

CIVIL SERVICE COMMISSION MEETING		
MINUTES		
1:00 PM	JANUARY 8, 2019	FITZSIMONS ROOM
	Pamela Turner	Chair
	Robert Christoffersen	Vice Chair
	Mike Gorin	Commissioner
	Tim Ehgotz	Commissioner
	Deb Wallace	Commissioner
STAFF PRESENT	Matt Cain	Administrator
	Emily Shuman	Senior Analyst
	Heather Dearman	Civil Service Analyst
	Michelle Haines	Civil Service Analyst
OTHERS PRESENT	Dan Brotzman, , Isabelle Evans, Julie Heckman, Nancy Rodgers	City Attorney
	John Brown, Tonja Hayes, Jim Rasmussen, Jennifer Sloan	Civil Service Background
	Chief Metz, Div. Chief Glidden, Div. Chief Ortiz, Dpty. Chief O'Keefe, Cmdr. Dudley, Ofc. Syidi	Aurora Police Department
	Sgt. Sears	Fraternal Order of Police
	Chief Gray, Dpty. Chief Anderson, Cmdr. Reublin, Sherri Jo Stowell	Aurora Fire Department
	Lt. Kaiser, Tech. Pulliam	IAFF
	Michelle Wolfe	Deputy City Manager
	Nicole Johnston	City Council
	Chief Doubt	Salt Lake City PD
1) Chair Turner called the Civil Service Commission meeting to order at 1:00 pm.		
A. All who were present introduced themselves. Commissioner Turner acknowledged Commissioner Wallace's retirement and commended her for her 9 years of service to the Civil Service Commission.		
B. On a motion by Commissioner Wallace, seconded by Commissioner Ehgotz the agenda was adopted as written.		
C. On a motion by Commissioner Gorin, seconded by Commissioner Ehgotz the minutes for the Commission meeting on December 11 th , 2018 were approved.		
2) AGENDA ITEMS (Requires a vote)		
A. Out-Of-State Applicant Testing Process		Cain
DISCUSSION	Cain stated that this item was a continuation of the discussion from the last meeting about making it easier for out of state applicants to participate in our hiring process. He outlined the current steps which require 3 trips to Aurora before being accepted to the Academy. He presented an outline of how this could be reduced to 2 steps. Cain acknowledged that the Commission's vote at the last meeting to allow applicants to take the FrontLine exam through the National Testing Network has helped. He stated	

	<p>that passing the fitness test and attending the "So, you want to be a cop?" (SYWBAC) seminar are currently mandatory before being invited to the FrontLine exam. There was a discussion about how to make these requirements more flexible. Ofc. Wicklund talked about how the recruiters were scheduling SYWBAC seminars for before and after the fit and FrontLine exams. She also stated that they are working with the I.T. department to make the seminar available online.</p>
<p>PROPOSALS/ CONCLUSIONS</p>	<p>Commissioner Gorin made a motion to require applicants to pass the fitness test and attend a SYWBAC seminar before being invited to the job suitability assessment (JSA) and polygraph. Commissioner Wallace seconded the motion. The motion passed unanimously.</p>

3) ITEMS FOR DISCUSSION (No vote required)

<p>A. Joint Agency Hiring Team</p>	<p>Chief Metz</p>
<p>DISCUSSION</p>	<p>Chief Metz introduced his guest Chief Tim Doubt from the Salt Lake City police department. He added that Chief Doubt is part of the Major Cities Chiefs program and he is here for the week to shadow the APD. Metz stated that this was the second time he had proposed the JAHT, the first time being in 2015 when it was not passed. He stated that the purpose behind the proposal is the fact that neither the Aurora Police Department nor the Aurora Fire Department have input on the hiring of the basic recruits. He added that he has had conversations with Chief Gray and they both agree that both agencies should have input and re-iterated that they are not asking to have the final decision. He summarized that his proposal would have the stakeholders engaging in dialogue to determine the person's suitability for the position. He stated he is open to modification on who would be at the table but suggested it would include CSC, sworn representatives or SME's, the assigned background investigator, and the assigned employment psychologist. He stated that the chair of the group would be a member of the CSC. Metz discussed how this worked at his last agency. He said that not only did it give the opportunity for stakeholders to vet a candidate, but also it gave them the ability to structure an appropriate plan for selected candidates who might need extra help. He stated that as it stands now, they don't know anything about the candidates until they arrive the first day of the academy and don't have the opportunity to get ahead of issues that may hinder retention.</p> <p>Chair Turner stated that the Commission is following their mission statement to be a separate civil service system which was established by charter in 1967. She stated that in the past, the APD and AFR were doing the backgrounds which were passed through the chain of command and then went to Civil Service with a recommendation. She understood that the CSC, at that time, usually approved the APD recommendation. She explained that the process was questioned regarding bias from the departments in 2009 when the DOJ got involved. She said that since the process was changed in 2011 with the backgrounds done by outside investigators with no input from the departments, there have been no allegations of bias. Metz said that the last thing he wants is to do anything that brings things backwards and creates any kind of bias. He added that what he has learned in his 4 years with Aurora is that this is a very strong Commission and that he has made a lot of recommendations to which the Commission has said "no". He said that he understands it would be in the Commission's authority to do so in this situation and would respect that decision.</p> <p>Commissioner Gorin referred Metz to the minutes in 2015, in which Metz stated that it would take 30 to 45 minutes per applicant interview. Gorin</p>

	<p>noted that based on that time, it would take 13.5 hours at a minimum to review the 27 applications that the Commissioners have been reviewing today. Dpty. City Mgr. Wolfe stated that the Aurora Police department is in a challenging hiring environment. She said that there is pressure to fill seats and to keep them filled. She stated that though she agrees caution is warranted (in regards to past hiring practices) but time spent hiring each candidate is well spent. She added that the City would financially support any extra costs that would be associated with discussing each candidate in this way.</p> <p>Chief Gray stated that he is in full support of the proposal. He said there is always a need and opportunity to do things properly. He stated that if we keep doing the process the same over and over again there is not the opportunity for growth. Sgt. Sears of the FOP said that he is fortunate to see what is going on in field training and that he also supports the proposal the Chief is making.</p> <p>Vice-Chair Christoffersen summarized the current process for entry-level backgrounds. He quoted the charter and pointed out that it requires a separate civil service system and that if this proposal was approved, it would violate this. Chief Metz responded by stating he has incredible respect for the Commission's background investigators but he believes that the appropriate subject matter expert needs to come from the agency that is from this department and the Fire department. Someone who meets with Command staff every day and understands the mission, vision and values of the leadership of department.</p>
PROPOSALS/ CONCLUSIONS	Chair Turner stated that this item needs more discussion and that this will be on the February agenda for discussion.
B. US Citizenship Requirement	Rachel Allen
DISCUSSION	<p>Rachel Allen explained that she was asked to present information about U.S. Citizenship as a requirement for hiring. She stated that she did the research and presented the Commission with a memo that was not for distribution due to attorney client privilege. Allen asked if there were any questions. Gorin asked if POST requirements are law and Allen responded that POST is not law. Gorin asked Allen if the current CSC rule that requires citizenship is out of compliance with federal law 8 U.S.C. He noted that there are exceptions in the federal law regarding compliance to a (local) law or regulation. Allen responded that CSC is still out of compliance. Gorin noted that POST says it allows, not mandates that non U.S. Citizens be certified. He added that our City of Aurora Charter is silent on this topic.</p> <p>Chair Turner said that in some of the reading that she has done, at least 40 states have legislation that requires U.S. Citizenship. Turner questioned how this is possible. Allen stated that she found 4 agencies who were investigated by the DOJ that were found to be in violation of the federal law and she thought there would be more. She said that she could not explain this but that it is her advice the Commission change their requirement. Following a discussion of other states and departments' policies, Allen stated she was not an immigration lawyer and does not know each and every lawful residency and does not want to overstate her position.</p> <p>Councilmember Johnston stated that it is irrelevant what other states or agencies have done. She added that she knows we have issues with recruitment and retention and she supports allowing non U.S. Citizens to apply.</p>
PROPOSALS/ CONCLUSIONS	Chair Turner stated that this is worth additional discussion and understands that adding non-citizens connects you to a diverse population. She added

	<p>that she is aware that there are more and more agencies that are trying to recruit non-citizens that have served in the military. Turner stated that as a Commission of 5 people and staff, this is a small group and this is a complex issue. She stated she would be interested in having the City Council refer this topic to the Public Safety Committee for a recommendation. Dpty. City Mgr. Wolfe stated they could possibly have it on the Public Safety Committee agenda in January. Turner stated they would table it until Public Safety had the chance to get it on their agenda.</p>
<p>C. Proposed Rule Change Regarding Disciplinary Hearings</p>	<p>Brotzman</p>
<p>DISCUSSION</p>	<p>Brotzman stated that the proposal for this rule change has been distributed to all parties. He summarized the continuation of this discussion and how this proposal is about the cleaning up and clarifying the comparisons and disciplines between the various chiefs. He stated that they were also looking at an option to allow a disciplinary matrix, should one be created. He noted that one of our chiefs in favor of this option and one is adamantly opposed. Chair Turner asked about the sentence "A record <i>shall</i> be made setting forth the reasoning behind a dissenting vote" in the proposal. She questioned the necessity for identifying the reason behind a dissenting vote. She said it is not required now and that sometimes a member votes no and does not want to explain. Commissioner Gorin said that it could inhibit a member from voting the way they want because they may feel pressure to vote with the majority if they have to say why. Brotzman stated it is for transparency and gives the decision more weight if it goes up for appeal. Commissioner Wallace stated most appeals that come up are about procedure not why people voted one way or another, and none have been overturned.</p>
<p>PROPOSALS/ CONCLUSIONS</p>	<p>Chair Turner stated that she does not see the purpose in requiring the reason for the dissenting vote. Commissioner Ehgots agreed that it should say "may" instead of "shall." Turner stated that this item would be put on the next agenda for a vote.</p>
<p>4) REPORTS</p>	
<p>A. COMMISSIONER REPORTS</p> <ul style="list-style-type: none"> ❖ Shop with a Cop- Commissioner Gorin stated that this was the first time he went and it was the absolute best and he plans to go every year. He said it was very interesting that they not only get gifts for themselves but also for their siblings so they are thinking of others. ❖ AFR Awards Ceremony – Chair Turner said as always the food and venue were wonderful. She added that it was amazing to see what our fire and rescue have done. Vice-Chair Christoffersen explained the story of the fast water rescue at Clear Creek that was commendable. 	
<p>B. STAFF REPORTS</p> <p>Future Calendar Items:</p> <ul style="list-style-type: none"> January 9- Fire Captain Assessment Center January 16- Fire Engineer Practical Exam Assessor Training January 14- Dave Williams Memorial Service January 17 – Fire Engineer Practical Exam January 21 – Office Closed for Martin Luther King Jr. Day January 23 – Station 16 Ribbon Cutting February 12- Regular Civil Service Commission Meeting February 18- Offices closed for President's Day 	

C. LEGAL COUNSEL REPORTS

- ❖ Heckman thanked Commissioner Wallace for her service in her different roles in the City.

5) COMMENTS**A. FIRE DEPARTMENT**

- 1.Chief or Designee – Cmdr. Reublin stated that they have rescheduled the station 5 groundbreaking due to the conflict with Dave Williams’ memorial service.
- 2.Union Designee – Lt. Kaiser introduced Travis Pulliam who is taking over for Daniel Pollet as Vice President of the IAFF.

B. POLICE DEPARTMENT

- 1.Chief or Designee – None
- 2.Association Designee
 - APA – None Present
 - FOP – None


C. CITY MANAGER DEPARTMENT – Wolfe announced Councilmember Hiltz as the new chair and councilmember Grueber and Bergen as the new Public Safety committee members.

D. PUBLIC COMMENT- None

6) ADJOURNMENT – Vice-Chair Christoffersen made a motion to adjourn the meeting, seconded by Commissioner Gorin. The meeting adjourned at 2:33 pm.

ATTEST:


Pam Turner, Chair


Heather Dearman, Civil Service Analyst