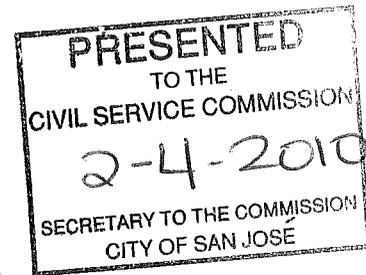




CITY OF SAN JOSE, CALIFORNIA

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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 January 7, 2010

The Civil Service Commission of the City of San José convened in regular session on January 7, 2010 in the City Council Chambers of San José City Hall at 4:03 p.m.

ROLL CALL

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

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 December 18, 2009, listing complaints about hiring issues and a summary of hiring activity for the period June 28, 2009, through December 12, 2009, was filed.

2. The following minutes were approved:

- a. November 16, 2009 (Closed Session)
- b. November 23, 2009 (Closed Session)
- c. December 3, 2009 (Regular Meeting)
- d. December 3, 2009 (Appeal Hearing)
- e. December 7, 2009 (Appeal Hearing)
- f. December 14, 2009 (Appeal Hearing)

END OF CONSENT CALENDAR

3. The following hearings were scheduled:

- a. The appeal of dismissal of Richard Davilla, Heavy Equipment Operator (0965) was scheduled for March 4 and 11, 2010, at 6:00 p.m. Written time waiver was filed. (Winchester/Pope)

Senior Deputy City Attorney Colleen Winchester, appearing on behalf of the City, and Bill Pope 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 of dismissal of Grant Seibert, Fire Engineer (0970) was scheduled for May 3 and 6, 2010 at 6:00 p.m. Written time waiver was filed. (Fabela/Jensen)

Senior Deputy City Attorney Robert Fabela, appearing on behalf of the City and Daniel Jensen 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. Item will be continued to the next regular scheduled meeting February 4, 2010 for further scheduling.

- c. The appeal of Police Officer discipline, Case No. 09-62 was scheduled for April 20 and 22, 2010. Written time waiver was filed. (Winchester/Bowman)

Senior Deputy City Attorney Colleen Winchester, appearing on behalf of the City was 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.

4. Request from John Martinez regarding reconsideration of employment with the City of San Jose. (City Attorney)

Commission Legal Counsel Vera Todorov provided an overview of the Commission's jurisdiction and provided options that could be considered. Discussion ensued.

Upon motion by Commissioner Busse, seconded by Commissioner Cote, and unanimously passed, the Commission agreed this item be continued to the next regular scheduled meeting February 4, 2010. (Vote: 5-0-0)

5. Discussion and consideration of changing start time of appeal hearings. (Chair)

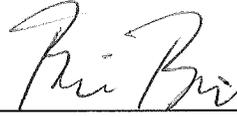
Upon motion by Commissioner Cote, seconded by Commissioner Busse, and unanimously passed, the Commission agreed to change the start time of appeal hearings to 6:00 p.m. starting on March 1, 2010. (Vote: 5-0-0)

The Commission asked to have the following items be placed on the agenda for discussion and consideration: 1) discussion and consideration of changing the end time of appeal hearings; and 2) setting limits on the number of days hearings are set.

The Commission also requested that an agenda section entitled "Future Agenda Items" be added to the agenda.

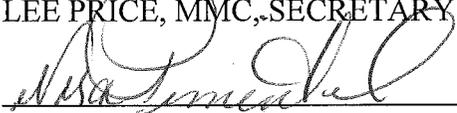
OPEN FORUM

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



Nora Pimentel, Deputy Secretary