A. Call To Order
Personnel Commissioner Palmer convened the meeting of the Personnel Commission at 2:33 p.m., Wednesday, August 11, 2021, which was held via Zoom.

Roll Call
Veronica Palmer, Chair ☑ present ☐ absent
Karen Schwarz, Vice Chair ☑ present ☐ absent
Christine Coffey, Member ☑ present ☐ absent

B. Approval Of Agenda
On a motion by Commissioner Schwarz, and a second by Commissioner Coffey, the August 11, 2021 Personnel Commission meeting agenda was approved as presented.

Roll Call Vote: Ayes – Palmer, Schwarz and Coffey

C. Approval of Meeting Minutes
Approval of Meeting Minutes will be tabled until further notice by the Personnel Commission.

D. Board of Education/Superintendent Communications
Superintendent Magee reported that schools reengaged in teaching and learning for the 21-22 school year with teachers, paraeducators and administrators meeting for preservice activities; energy is high and the SMCOE is looking forward to another successful school year.

Superintendent Magee also shared she has been working with Interim Executive Director Gordillo on supporting efforts to move the work of Personnel Commission Services work forward on behalf of all employees, positive week with good communication. Superintendent Magee stated that she looks forward to continuing that work going forward.
E. Public/Employee Communications

Due to technical difficulties preventing direct comment by Lauriene Mouton, CSEA Chapter President, Interim Executive Director Gordillo read her written statement, as follows: On behalf of CSEA 887, Ms. Mouton questioned why the IBS Director eligibility list was on the agenda for Commission approval when there were not three candidates ranked on the list. The position was opened Promotional Only without three internal candidates only; therefore, it should be reopened for the public to apply. Ms. Mouton requested the Commission’s approval of the eligibility list be tabled until it is reopened for more candidates.

Commission Palmer solicited comments from attendees. Commissioner Palmer recognized Laurie Owens. Ms. Owens stated that Education Code and SMCOE Merit Rules do allow for fewer than three ranks. She expressed that in 17 years as a hiring manager with the organization, this has happened a number of times without incident or complaint. Ms. Owens informed that due to a critical need to the fill the position, it is not in the interest of the organization to table this position when fewer than three ranks is permissible under the Education Code.

Ms. Mouton shared that CSEA isn’t arguing with an eligibility list of only one rank, but believes Education Code and Merit Rules require an initial candidate pool of at least three candidates.

Ms. Owens stated as a commissioner in another agency she disagrees with interpretation of the Education Code related to this issue. She stated that, particularly in areas of specialized requirements, the number of qualified candidates is fewer. Ms. Owens indicated the IBS Director position is in the management group and there have not been any objections raised by that group to this practice.

Commissioner Palmer stated that all commissioners recognize the points that have been raised on the matter.

F. Information Items

1. Recruitment and Selection Update/Staffing Report

Interim Executive Director Gordillo stated information is being gathered and he will present a report when staff is in place.
2. **Personnel Commission Services Executive Director Report**

   Interim Executive Director Gordillo shared he has been communicating with administration and is gathering resources and talent to move work forward. He recognized the Superintendent for supporting him in getting resources in place to make this happen. Interim Executive Director Gordillo shared that access to the CalOpps application software has already been granted and administration is working to provide access and files of his predecessor. Meetings with the Superintendent and core cabinet are scheduled on Mondays.

G. **Action Items**

1. **Approval of CSPCA Proposal to Provide Personnel Commission Services**

   Interim Executive Director Gordillo reported that he and the Team are to be hired as employees, paid at the hourly rate on the salary schedule, to be treated as retired annuitants and tracked by CalPERS; the Team is not working through a contract with CSPCA, but will be retained under three individual Professional Services Agreement for certain services and period of time as defined by Commission. Support from the Team will end when Commission staff positions are filled. Interim Executive Director Gordillo provided an overview of the division of work and priorities in filling positions as identified by the administration.

   On a motion by Commissioner Coffey, and a second by Commissioner Schwarz, the CSPCA Proposal to Provide Personnel Commission Services was approved as presented.

   Commissioner Palmer called for open discussion. Commissioner Schwarz inquired if Executive Director Gordillo will be the liaison to the Commission to answer any questions. Interim Executive Director Gordillo confirmed he is the team Lead and is the appropriate person to contact regarding any questions. Commissioner Schwarz also inquired as to the timeline for filling positions.

   Roll Call Vote: Ayes – Palmer, Schwarz and Coffey.

2. **Approval of Eligibility Lists**

   On a motion from Commissioner Schwarz, and a second by Commissioner Coffey, the eligibility lists were approved as presented.

   Commissioner Palmer called for discussion. In hearing comments from employees of the organization, Commissioner Palmer read from the Merit Rules and Education Code sections related to fewer than three (3) ranks available for certification (Section 60.2(E) and EC §45272).
Interim Executive Director Gordillo commented regarding procedures related to the hiring authority’s choice when fewer than three (3) ranks exist on a list. He reinforced there has not been a violation of the rules related to the eligibility list for IBS Director.

Commissioner Schwarz affirmed the same conclusion was reached in previous meetings and that she is comfortable moving forward. She supports approval of the eligibility list. Commissioner Coffey and Commissioner Palmer also stated support for the process and the eligibility list.

Roll Call Vote: Ayes – Palmer, Schwarz and Coffey.

H. Public Comment Re Closed Session Item(s)
   No comments.

I. Closed Session
   1. Public Employee Performance Evaluation (Govt. Code §54957)
      Title: Executive Director, Personnel Commission Services
   2. Public Employment (Govt. Code §54957)
      Title: Executive Director, Personnel Commission Services

Commission convened to Closed Session at 3:55 p.m.

J. Reconvene in Open Session
   The meeting returned to open session at 4:00 p.m.

   During closed session, there were no reportable items.

K. Personnel Commissioners’ Report
   Commissioner Schwarz suggested to a change in verbiage on the agenda to clarify Item E - Public Comments is reserved for non-agenda items. The Commissioners Palmer and Coffey concurred.

L. Future Meeting Protocols
   The Commissioner Palmer stated the Commission will determine future meeting protocols in accordance with the State of California guidelines.

M. Next Meeting – September 8, 2021 @ 2:30 p.m.

N. Adjournment
   The meeting adjourned at 4:03 p.m.
SAN MATEO COUNTY OFFICE OF EDUCATION
PERSONNEL COMMISSION

VIRTUAL REGULAR MEETING

MINUTES
August 11, 2021

Respectfully Submitted By:

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