

**VENTURA COUNTY COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION
November 21, 2006
MINUTES**

**THREE HUNDRED AND
NINETY-FIRST MEETING**

The three hundred and ninety-first meeting of the Ventura County Community College District Personnel Commission was held on Tuesday November 21, 2006.

1. CALL TO ORDER

Chairman Barbara Harison called the meeting of the Personnel Commission to order at 7:02 p.m.

2. ROLL CALL

Commissioners Barbara Harison, David Gonzales, and James King were in attendance. Also present were Patricia Parham, Associate Vice Chancellor of Human Resources and Secretary of the Personnel Commission, and Patrick Burris, Supervisor of Recruitment and Compensation.

Also attending the meeting was Stuart Rudnick of Musick, Peeler & Garrett, legal counsel for the Personnel Commission.

3. PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

Ms. Harison stated she had received a written request to have an item scheduled in closed session moved to open session. The agenda was reordered with Item #22.B following Item #20 and being heard in public session. She then asked Mr. Stone if counsel would like to address the commission or would prefer to wait for the discussion of Item 22.B, and it was agreed to wait until the item was called.

4. APPROVAL OF MINUTES

Mr. King pointed out that the October meeting minutes should reflect that Ms. Harison—not Mr. Gonzales—seconded the minutes of the September 14, 2006 meeting. On motion by Mr. King, seconded by Mr. Gonzales, the minutes of the October 19, 2006 meeting of the Personnel Commission were unanimously approved as amended. (4-111)

5. CORRESPONDENCE

Correspondence regarding the annual CSPCA conference was discussed.

6. REPORTS

- A. Classified Employee Representative(s) Report
None

B. Board of Trustees Meeting

Ms. Parham reported there was a reception honoring the outgoing trustee, Mary Anne Rooney, at the previous board meeting. She advised the hiring of the new Human Resources Analyst, Kristine Reaman, was approved by the trustees at the meeting, as well as the new Director of Administrative Relations, Kathleen Clare Giesen. The trustees also approved the transfer of Maria Perez from the Human Resources Department to the Admissions & Records Department at Moorpark College. Her previous position at the District Administrative Center remains to be filled.

C. Director's Report

Ms. Parham asked Mr. Burris to review the current monthly reports. He advised there are 9 open recruitments and 14 closed on the *Current Recruitment Report*. The *Positions & Pending Report* reflects 19 positions filled and 5 pending selection. Ms. Parham reported on the status of the new software for the on-line application process, advising the campuses will be testing the software for a two week period of time and it is scheduled to be live on January 29, 2007.

D. Commissioners' Reports
None**7. OLD BUSINESS**

None

8. APPROVAL OF NEW PROPOSED CLASSIFICATION SPECIFICATIONS/SALARY RANGE

None

9. APPROVAL OF PROPOSED REVISIONS OF CLASSIFICATION SPECIFICATIONS/SALARY RANGE

None

10. RECLASSIFICATION

None

11. APPROVAL OF PROPOSED REVISIONS OF PERSONNEL COMMISSION RULES

None

12. ABOLISHMENT OF CLASSIFICATIONS

None

13. INTERPRETATION OF MINIMUM QUALIFICATIONS

None

14. APPROVAL OF PROPOSED SALARY RANGE

None

15–18. Listed as appropriate.

None

19. OTHER

Approval of Annual Report (19-198)

Prior to the meeting, the commissioners reviewed a draft of the Personnel Commission Annual Report for 2005-2006. Mr. Gonzales requested the draft be corrected to reflect he is now retired from UCSB, and he has a JD degree. There being no other changes, the commissioners unanimously approved the Annual Report, following a motion by Mr. Gonzales, seconded by Mr. King.

20. PUBLIC COMMENTS REGARDING NON-AGENDA ITEMS

None

22.B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

**Consideration of the Findings, Recommendations, and Conclusions of the Hearing Officer
Community College Police Officer I, Employee #900400233 (22-6)**

Mr. Michael Stone, counsel for appellant Larry Guevara, addressed the commission on the subject of the report by the hearing officer, Mr. Joseph Gentile. There were no questions from the commission. Ms. Harison then asked for a report from Mr. Stuart Rudnick, the commission's counsel. Mr. Rudnick reported the commission previously met in closed session on October 19, 2006, but he subsequently noted a defect in the notice advising the appellant he had the right to request the matter be heard in open session. Because of this, the matter now before the commission was whether to accept or reject the findings, recommendations, and conclusions of the hearing officer. The appellant requested the matter be heard in open session and, thus, the commission was starting anew and granting the appellant and his counsel the opportunity to address the commissioners.

Mr. Stone again addressed the commission, reviewing the key issues of the discipline and the grievance, and encouraging the commissioners to accept the report of the hearing officer. Ms. Harison then spoke and said each member of the commission had spent time reviewing the transcripts and considering the issues and all were very familiar with the case. She opened the floor to the commissioners and each spoke, following which Ms. Harison reported the commissioners were in agreement that the appellant had been dishonest. Ms. Parham suggested the commission recess the meeting while counsel prepared a statement capturing the thoughts and decisions of the commission. Ms. Harison recessed the meeting at 7:51. Mr. Stone was advised he will receive a copy of the commission's decision by mail and he left the meeting.

The meeting reconvened at 8:31 and the commissioners quickly reviewed the draft statement. Ms. Parham advised them to review the draft carefully to ensure their thoughts and the issues had been captured. The commissioners agreed the essence of their decision had been captured. Following a motion by Mr. King, seconded by Mr. Gonzales, and based upon its review of the Findings, Conclusions and Recommendations of the

Hearing officer and the transcript of the hearing, and having considered the comments of counsel for Guevara, the Commission, by a vote of 3-0, rejected the Findings Conclusions and Recommendations of the Hearing Officer, and found there is reasonable cause to sustain the termination of Guevara as set forth in their decision.

Mr. Rudnick advised it would be appropriate for the commissioners to sign the document at that time, and they each affixed their signature to their Decision.

21. DATE AND TIME OF NEXT PERSONNEL COMMISSION MEETING

It was agreed the next regular meeting of the Personnel Commission will be Thursday, December 14, 2006 at 7:00 p.m. at the District Administrative Center.

22. RECESS TO CLOSED SESSION

Public Employee Evaluation
Evaluation of Associate Vice Chancellor of Human Resources

The open session was recessed to closed session at 8:40 p.m.

23. RECONVENE IN OPEN SESSION

The meeting reconvened at 9:25 p.m. and no report from closed session was made to the public. Ms. Harison advised there will be a closed session at 6:30 p.m. prior to the December 14, 2006 commission meeting, and another closed session will be scheduled if necessary.

24. ADJOURNMENT

On motion by Mr. Gonzales, seconded by Mr. King, the meeting of the Personnel Commission was adjourned at 9:26 p.m.