

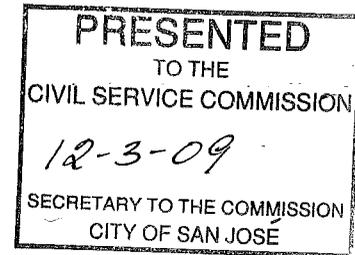


# CITY OF SAN JOSE, CALIFORNIA

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## CIVIL SERVICE COMMISSION

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



## Minutes of the Commission Regular Meeting November 5 2009

The Civil Service Commission of the City of San José convened in regular session on November 5, 2009, in the City Council Chambers of San José City Hall at 4:00 p.m.

### ROLL CALL

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

### 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 October 27, 2009, listing complaints about hiring issues and a summary of hiring activity for the period June 28, 2008, through October 17, 2009, was filed.
2. Human Resources Report dated October 26, 2009, listing the following amendments to the classification plan was filed.

Position #	From (Current Class)	To (New Class)	Dept
00015479	Training Specialist (1693)	Senior Analyst (1654)	Human Resources

#### 3. The following minutes were approved as amended:

- a. September 3, 2009

**END OF CONSENT CALENDAR**

4. The following hearings were scheduled:

- a. The appeal of Police Officer discipline, Case No. 09-21 was scheduled for February 8, 2010 and February 11, 2010, at 6:30 p.m. (Hopper/Appellant)

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

- b. The appeal of Police Officer discipline, Case No. 09-27 was scheduled for January 7, 2010, January 11, 2010, January 14, 2010, at 6:30 p.m. (Hopper/Brown)

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

- c. The appeal of withdrawal of employment offer for position of Firefighter Recruit, Case No. FF 09-02 was scheduled for December 14, 2009, at 6:00 p.m. (Hutchins/Appellant)
- d. The appeal of withdrawal of employment offer for position of Firefighter Recruit, Case No. FF 09-03 was withdrawn by the appellant.
- e. The appeal of withdrawal of employment offer for position of Firefighter Recruit, Case No. FF 09-05 was scheduled for December 14, 2009 at 6:00 p.m. (Hutchins/Appellant)
- f. The appeal of withdrawal of employment offer for position of Firefighter Recruit, Case No. 09-06 was scheduled for December 15, 2009 at 6:00 p.m. (Hutchins/Appellant)

5. Response to inquiry from Brad Imamura regarding disclosure of appellants' name on the Civil Service Commission agenda

Senior Deputy City Attorney Vera Todorov provided a verbal response and stated she would mail a written response to Mr. Imamura. Ms. Todorov stated that the Commission can make a recommendation to the City Council on having Commission meetings held in Closed Session. Ms. Todorov stated the City Council can consider amending the San José Municipal Code (SJMC) to have Commission meetings held in Closed Session, but amending the SJMC would require discussions with the City's bargaining units. Ms. Todorov advised the Commission on keeping Commission meetings in Open Session.

Public Comment: Office of Employee Relations Senior Executive Analyst Aracely Rodriguez agreed with the City Attorney's Response and requested a copy of the response to Mr. Imamura.

Action: Upon motion by Commissioner Soulé, seconded by Commissioner Côte and unanimously passed, the Commission directed the City Attorney's Office to forward a copy of the written response to the Office of Employee Relations and to the Office of the City Clerk.

**ORAL PETITIONS**

Chair Brill requested that "Oral Petitions" be changed to "Open Forum" and requested that an item entitled "Future Agenda Items" be added to the Regular Meeting agenda. Chair Brill also requested that discussion and consideration of changing the start time of appeal hearing be placed on the December agenda.

**ADJOURNED** at 4:32 p.m.

  
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BILL BRILL, CHAIR

ATTEST:  
CIVIL SERVICE COMMISSION  
LEE PRICE, MMC, SECRETARY

  
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Michelle Radcliffe, CMC, Deputy Secretary