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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 December 3, 2009

The Civil Service Commission of the City of San José convened in regular session on December 3, 2009, in the City Council Chambers of San José City Hall at 4:07 p.m.

ROLL CALL

Present: Commissioners Busse, Côté, Fitch, Soulé, and Brill
Absent: None

ORDER OF BUSINESS

1. Oath of Office of newly appointed Commissioner

City Clerk Lee Price administered the Oath of Office to Commissioner Brill.

2. Election of Chair and Vice Chair

Upon motion by Commissioner Soulé, seconded by Commissioner Côté, and unanimously passed, the Commission elected Commissioner Brill as Chair of the Commission. Upon motion by Commissioner Soulé seconded by Commissioner Côté, and unanimously passed, the Commission elected Commissioner Fitch as Vice-Chair of the Commission.

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 November 23, 2009, listing complaints about hiring issues and a summary of hiring activity for the period June 28, 2009, through November 14, 2009, was filed.

CONSENT CALENDAR (Cont'd.)

2. Human Resources Report dated November 23, 2009, listing the following amendments to the classification plan was filed.
 - a. Revisions of Class Specifications
 - i. Public Safety Radio Dispatcher FT (8514)
 - ii. Public Safety Radio Dispatcher PT (8534)
3. The following minutes were approved as amended:
 - a. November 5, 2009

END OF CONSENT CALENDAR

4. The following hearings were scheduled:
 - a. The appeal of Police Officer discipline, Case No. 09-46 was scheduled for January 28, 2010, and February 4, 2010, at 6:30 p.m. (Hopper/Peterson)

Senior Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Larry Peterson, appearing on behalf of 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 dismissal of Annette Collura, Public Safety Communications specialist (8515) was withdrawn by the appellant.
5. Discussion and recommendation to the City Council on the appointment of a Civil Service Commission representative to the Police and Fire Retirement Board.

City Clerk Lee Price provided Mayor Reed's recommendations from the December 2, 2009 Rules and Open Government Committee meeting that the Police and Fire Retirement Board representative position be dropped at this time, pending approval of Council.

Public Comment: Firefighter Representative Mark Skeen, San José Police Officer's Association Vice President George Beattie, and AFSCME Business Representative Linda Dittes urged the reappointment of Bill Brill to the Police and Fire Retirement Board.

Action: Upon motion by Commissioner Busse, seconded by Commissioner Côte and unanimously passed, the Commission recommended the reappointment of Commissioner Brill as Civil Service Commission representative to the Police and Fire Retirement Board and recommended that this position be maintained.

6. Quarterly verbal report of the Employment Oversight Committee (EOC).

Human Resources Administrative Manager Sarah Nunes provided a verbal report of the Employee Oversight Committee. The next EOC meeting will be held March 2010.

7. Discussion regarding amendments to the Civil Service Commission Rules of Order (Attorney/Clerk)

City Clerk Lee Price reviewed proposed amendments to the Civil Service Commission Rules of Order. Senior Deputy City Attorney Vera Todorov summarized amendments for the record.

Action: Upon motion by Commissioner Busse, seconded by Commissioner Soulé, and unanimously passed, the Commission recommended amendments be incorporated into the San José Municipal Code as proposed by the City Clerk.

8. Discussion as to rescheduling the January 7, 2009 Regular Meeting due to the City Hall furlough closure. (Appeal Hearing scheduled January 7, 2009 at 6:30 p.m. will remain on calendar).

Upon motion by Commissioner Soulé, seconded by Commissioner Busse and unanimously passed, the Commission agreed to tentatively cancel the meeting for January 7, 2010, pending any Civil Service Commission meeting items that may be submitted to the City Clerk's Office prior to the agenda deadline.

ORAL PETITIONS

Linda Dittes, representing AFSCME, provided a letter from John Martinez, Sr., dated December 3, 2009, requesting reconsideration of his continued employment with the City of San José. The Commission agreed to hear these concerns at the next meeting of the Civil Service Commission.

Chair Brill requested that discussion and consideration of changing the start time of appeal hearings be placed on the next Civil Service Commission Agenda.

ADJOURNED at 4:56 p.m. to 6:30 p.m. to hear the appeal of dismissal of Hilda Wong, Staff Technician (1623) (Nishigaya, Smyth-Mendoza/Baker)

BILL BRILL, CHAIR

ATTEST:
CIVIL SERVICE COMMISSION
LEE PRICE, MMC, SECRETARY

Ruth Krantz, Deputy Secretary