

SPECIAL CIVIL SERVICE BOARD MEETING MINUTES- REVISED

Date:

November 18, 2010

CLOSED SESSION 5:30 p.m. 6:00 p.m. **OPEN SESSION**

City Hall, One Frank H. Ogawa Plaza, Hearing Room 2

BOARD MEMBERS PRESENT: 6 - Chairperson, Wendall Mitchell:

Vice-Chairperson, Winnie Anderson Board Member Dee Dee Brantley Board Member Michelle Hatchell Board Member Judith Bodenhausen Board Member Michael Siegel

BOARD MEMBERS ABSENT:

1 - Board Member Alex Drexel

STAFF PRESENT:

Andrea R. Gourdine, HR Director, Secretary to the

Board

Tracy Chriss, City Attorney

Kip Walsh, Interim HR Manager, Staff to the Board Kenneth Tramiel, HR Technician, Staff to the Board

The Civil Service Board convened at 5:36 with Vice-Chair Winnie Anderson presiding as Chairperson

CLOSED SESSION AGENDA

1) PERSONNEL MATTERS

a) Discussion of whether the Appeal of Discipline for Sgt. Thurston Slade, Police Officer, should be heard by the Civil Service Board or by an Outside Hearing Officer

A motion was made by Member Mitchell, seconded by Member Hatchell, that the Appeal of Discipline for Sgt. Thurston Slade be heard by an Outside Hearing Officer. The motion carried by the following vote:

Votes: Board Member Ayes: 5 - Member Mitchell; Member Anderson, Member Brantley,

Member Hatchell, Member Bodenhausen

Board Member Noes: 1- Member Siegel

Board Member Absent: 1- Member Drexel

OPEN SESSION AGENDA

ROLL CALL

2) CONSENT CALENDAR:

a) Approval of Classification Specifications: Recreation Specialist III and Recreation Instructor

Kip Walsh, Interim Human Resources Manager, provided a correction for the Recreation Instructor Classification Specification being presented. Under the title "Distinguishing Characteristics" the language should be revised to read: "This classification is distinguished from the higher level Recreation Supervisor..." and the phrase, "This is a single incumbent classification" should be deleted.

A motion was made by Chairperson Mitchell, seconded by Member Brantley, to approve the Recreation Specialist III classification specification. The motion carried by the following vote:

Votes: Board Member Ayes 6: - Member Mitchell; Member Anderson, Member Brantley,
Member Hatchell, Member Bodenhausen, Member Siegel

Board Member Absent: 1- Member Drexel

A motion was made by Chairperson Mitchell, seconded by Member Siegel, to approve the Recreation Instructor classification specification as amended. The motion carried by the following vote:

Votes: Board Member Ayes: 6-Member Mitchell; Member Anderson, Member Bodenhausen,
Member Hatchell, Member Brantley, Member Siegel

Board Member Absent: 1 - Member Drexel

b) Approval of Exempt Management Classification Specifications

Andrea Gourdine, Secretary to the Civil Service Board, reported that IFPTE Local 21 requested that the item be withdrawn and rescheduled to the January 13, 2011 Civil Service Board Meeting to allow for further discussions between the union and City management regarding the exemption of certain classifications.

Votes: Board Member Ayes: 6-Member Mitchell; Member Anderson, Member Bodenhausen,
Member Hatchell, Member Brantley, Member Siegel

Board Member Absent: 1 - Member Drexel

3) OLD BUSINESS:

a) Approval of October 14, 2010 Civil Service Board Meeting Minutes

A motion was made by Board Member Siegel, seconded by Chairperson Mitchell, to approve the October 14, 2010 Civil Service Board Minutes. The motion carried by the following vote:

Votes: Board Member Ayes: 6-Member Mitchell; Member Anderson, Member Bodenhausen,
Member Hatchell, Member Brantley, Member Siegel

Board Member Absent: 1 - Member Drexel

b) Civil Service Board Appeals & Hearings Calendar

Kip Walsh, Interim Human Resources Manager, reported the following scheduling requests:

The City requested that the Appeal of Discipline for Larry Paul, Tree Trimmer, be deleted from the agenda for the November 18, 2010 Special Civil Service Board Meeting, and be rescheduled to the December 9, 2010 Civil Service Board Meeting.

The Public Works Department requested that the Appeal of Probationary Release for John Alderson be rescheduled from the calendar for the December 9, 2010 Civil Service Board Meeting and rescheduled to the January 13, 2011 Civil Service Board Meeting.

An Appeal of the 2010 Fire Battalion Chief Examination on behalf of Coy Justice has been received by the City. Mr. Justice's representative anticipates that the appeal will take up to 7 hours. The City recommends this appeal be referred to an Outside Hearing Officer. The scheduling of this appeal will be agendized for the December 9, 2010 Civil Service Board Meeting.

An Appeal of Probationary Termination for Marlena Hanlon, Administrative Analyst II, was submitted by the appellant and requested to be scheduled to the January 13, 2011 Civil Service Board Meeting.

An Appeal of Termination for Kennieth McKellar, Police Officer, was discussed for scheduling. Mr. McKellar's representative, Harry S. Stern, reported that he would need further clarification from his client before he could make a specific scheduling request. He will return to the Board on December 9, 2010 to make that request.

A motion was made by Vice-Chair Anderson, seconded by Member Bodenhausen to approve the Civil Service Board Appeals and Hearings Calendar as amended. The motion carried by the following vote:

Votes: Board Member Ayes: 6-Member Mitchell; Member Anderson, Member Bodenhausen,
Member Hatchell, Member Brantley, Member Siegel

Board Member Absent: 1 - Member Drexel

4) NEW BUSINESS:

a) Presentation of the Legal Opinion from the Office of the City Attorney regarding the Port's authority to create and amend class specifications absent Civil Service Board Approval.

Tracy Chriss, City Attorney to the Civil Service Board, presented the opinion that the Port of Oakland should seek Civil Service Board approval for the creation of new classifications and the amendment of existing classifications.

A motion was made by Member Siegel, seconded by Member Bodenhausen that the Civil Service Board to approve the creation or amendment of any position (classification) of the Port. The motion carried by the following vote:

Votes: Board Member Ayes: 5-Member Mitchell; Member Anderson, Member Bodenhausen,

Member Brantley, Member Siegel

Board Member Abstentions: 1- Member Hatchell

Board Member Absent: 1 - Member Drexel

The Board requested that the HR Director, Andrea Gourdine, create a plan to expedite the process of the Board's approval of creation and/or the amendment of classifications from the Port.

A motion was made by Chairperson Mitchell and seconded by Member Siegel for the HR Director, Andrea Gourdine, to ask the City Administrator and/or City Council for direction and guidance for the Civil Service Board's approval process of the creation and/or the amendment of Port positions. The motion carried by the following vote.

Votes: Board Member Ayes: 6-Member Mitchell; Member Anderson, Member

Bodenhausen, Member Brantley, Member Hatchell,

Member Siegel

Board Member Absent: 1 - Member Drexel

Speakers on this item: Millie Cleveland, L1021 Port of Oakland Representative; Marsha Peterson, Labor Relations Representative for the Port of Oakland; Aaron Agenbroad, Outside Counsel for the Port of Oakland

b) Appeal of Lay-Off and Involuntary Termination-Glen Wilmoth, Specialty Combination Inspector

Due to improper agendizing of the "Appeal of Lay-off and Involuntary Termination" of Glen Wilmoth, Specialty Combination Inspector, action could not be taken.

A motion was made by Chairperson Mitchell, seconded by Member Brantley to calendar a Special Civil Service Board Hearing for the Appeal of Lay-off and Involuntary Termination of Glen Wilmoth, Specialty Combination Inspector, for December 2, 2010. The motion carried by the following vote:

Votes: Board Member Ayes: 6-Member Mitchell; Member Anderson, Member

Bodenhausen, Member Brantley, Member Hatchell, Member Siegel

Board Member Absent: 1 - Member Drexel

c) Director's Report: Updating of Classification Project

Secretary to the Board, Andrea Gourdine reported that even though item 2(b) "Exempt Management Classifications" was withdrawn, the Department of Human Resources Management continues to make progress regarding the updating the City's classification plan. The Board should expect to see a request to approve the creation of or an amendment to the classifications on the Consent Calendar of its agendas regularly.

OPEN FORUM - 3 minutes

Al Marshall-SEIU Local 1021

ADJOURNMENT-

There being no further business, and upon the motion made by Board Member Siegel, seconded by Board Member Bodenhausen, the Civil Service Board adjourned the meeting at 7:20 p.m.