

Civil Service Commission

Regular Session Meeting

Wednesday August 28, 2019

1055 Monterey Street, Suite D-271 San Luis Obispo, CA



MEMBERS OF THE COMMISSION
President Robert Bergman
Vice President Jeannie Nix
Erwin Ohannesian
Jed Nicholson

Present: President Bergman, Commissioner Ohannesian, Vice President Nix and Commissioner Nicholson

Staff: Commission Secretary Mark McKibben,
Commission Clerk Rosa Reyes

Counsel: John Ansolabehere, County Counsel

1. Call to Order / Flag Salute / Roll Call

President Bergman called the meeting to order and led the flag salute. Roll was called. Commissioner Nicholson was absent for the beginning of the meeting. (District Three is currently vacant)

2. Public Comment Period

President Bergman asked if there were any members of the public wishing to address the Commission at this time. Seeing none, he moved to item 3 on the agenda.

3. Minutes

- a. July 15, 2019
- b. July 24, 2019

The Commission considered each set of minutes separately. There were no amendments or corrections to the July 15, 2019 minutes. Vice President Nix made a motion to approve these minutes and Commissioner Ohannesian seconded the motion. Motion passed 3-1-0.

Next, the Commissioners considered the minutes from the July 24, 2019 Regular Meeting. There were no amendments or corrections noted. Commissioner Ohannesian made a motion to approve the minutes and Vice President Nix seconded the motion. Motion passed 3-1-0.

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5. Reports:

President Bergman, outside counsel and Commission counsel had nothing to report. Commission Secretary Mark McKibben, brought forth the matter of calendaring for Special Hearings. There was discussion that there has been a request from Appellant's counsel to continue the Special Hearing now set on September 11-12, 2019. Commission Counsel does not object to the continuance; however, does not want the matter pending indefinitely. The Commission agreed to take the matter off calendar and check in every 90 days to reassess.

Mr. McKibben reported the Special Hearing now set on September 24-25, 2019 for a termination is in the last stages of a settlement and will not be coming before the Commission. Mr. McKibben reported there is another termination in need of a hearing date. Mr. McKibben requested September 24, 2019 be held for this termination hearing.

Mr. McKibben advised the Commission that November 19-20, 2019 was reserved for a Special Hearing for a termination, however the Respondent is unavailable on November 19th. The hearing was rescheduled for November 20-21, 2019.

President Bergman requested to go back to President's time. He advised he wanted it on the record that he is requesting Rule changes to be brought back before the Commission. There was discussion regarding the specific Rules.

When reports were concluded, President Bergman moved the meeting to item 4 (Closed Session) on the agenda.

4. Closed Session (per Government Code Section 54957): Hearing and deliberations regarding Appeal #A18-14.

President Bergman advised the Commission would first move to item 5 (reports) on the agenda.

After deliberations were concluded, President Bergman brought the meeting back into Open Session. He reported that Commissioner Nicholson had arrived shortly after Closed Session began and was present for the full deliberation and discussion regarding this matter.

President Bergman read the decision of the Commission. Based on the finding of facts and conclusion of law and weighing all the evidence and circumstances in this matter the Commission concludes the appropriate discipline is demotion and the Respondent's final order is sustained. Commissioner Nicholson made a motion to approve the decision and authorize the President to sign on behalf of the Commission. Vice President Nix seconded the motion. Roll was called. Commission Ohannesian-Aye, Vice President Nix-Aye, Commissioner Nicholson-Aye and President Bergman-Aye. With this, President Bergman reported he would sign the document and it would be forwarded to the appropriate parties.

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6. Adjournment:

President Bergman adjourned the meeting.

** Note: These minutes reflect official action of the Civil Service Commission. A digital record exists and will remain as the official, complete record of all proceedings by the Civil Service Commission.*