CITY OF OAKLAND

CIVIL SERVICE BOARD
SPECIAL MEETING MINUTES

Thursday, September 16, 2010

MEMBERS PRESENT: **Chairperson Wendall Mitchell, Vice-Chairperson Winnie Anderson, Michelle Hatchell, Dee Dee Brantley, Michael Siegel, Alex Drexel**

MEMBERS ABSENT: **Judith Bodenhausen, Michelle Hatchell**

STAFF PRESENT: **Present** – Andrea R. Gourdine, Director of Human Resources Management Secretary to the Civil Service Board
Present – Tracy Chriss, Office of the City Attorney
Present – Veronica Hodge, HR Manager of Recruitment & Classification, Staff to the Board
Present – Kenneth Tramiel, HR Technician, Staff to the Board

The Civil Service Board convened at 5:32 p.m., with Wendall Mitchell presiding as Chairperson.

1. OLD BUSINESS

a) Approval of Special Civil Service Board Meeting Minutes – August 26, 2010

Chairperson Mitchell suggested a modification be made under the August 26, 2010 Minutes under "Director's Report" Item 2(d) with the following language: "*Chairman Mitchell requested that the Port representatives in attendance, Marsha Peterson and Aaron Agenbroad, clarify the Port's position on the Port's authority to create and amend classifications without Civil Service Board approval. The Port representatives advised the Civil Service Board of the Port's position that the Port is not required to obtain Civil Service Board approval when the Port creates and amends classifications and when the Port creates Port-specific classifications. A motion was made by Chairman Mitchell that the City, with the assistance of legal counsel, proved a legal opinion that addresses the following issues in response to the position that was articulated in Marsha Peterson's letter of August 6, 2010 and the testimony of the Port representative at the Civil Service Board's meeting of August 26, 2010"*. Staff to the board will make this modification to the August 26, 2010 Minutes.

A motion was made by Board Member Siegel and seconded by Board Member Brantley to approve the modification of the August 26, 2010 minutes, under "Directors Report: Item 2(d)". The motion passed unanimously.

b) Civil Service Board Appeals & Hearing Calendar

Andrea Gourdine, Director of Human Resources, advised to the Board that the Lay-off and Involuntary Termination Appeal of Glen Wilmoth will be continued at the October 14, 2010 Civil Service Board Meeting.

Andrea Gourdine, Director of Human Resources, advised to the Board that Peter Fitzsimmons has withdrawn his "Appeal of Restoration to the Eligibility List".

Andrea Gourdine, Director of Human Resources, advised to the Board that Sgt. Thurston Slade's appeal will be calendared to the October 14, 2010 Civil Service Board meeting as a discussion item in order to determine if the Civil Service Board wants to hear the case or refer to an outside hearing officer.

Andrea Gourdine, Director of Human Resources requested that Charles Ford be added to the calendar for the October 14, 2010 Civil Service Board Calendar to "Appeal Restoration to Eligibility List" as an action item on the regular agenda.

A motion was made by Board Member Brantley and seconded by Board Member Drexel to approve the Civil Service Board Appeals and Hearings Calendar as amended. The motion passed unanimously.

c) **Response to the Board's request for a legal opinion regarding the Port's authority to create and amend class Specification**

Andrea Gourdine, Director of Human Resources, advised that this item and will be carried over to the October 14, 2010 Civil Service Board Meeting.

2. NEW BUSINESS

a) Ratification of Provisional Appointments

- Heavy Equipment Operator
- Child education Coordinator

The Heavy Equipment Operator provisional appointment was not ratified due to the need to clarify a valid Class "B" Driver's license from the Provisional Appointee. This appointment will be ratified contingent upon the Provisional Appointee submitting a valid official Commercial license. Once submitted, the Heavy Equipment Operator Provisional Appointment will be agendized for Ratification at the October 14, 2010 Civil Service Board Meeting.

A motion was made by Board Member Brantley to ratify the Child Education Coordinator Provisional Appointment, Board Member Siegel seconded. The motion passed unanimously.

b) Appeal of Lay-off and Involuntary Termination Glen Wilmoth, Sr. Combination Inspector

This matter will be continued to the October 14, 2010 Civil Service Board Meeting.

c) Appeal of Restoration to Eligibility List- Peter Fitzsimmons, Tax Enforcement Officer, II

Mr. Peter Fitzsimmons officially withdrew his "Appeal of Restoration to Eligibility List"

d) Director's Report

Andrea Gourdine, Director of Human Resources, stated that the Department of Human Resources received a letter from City Attorney, John Russo dated, August 31, 2010, indicated that he is not in favor of creating a paralegal classification series, as requested by the Paralegal employees. From the staff's perspective this matter is resolved and no further action will be taken.

Chairperson Mitchell stated that the Civil Service Board has exhausted all authority regarding the Paralegal's request. If the Paralegal's would like to explore the issue further, he suggested that the Paralegal's could schedule a meeting with Andrea Gourdine, Director of Human Resources, to determine whether there is an actionable issue that could be agendized at a future Civil Service Board meeting.

The following individual(s) spoke:
Connie Daye- Paralegal

OPEN FORUM – 3 Minutes
The following individual(s) spoke under Open Forum:
None

ADJOURNMENT
There being no further business, and upon the motion made by Chairperson Mitchell; 2nd by Dee Dee Brantley, the Civil Service Board adjourned the meeting at 6:10 p.m.