



## City of San José Civil Service Commission

Sharon Hightower - Chair  
Joan P. Smith - Vice Chair  
Vacancy – Commissioner  
Samuel Swift – Commissioner  
Tom Cochran – Commissioner

STAFF:  
Colleen Winchester, Sr. Deputy City Attorney  
Toni J. Taber, City Clerk  
Ruth Krantz, Deputy City Clerk  
Yasmin Johnson, Deputy City Clerk

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### MEETING AGENDA

August 4, 2022

4:00 p.m.

#### **COVID-19 NOTICE**

*Consistent with AB 361 and City of San Jose Resolutions, this meeting will not be physically open to the public and the Civil Service Commissioners will be teleconferencing from remote locations.*

#### **Join Zoom Meeting**

**<https://zoom.us/j/93889652884?pwd=c0Z5OHhkOWc5YkQzYVc1M2EyOFFKdz09>**

#### **Meeting ID: 938 8965 2884**

Passcode: 000300

One tap mobile

+16699009128,,93889652884# US (San Jose)

+12133388477,,93889652884# US (Los Angeles)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 213 338 8477 US (Los Angeles)

+1 669 219 2599 US (San Jose)

Meeting ID: 938 8965 2884

Find your local number: <https://zoom.us/u/aIJxZcS00>

### **I. Call to Order & Roll Call**

### **II. Implementation of AB 361 to Allow the Civil Service Commission to hold this Teleconferenced Public Meeting during the Governor's Proclaimed COVID State of Emergency**

Adopt a [Resolution](#) including findings to incorporate the Governor's proclaimed COVID state of emergency to allow the Civil Service Commission to hold public meetings solely by teleconference or otherwise electronically pursuant to Government Code Section 54953(e), because state or local officials have recommended measures to promote social distancing and/or meeting in person would present imminent risks to the health and safety, as further described in the [staff memorandum](#).

### **III. Adoption of Orders of the Day**

ONCE ADOPTED, A VARIATION IN ORDER MUST BE APPROVED. IF YOU WISH AN ITEM TAKEN IN A DIFFERENT ORDER OR ADDED TO THE AGENDA, YOUR REQUEST SHOULD BE MADE AT THIS TIME.

### **IV. Public Comments**

### **V. Consent Calendar**

THE CONSENT CALENDAR, CONSISTING OF TWO ITEMS, IS ACTED ON IN ONE MOTION, AS THE ITEMS ARE GENERALLY ROUTINE. IF YOU WISH TO SPEAK ON A CONSENT CALENDAR ITEM OR WISH ACTION TAKEN OTHER THAN THAT INDICATED, MAKE YOUR REQUEST AT THIS TIME.

#### **1. Information Only**

- a. [Memorandum from Human Resources](#) dated July 27, 2022, providing Amendments to the Classification Plan:

##### **1. Revisions of Class Specifications**

- a. [Supervising Environmental Services Specialist FT \(8204\)](#)

##### **2. Retitles and Revisions of Class Specifications**

- b. [Parks, Recreation, and Facilities Supervisor FT \(7122\) \(Formerly Parks Facilities Supervisor\)](#)

#### **2. Minutes for approval**

- a. [Regular Meeting Minutes February 3, 2022](#)
- b. [Regular Meeting Minutes March 3, 2022](#)
- c. [Regular Meeting Minutes April 7, 2022](#)
- d. [Regular Meeting Minutes May 5, 2022](#)
- e. [Special Meeting Minutes May 12, 2022](#)
- f. [Special Meeting Minutes May 17, 2022](#)
- g. [Regular Meeting Minutes June 2, 2022](#)

**END OF CONSENT CALENDAR**

### **VI. City Attorney/Clerk's Office**

- A. Update regarding authority for remote meetings.
- B. Updates on employee-elected vacant position on the Civil Service Commission.

## **VII. Hearings to be Scheduled (Open Session)**

- Reschedule Hearing re: suspension of Jason Schaefer, Fire Captain, Fire Department, previously scheduled for August 4. Consideration of rescheduling for August 22, 2022. Case No. 22-03. Waiver filed. (Rodriguez/Street)
- Order to Show Cause regarding untimely filing of appeal of suspension of Kenia Contreras. Case No. 22-45. Appeal Received July 1, 2022; NOD Served June 8, 2022 (last day to appeal June 28, 2022). If Order to Show Cause granted, schedule hearing. (Van Roo/Appellant)
- Schedule Hearing re: suspension of Greg Berndt, Wastewater Operator III, ESD. Case No. 22-55. Waiver filed. (Van Roo/Appellant)

## **VIII. Hearing/s Withdrawn**

- **Withdrawn/Cancellation:** Hearing (scheduled for August 11, 2022) re: suspension of Timothy Mauntz, Firefighter, Fire Department Case No. 22-04. (Rodriguez/Street)

## **IX. Adjourn to Closed Session.**

## **X. Hearings to be Scheduled (Closed Session)**

- Public Employee Discipline: Dismissal. Police Officer, Case No. 22-06; Gov. Code §54957; SJMC §3.04.1410(D). Waiver Filed. (Van Roo/Murphy) (Closed Session)
- Public Employee Discipline: Involuntary Transfer. Police Officer, Case #20-04; Gov. Code §54957; SJMC §3.04.1410(D). Waiver Filed. (McGee-Davies/Miller) (Closed Session)

## **VIII. Adjourn to Open Session**

## **IX. Future Agenda Items**

## **X. Adjournment**

### **AVAILABLE HEARING DATES**

August 11, 15, 16, 18, 23, 25, 29, 30.

September 1, 2, 6, 8, 19, 20, 22, 26, 27.

**The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.**

The City San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public. The City Code of Ethics may be viewed on-line at [http://www.sanjoseca.gov/clerk/cp\\_manuel/CPM\\_0\\_15.pdf](http://www.sanjoseca.gov/clerk/cp_manuel/CPM_0_15.pdf)

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall, 200 E. Santa Clara Street, Office of the City Clerk 14<sup>th</sup> Floor, Tower, San José, Ca 95113 at the same time that the public records are distributed or made available to the legislative body.

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call the Office of the City Clerk 408-535-1252 or 408-294-9337 (TTY) as soon as possible, but at least three business days before the meeting/event.