



**CITY OF SCOTTSDALE  
PERSONNEL BOARD MEETING  
REGULAR SESSION  
MINUTES**

Monday, July 22, 2024

North Corp Yard – Wrangler Room  
9191 E San Salvador  
Scottsdale, AZ 85258

**PRESENT**

**Board Members:**

Bruce Washburn, Chair  
Barbara Burns, Vice-Chair  
Erica Padish-Hoebing

**Staff:**

Monica Boyd, Human Resources Executive Director  
Karen Tyler, Senior Assistant City Attorney  
Autumn Asmus, Staff Coordinator

**Respondent:**

Nick Molinari, Director of Parks and Recreation  
Abe Bowman, Assistant City Attorney

**Appellant:**

Anna Dougherty

**Respondent Witnesses:**

Jason Stokes  
Sue Sola  
Alicia Taylor

**Appellant Witnesses:**

Sean Paulson  
Kristen Fullem (phonetic)

**CALL TO ORDER**

Chair Washburn called the meeting to order at 9:13 a.m.

**ROLL CALL**

Members present as listed above.

## **Public Comment**

There were no members of the public who wished to speak.

### **1. Election of Chair and Vice-Chair**

BOARD MEMBER PADISH-HOEBING NOMINATED BRUCE WASHBURN TO CONTINUE IN THE POSITION OF CHAIR OF THE PERSONNEL BOARD AND BARBARA BURNS TO CONTINUE IN THE POSITION OF VICE-CHAIR OF THE PERSONNEL BOARD. VICE-CHAIR BURNS SECONDED THE MOTION, WHICH CARRIED THREE (3) TO ZERO (0). CHAIR WASHBURN, VICE-CHAIR BURNS, AND BOARD MEMBER PADISH-HOEBING VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

### **2. Approval of Minutes**

- a. Regular Meeting: April 3, 2023

BOARD MEMBER PADISH-HOEBING MOVED TO APPROVE THE APRIL 3, 2023, PERSONNEL BOARD MEETING MINUTES. VICE-CHAIR BURNS SECONDED THE MOTION, WHICH CARRIED THREE (3) TO ZERO (0). CHAIR WASHBURN, VICE-CHAIR BURNS, AND BOARD MEMBER PADISH-HOEBING VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

### **3. Approval of the 2023 Personnel Board Annual Report**

VICE-CHAIR BURNS MOVED TO APPROVE THE 2023 PERSONNEL BOARD ANNUAL REPORT. BOARD MEMBER PADISH-HOEBING SECONDED THE MOTION, WHICH CARRIED THREE (3) TO ZERO (0). CHAIR WASHBURN, VICE-CHAIR BURNS, AND BOARD MEMBER PADISH-HOEBING VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

### **4. Hearing on Appeal of the Demotion of Anna Dougherty**

The Hearing convened with introductions of the Board, Appellant Party, and Respondent Party, followed by Chair Washburn's statement of the authority of the Board and the rules of order that were to apply during the hearing. Parties did not wish to invoke the rule of exclusion.

Monica Boyd, Human Resources Director, entered into the record the case to be heard by the Board.

Chair Washburn administered the oath to the Appellant and the Respondent. The oath was administered to witnesses as they appeared.

Chair Washburn offered each party an opportunity to make a brief opening statement of not more than ten minutes. Nick Molinari, Director of Parks and Recreation, provided Respondent's statement. Anna Dougherty provided her opening statement.

Mr. Molinari presented Respondent's witness' testimony.

Examination of Respondent's witness Jason Stokes commenced at 9:43 a.m. and concluded at 10:45 a.m.

Recess was taken from 10:45 a.m. to 10:52 a.m.

Examination of Respondent's witness Sue Sola commenced at 10:53 a.m. and concluded at 11:08 a.m.

Respondent rested their case at 11:08 a.m.

Examination of Appellant's witness Alicia Taylor commenced at 11:13 a.m. and concluded at 11:52 a.m.

Recess for lunch was taken from 11:53 a.m. to 12:34 p.m.

Examination of Appellant's witness Kristin Fullam commenced at 12:37 p.m. and concluded at 12:53 p.m.

Examination of Appellant's witness Sean Paulson commenced at 12:37 p.m. and concluded at 2:15 p.m.

Examination by Appellant of Respondent, Nick Molinari, commenced at 2:25 p.m. and concluded at 2:29 p.m.

Appellant rested their case at 2:30 p.m.

Chair Washburn offered each party an opportunity to make a brief closing statement of not more than ten minutes. Mr. Molinari provided Respondent's statement. Ms. Dougherty provided her closing statement.

The Hearing was closed at 2:54 p.m.

## **5. Motion to Recess into Executive Session**

VICE-CHAIR BURNS MOVED TO RECESS INTO EXECUTIVE SESSION. BOARD MEMBER PADISH-HOEBING SECONDED THE MOTION, WHICH CARRIED THREE (3) TO ZERO (0). CHAIR WASHBURN, VICE-CHAIR BURNS, AND BOARD MEMBER PADISH-HOEBING VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

EXECUTIVE SESSION WAS HELD FROM 2:55 P.M. TO 3:14 P.M.

## **6. Discussion of Evidence and Deliberation by Board**

The Board discussed the findings of fact, their conclusions, and recommendation to the City Manager.

Chair Washburn noted that the City Code makes it the responsibility of the Director to determine the appropriate discipline in this case. The Board's responsibility is to determine whether they believe the Director's decision is appropriate and has been made within the discretion that is given him by the City Code. Allegations for the Board to consider were as follows:

- That the employee unfairly cancelled an employee's previously scheduled shifts after she raised concerns about a performance evaluation;
- The employee repeatedly played video games while on duty;
- The employee behaved in an unprofessional manner with staff, engaging in inappropriate comments, disrespect, and insubordination as a supervisor;
- And that the employee engaged in multiple instances of being disrespectful and insubordinate to her supervisors.

Chair Washburn noted that City Code states that discipline should be progressive unless the seriousness of the offence may justify discipline that is not progressive. During Mr. Molinari's questions, Sue Sola testified that the discipline is consistent with discipline handed down in other City departments. It was agreed that there is evidence to support the finding that the offence is sufficient in seriousness and that progressive discipline is not required. They found that there is sufficient evidence to support the determination made by the City.

Board Member Padish-Hoebing reviewed the findings of fact for each allegation, as outlined in Scottsdale Revised Code 43-72.

## **7. Adoption of Findings of Fact, Conclusions, and Recommendation to City Manager**

VICE-CHAIR BURNS MOVED TO ACCEPT THE FINDINGS OF FACT AND CONCLUSIONS. BOARD MEMBER PADISH-HOEBING SECONDED THE MOTION, WHICH CARRIED THREE (3) TO ZERO (0). CHAIR WASHBURN, VICE-CHAIR BURNS, AND BOARD MEMBER PADISH-HOEBING VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

VICE-CHAIR BURNS MOVED TO RECOMMEND THAT THE CITY MANAGER UPHOLD THE ACTIONS HANDED DOWN BY THE PARKS AND RECREATION DIRECTOR. BOARD MEMBER PADISH-HOEBING SECONDED THE MOTION, WHICH CARRIED THREE (3) TO ZERO (0). CHAIR WASHBURN, VICE-CHAIR BURNS, AND BOARD MEMBER PADISH-HOEBING VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

## **9. Future Agenda Items**

No agenda items were suggested.

## **Adjournment**

VICE-CHAIR BURNS MOVED TO ADJOURN THE MEETING. BOARD MEMBER PADISH-HOEBING SECONDED THE MOTION, WHICH CARRIED THREE (3) TO ZERO (0). CHAIR WASHBURN, VICE-CHAIR BURNS, AND BOARD MEMBER PADISH-HOEBING VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 3:40 p.m.

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