible list for one (1) year with a new expiration date of May 20, 2022.

DISCUSSION

Due to the COVID-19 Pandemic and the City hiring freeze, the Fire Department has not been able to fill any Firefighter I (Job Code 487) positions since the list was established. In order to quickly fill their positions with candidates from the existing list, it is recommended that the Commission approve the extension of the eligible list for one (1) year with a new expiration date of May 20, 2022. Extending the eligible list will allow the Fire Department to hire off of the current eligible list which has 181 active and qualified candidates remaining on the list. Due to the extensive volume of the candidate pool and multiple steps in the hiring process, extending the eligibility list will expedite the recruitment process in the future.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no additional cost to the City other than administrative staff time.

PUBLIC CONTACT

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notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Staff recommends the Civil Service Commission approve the request to extend the eligible list for Firefighter I (Job Code 487) by one (1) year with a new expiration date of May 20, 2022

Reviewed by: Ashley Lancaster, Human Resources Division Manager

Approved by: Aracely Azevedo, Director of Human Resources



Agenda Report

21-288

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Action to Extend Probationary Period of Customer Service Supervisor (Employee No. 04035)

ACTION AND AUTHORITY

The Finance Department is requesting to extend the probationary period for a Customer Services Supervisor (Job Code 367) pursuant to the Civil Service Rule 4.20(b), "Any permanent employee who is an applicant for promotion may have their probationary period extended by the Commission to permit the acquisition of required licenses or certificates or completion of training. Regular classified employees may have their probationary period extended by the Commission for reasons of sickness or absence."

DISCUSSION

A Customer Service Supervisor (Employee No. 04035), who has permanent status with the City as a Senior Customer Service Representative (Job Code 724), was promoted to the classification of Customer Service Supervisor on February 23, 2020. The employee has been on leave since December 21, 2020 and is expected to be on leave beyond the original probation completion date. The Department is requesting an extension of the probationary period by approximately 7 ½ weeks after the employees return to work, which is anticipated to be in June 2021. The employee's original end date is February 23, 2021; therefore, the new probation end date will be adjusted based on the return date and not to exceed the amount of time the employee has been on leave. This will allow for a full 12 months probationary period to conduct the proper assessments required during probationary status.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no additional cost to the City other than administrative staff time and expense.

PUBLIC CONTACT

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RECOMMENDATION

Approve the extension of the probationary period for a Customer Service Supervisor (Employee No. 04035)

Reviewed by: Ashley Lancaster, Division Manager Human Resources

Approved by: Aracely Azevedo, Director of Human Resources



Agenda Report

21-331

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Action to Adjust the Examination Weighting Plan for Water Sewer Maintenance Worker I (Job Code 914) on a One-time Basis

BACKGROUND

The Human Resources Department requests Commission approval of a modification to the examination weighting plan for Water Sewer Maintenance Worker I (Job Code 914). This request is based on the authority of Civil Service Rule 3.1, "The Commission shall determine whether the examination shall consist of a written, oral, or performance, or psychological, investigative, physical test, or any combination thereof, and shall indicate the procedure in the announcement." This request has been coordinated with the Water and Sewer Utilities Department.

DISCUSSION

The Human Resources Department in coordination with the Water and Sewer Utilities Department are recommending modifications to the examination weighting plan for Water Sewer Maintenance Worker I (Job Code 914) on a one-time basis. Currently, the examination weighting plan consists of a qualifying performance exam and 100% written exam. The proposed modification is to make the examination weighting a qualifying supplemental and 100% written exam. In order to address the technical abilities normally assessed at the qualifying performance exam, the department will ask technical questions on the job application which will be evaluated to determine the most competitive applicants to move forward to the next phase of the recruitment process. The written examination will be individually administered over Zoom to applicants. The Department will also have the probationary period to assess the technical knowledge and abilities of the applicant.

Given that Santa Clara County is currently in the Purple Tier due to the COVID-19 Pandemic, the City is not conducting in person written or performance examinations at this time. This will be reassessed as the County moves into less restrictive tiers. The basis for this decision is to minimize public contact to the extent possible, for the safety of our employees and the public; therefore, the examination weighting plan is recommended to be modified.

There are no recommended changes to the class specification for Water Sewer Maintenance Worker I (Job Code 914).

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no fiscal impact to revising the class specification other than staff time.

PUBLIC CONTACT

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RECOMMENDATION

Approve the modified weighting plan for Water Sewer Maintenance Worker I (Job Code 914) on a one-time basis

Reviewed by: Ashley Lancaster, Division Manager Human Resources

Approved by: Aracely Azevedo, Director of Human Resources



Agenda Report

21-332

Agenda Date: 2/22/2021

REPORT TO CIVIL SERVICE COMMISSION

SUBJECT

Acceptance of the resignation of Dave Stealey from the Salary Setting Commission, declare a vacancy for the partial term ending January 1, 2025 and consider appointment of remaining applicant

BACKGROUND

Charter Section 702 requires the Civil Service Commission appoint five (5) members to the Salary Setting Commission. Mr. Dave Stealey served a two-year term that expired on January 1, 2020. On October 22, 2020, the Civil Service Commission approved to reappoint Mr. Dave Stealey to the Salary Setting Commission for a 4-year term.

On February 16, 2021, Mr. Dave Stealey sent an email with his resignation from the Salary Setting Commission, therefore, leaving one (1) vacancy on the Salary Setting Commission.

DISCUSSION

At the October 22, 2020 Civil Service Commission, the Commission conducted interviews of two applicants for another vacancy on the Salary Setting Commission. During that meeting, one of the applicants was selected to serve on the Salary Setting Commission. With that appointment, there is one remaining applicant that may be considered for appointment on the Salary Setting Commission.

Staff has reached out to the applicant to determine if there is still interest in serving on the Salary Setting Commission, and the applicant has confirmed a continued interest. The Civil Service Commission may consider the remaining applicant for appointment to serve on the Salary Setting Commission.

Alternatively, another recruitment and public outreach can be conducted to determine if there are any other individuals in the community that may be interested in serving on the Salary Setting Commission. The recruitment period would remain open for approximately 4-6 weeks, followed by presenting the applicants at the Civil Service Commission to provide an opportunity for the Commission to interview the applicants and make an appointment.

The Salary Setting Commission commenced their meetings in January 2021, and is meeting weekly on Wednesday evenings at 5:30 p.m.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Civil Service Commission agenda on the City's official-notice

bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Acceptance of the resignation of Dave Stealey from the Salary Setting Commission, declare a vacancy for the partial term ending January 1, 2025 and consider appointment of remaining applicant

Reviewed by: Aracely Azevedo Director of Human Resources

Approved by: Nadine Nader, Chief Operating Officer/Assistant City Manager

ATTACHMENTS

1. Resignation Letter
2. Voting Guidelines
3. Applicant - R. Misra
4. Conflicts Review - Salary Setting Commission Applicants Memo

----- Original message -----

From: Dave Stealey <[REDACTED]>
Date: 2/16/21 7:14 PM (GMT-08:00)
To: John Sontag <[REDACTED]>
Cc: "CHeng@santaclaraca.gov" <CHeng@SantaClaraCA.gov>
Subject: Letter of Resignation

16 February, 2021

To: John Sontag, Presiding Officer
Salary Setting Commission,
City of Santa Clara, California

Dear President Sontag, Commissioners, and City Staff,

I regret to inform the Salary Setting Commission and Human Resources that due to events beyond my control, I am no longer able to serve on this Commission. Therefore, please accept my resignation, effective immediately.

It was a pleasure working with every Commissioner on the Salary Setting Commission. In my view each Commissioner worked diligently, selflessly, and in a completely professional manner to serve the residents of our great city. Every Commissioner should be justifiably proud to be on this Commission for the work they've done, and for what they've accomplished.

I enjoyed working with every Commissioner, and even though I will no longer be on the Commission, I still intend to follow the Commission's progress via the city's website. As I view the Commission's future actions, I have no doubt that I'll fondly recall meeting with my fellow Commissioners, as we worked together for the benefit of our wonderful city. I wish all of you the very best, and I remain

Sincerely yours,

Dave Stealey
Commissioner (2018 – 2021)
Salary Setting Commission,
City of Santa Clara

[REDACTED]

Att'n: Human Resources Department

**CITY OF SANTA CLARA
VOTING GUIDELINES FOR THE APPOINTMENT
OF APPLICANTS TO BOARDS AND COMMISSIONS**

- 1) Council is given a copy of the applications in their weekly packet to review and consider applicant qualifications.
- 2) Council interviews applicant. Interviews are held at a City Council Meeting for the Planning Commission and Civil Service Commission. Interviews are held in a less formal area of City Hall for all other Boards and Commissions.
 - A) Each applicant is given three (3) minutes for an opening statement. The applicant may respond to questions from the Council. The applicant has one (1) minute for a closing statement.
- 3) Council votes for applicants:
 - A) If there are four (4) or fewer applicants, the Council will cast one vote each for their desired appointee.
 - B) If there are five (5) or more applicants, the Council will cast one vote each for their two desired appointees. Only one vote per applicant is allowed. A Councilmember may choose to vote for only one applicant but will relinquish the other vote.
- 4) The votes are tallied:
 - A) If there are four (4) or fewer applicants, the Clerk will announce the winner.
 - i. If there is a tie, there will be 3 re-votes for the Council to reconsider the applicants. The Council has the opportunity to deliberate between each round of re-voting.
 - ii. If there is still a tie and there is not a full Council present, the Council will defer the decision until a full Council is present, and re-interview the top two applicants.
 - iii. If there is a full Council present, the Members will draw straws, with the person drawing the long straw abstaining from voting at the next round. The Council has the opportunity to deliberate.
 - iv. The Council votes, with the applicant receiving the highest number of votes being the winner. The City Clerk will announce the winner.
 - B) If there are five (5) or more applicants, the Clerk will announce the two applicants who received the highest number of votes. The Council then has an opportunity to deliberate regarding the remaining two applicants.

The Council will then cast one vote each for their desired appointee. The City Clerk will announce the winner.

- i. If there is a tie, there will be 3 re-votes for the Council to reconsider the applicants. The Council has the opportunity to deliberate between each round of re-voting.
 - ii. If there is still a tie and there is not a full Council present, the Council will defer the decision until a full Council is present, and re-interview the top two applicants.
 - iii. If there is a full Council present, the Members will draw straws, with the person drawing the long straw abstaining from voting at the next round. The Council has the opportunity to deliberate.
 - iv. The Council votes, with the applicant receiving the highest number of votes being the winner. The City Clerk will announce the winner.
- 5) A Council Member makes a motion to appoint the applicant that received the highest number of votes. The Council has the opportunity to vote unanimously to appoint the applicant using the Council Chambers electronic voting equipment.



City of Santa Clara

The Center of What's Possible

APPLICATION BOARD, COMMISSIONS, AND COMMITTEE CITY OF SANTA CLARA

City Clerk's Office 1500 Warburton Avenue,
Santa Clara, California 95050

Phone: 408-615-2220 E-mail: Clerk@santacalaraca.gov

CITY OF SANTA CLARA
OFFICE OF THE CITY CLERK
2020 005 10 PM 2: 56

*If you are having trouble viewing or submitting this form please download the free version of Adobe Reader:
<http://get.adobe.com/reader>

Board/ Commission/ Committee Applying For:

Salary Setting Commission

Name:

Ram Misra

Address:

City:

Santa Clara

State:

CA

Zip Code:

95051

E-mail Address:

Primary Phone Number

Secondary Phone Number

Are you eligible to register to vote in Santa Clara?

Yes No Unsure

Are you a registered voter of Santa Clara?

Yes No Unsure

Present Employer:

Lockheed

Job Title:

Software Engineer

Previous Governmental Bodies/ Elective Offices
Applicant has served:

Position/ Office Held:

Dates:

Board of Directors, Credit Union

Direcor

1994-2012

Civic or Charitable Organizations to which Applicant has belonged:

Position(s) Held:

Dates:

IEEE Computer Society

Treasurer

2010-2014

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Special Interests, Hobbies or Talents:

Volunteering: I have volunteered for various organizations, such as United Way, Kaiser Hospital, Super Bowl 50, Judge - Senior Year Engineering Design Contest at Santa Clara University, etc.

College, Professional, Vocational Schools attended:

Major Subject:

Degree/Dates:

Santa Clara University

Computer Science

MS/1987

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Special awards or recognition received:

GE GM(General Manager) Award, while I was employed there.

Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

I have extensive track record of volunteering, very well educated and have about 2 decades(about 20 years) of hands on experience as Member - Board of Directors. As a director, I participated in setting CEO salary. I think that experience will be asset for this position.

Any other information which you feel would be useful to the City Council in reviewing your application:

I am currently member of Police Chief's Advisory Committee(CAC). If appointed, I will abstain from Police Chief's Salary setting decision. This is to avoid any perception of Conflict of Interest.

Are you associated with any Organization/ Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?

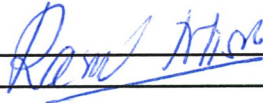
Yes No Unsure

If yes, please name the Organization or Employment.

City policy directs all advisory body members not to vote on matters where there exists a potential conflict of interest. Would you be willing to abstain from voting if such a conflict arises?

Yes No Unsure

Signature of Applicant:



Date Signed:

10/09/2020

By signing you are confirming that you are the person listed in this application, and that all information provided is truthful and correct.

Please submit the completed application, along with the attached Post Service Limitation Acknowledgment in person or by mail to: City Clerk's Office, 1500 Warburton Avenue, Santa Clara, California 95050. All information provided will be public information.

Post Service Limitation Acknowledgment

If selected to serve on the City of Santa Clara Salary Setting Commission, by signing below, I hereby agree and acknowledge that I shall not do any of the following:

1. That she/he does not and will not work for a candidate for City of Santa Clara elective office while serving on the Commission;
2. That she/he will not run for a City of Santa Clara elective office for the period of time during which his/her compensation decision is in effect;
3. That she/he is not currently a City of Santa Clara registered lobbyist and will not register as a City of Santa Clara lobbyist for the period of time during which his/her compensation decision is in effect; and
4. That she/he is not a family member, staff member, business partner/associate, or in any other way in a position to financially benefit from a decision made by the Commission
5. That he/she will be required to complete a Form-700 filing.

Signature: *Rene Tolich*

Date: 10/9/2020



Date: October 19, 2020

To: Civil Service Commission

From: Sujata Reuter, Assistant City Attorney

Subject: Conflicts Review – Salary Setting Commission Applicants

Background

The City Attorney's Office has been asked to review applications to City Boards and Commissions. The applications generally do not provide complete information regarding potential conflicts; however, they do occasionally disclose potential conflicts of interest or incompatible offices. The purpose of this memorandum is to highlight areas of potential conflict that are disclosed by the applications. In order to analyze potential conflicts, it is necessary to consider the duties of the particular commission for which the applicant is seeking appointment. This review is limited to the information provided on the applications and is not intended to be comprehensive investigation of potential conflicts involving the applicants.

Commission Duties

Pursuant to City Charter Section 702, as well as City Code Sections 2.20.015 and 2.80.015, the Salary Setting Commission is responsible for setting the compensation for the elected offices in the city (the positions of Mayor, Council Member, City Clerk and Chief of Police).

Legal Conflicts that May Preclude Vote or Participation

A commissioner may be precluded from participating in certain matters of Commission business if the commissioner has a personal financial interest in that matter. While this list is not complete, these types of conflicts generally fall within one or more of the following situations:

- An application shows persons or entities that are "sources of income" to a potential commissioner within the 12 months preceding the start of the commission term, as defined under the Political Reform Act,
- An applicant is an officer or employee of a person or entity that could be involved in a matter coming before the commission, or
- An applicant engages in a profession serving the local market that is likely to realize financial benefits or detriments, distinguishable from the public generally, that would result from the work performed by the Commission

Appearance of Bias

There may be facts which would not amount to a legal conflict of interest requiring a commissioner to recuse him- or herself from a commission vote or discussion, however the relationship could create an appearance of bias on the part of the commissioner. The City's Code of Ethics and Values requires that Commissioners "make impartial decisions, free of . . . financial and other personal interests that impair [one's] independence of judgment or action." Accordingly, a situation may arise that may require a

commissioner to recuse him- or herself if the facts could reasonably lead one to conclude that the applicant would be biased for or against a person or entity.

Review of Applicants

Set forth below are the applicants and any apparent legal conflicts of interest and/or appearance of bias related to entities that are likely to come before the commission in some manner, as identified on the applications.

- **Ram Misra**
 - The Applicant is a software engineer at Lockheed. No other sources of income are disclosed on the application.
 - The Applicant currently volunteers to serve on the “Chief’s Advisory Committee” (CAC) which is a somewhat informal group of 15 community members who advise the Chief of Police on issues and public policies which influence or impact the ongoing relationship between SCPD and the community it serves. The CAC does not have power or authority to investigate, review or otherwise participate in matters involving specific personnel or play a role in civil or criminal litigation. It is a non-compensated volunteer position. The CAC is not an official Board or Commission of the City of Santa Clara – it was not established by action of the City Council, by Ordinance, or Charter. The members of the CAC are not appointed by the City Council or any other official legislative body of the City. Service on the CAC and Salary Setting Commission do not appear to be incompatible offices. Furthermore, because CAC is not an official Board or Commission of the City, the City’s policy stating that an individual may not serve concurrently on two City Boards or Commissions would not apply to require the Applicant to resign from the CAC. However, as the Applicant notes, there may be the appearance of bias in that service on the CAC may be viewed as creating a “personal interest” in the matter of the Police Chief’s compensation. If the Applicant recuses himself from discussion and votes dealing with the Chief of Police, that has the potential of negatively impacting the Commission’s business (as any vacancy would).
 - The application discloses neither incompatible offices nor apparent conflicts of interest.

- **Eric Chu**
 - The Applicant is a realtor employed by Intero but provides no details about the types of real estate deals the applicant handles. The application references being a “small business owner” and it is presumed that refers to the real estate business. No other sources of income are disclosed on the application.
 - The Applicant currently serves as a member/supporter of the Intero Foundation, whose mission to positively impact the growth and well-being of children and elderly by taking donations from Intero agents and employees and passing those donations on to organizations that focus on supporting and assisting children and the elderly in the areas of education, health services, and personal development. A review of the Foundation’s website did not reveal any apparent conflicts of interest.
 - The application discloses neither incompatible offices nor apparent conflicts of interest.

- **Saira Lari**
 - The application discloses neither incompatible offices nor apparent conflicts of interest.

Conclusion

The Civil Service Commission may wish to consider the above comments in making its appointments to the Salary Setting Commission.

cc: Aracely Acevedo, Director of Human Resources