

9309#3



# CITY OF SAN JOSE, CALIFORNIA

200 East Santa Clara Street  
San José, California 95113  
Telephone (408) 535-1265  
FAX (408) 292-6207

## CIVIL SERVICE COMMISSION

Bill Brill, Chair  
Jon Fitch, Vice Chair  
Dave Busse  
Peter Soulé  
Emily Côté

### Minutes of the Commission Regular Meeting August 6, 2009

The Civil Service Commission of the City of San José convened in regular session on August 6, 2009, in the City Council Chambers of San José City Hall at 4:04 p.m.

#### ROLL CALL

Present: Commissioners Busse, Côté, Soulé, Brill and Fitch  
Absent:

#### ORDERS OF THE DAY

By motion unanimously adopted, the Orders of the Day were approved.

#### CONSENT CALENDAR

By motion unanimously adopted, the Consent Calendar was approved.

1. Information Only
  - a. Hiring Summary – Memorandum from Human Resources dated, July 27, 2009, listing complaints about hiring issues and a summary of hiring activity for the period June 29, 2008, through July 27, 2009, was filed.
2. Human Resources Report dated July 27, 2009, listing the following amendments to the classification plan were filed.
  - a. Reallocations of Positions

Position #	From (Current Class)	To (New Class)	Dept.
00012996	Principal Water Systems Tech (3635)	Maintenance Supervisor (3116)	Environmental Services

3. The following minutes were approved:

a. July 2, 2009

### END OF CONSENT CALENDAR

3. The following hearings were scheduled:

a. The appeal of dismissal of Giang N. Pham, Analyst (1627) was scheduled for October 1 and 2, 2009. Written time waiver was filed. (Smyth-Mendoza/Hutcheson)

Deputy City Attorney Daisy Nishigaya, appearing on behalf of the City, and Hutchinson, representing the appellant, were present. Hearing Officer Côté advised that both parties participate in a prehearing conference with her one week prior to the date.

b. The appeal of Police Officer discipline, Case No. 09-27 was scheduled for October 22, 26, and 28, 2009. Written time waiver was filed.(Hopper/Brown)

Senior Deputy City Attorney Brian Hopper, appearing on behalf of the City was present. Hearing Officer Côté advised that both parties participate in a prehearing conference with her one week prior to the date, be prepared to discuss issues, witnesses and have already exchanged documents.

c. The appeal of dismissal of Farid Shahrivar, Associate Engineer (3814) was schedule for September 21 and 23, 2009. Written time waiver was filed. (Fabela/Shahrivar)

Senior Deputy City Attorney Rob Fabela, appearing on behalf of the City, and Fardis Shahrivar, representing the appellant, were present. Hearing Officer Côté advised that both parties participate in a prehearing conference with her one week prior to the date, be prepared to discuss issues, witnesses and have already exchanged documents.

### ORAL PETITIONS

There were none.

ADJOURNED at 4:14 p.m. and reconvened at 4:15 p.m. to take public testimony from Fardis Sharivar regarding Item 3c. The Commission adjourned at 4:25 p.m. to September 3, 2009 at 4:00 p.m.

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BILL BRILL, CHAIR

ATTEST:  
CIVIL SERVICE COMMISSION  
LEE PRICE, MMC, SECRETARY

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Nora Pimentel, Deputy Secretary