

**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION
SPECIAL MEETING MINUTES**

September 14, 2011

A meeting of the Personnel Commission was held in the Personnel Commission Office. Present were Mr. Gino Barabani, Chairperson; Ms. Rhonda Early, Vice Chairperson, Mr. Michael Salazar, Member.

I. CALL TO ORDER

Mr. Barabani called the meeting to order at 5:38 p.m. Mr. Barabani led the pledge of allegiance.

II. APPROVAL OF AGENDA

Mr. Barabani: I would like to move to Item II approval of the Agenda.

Ms. Early: Mr. Barabani, I move to approve tonight's agenda.

Mr. Barabani: Call for the vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: I will abstain from voting.

III. PUBLIC COMMENTS

Dr. Vollkommer, Assistant Superintendent to Human Resources:

Good evening commissioners, My name is Harold Vollkommer and I am the Assistant Superintendent of Human Resources for the district, I just want to make two comments this evening.

First of all I want to apologize for not being here sooner, I made a commitment months, months, and months ago to teach a class up at Cal State on Wednesday nights, so I have been doing that in the doctoral program, and we are done and so you will see me at our commission's meeting regularly, and I look forward to be here as the representative of the district.

The second thing I wanted to say, I just wanted to make a brief comment on Action Item IV (B) in relation to mediation. I just want to express the district's absolute positive feelings about hopefully exercising mediation in relations to some of our areas of concerns, and disputes, and while we may need to perhaps mediate some of the conditions of mediation, we do see that as having the potential to be a win, win for the commission and the district, but for the community as well. As you know, and this has been shared, we got almost 400 vacancies in the district and the community that is desperately in need of jobs, and more importantly then that we have students that need the service of the people that will be filling those jobs. It is our hope that we can find our way around getting to this idea of mediation and move some of these ideas forward. Thank you very much. That is all I have to say.

Richard Napp, District Parent: My name is Richard Napp, I was just going to ask if today we would be able to hear some of what the commission's ideas are in resolving this new matter that is coming up with the service of a court paperwork to the district. We want to find out what is going on so we can get an understanding of what is going for our children. Thank you.

Liz Madera, Classified Employee:

I am next, Liz Madera, Classified Employee, and I just wanted to make some comments about the job description for the Associate Superintendent Chief Administrator Officer, just in general just some comments.

February 2nd when I first came and I saw the job description, I thought "Is this a new position, or is this for someone that is existing and filling part of the position?" I never saw the Chief Operating Officer part before. And then I said, "Where is the job description?" On February 1st there is no job description attached to look at. So then on May 17th when the job description came out I thought, "o.k. here is the job description let me look at that, and there is some concerns I have with that, I thought, while looking at this "Is this a complete job description?"

And again I am not asking for an answer; I am just making some statements. Is it a complete job description? Because, one I feel that I am under paid, if this is a complete job description. Also, we had a curriculum management audit several years back that looks specifically at job descriptions and some of their comments didn't seem like it was not incorporated into this particular job description. One was sort of a currency date, which it just says it was established in 1999, and also even though it is not directly tied to curriculum instruction that is the goal of our district, and any support personnel should have some kind of duties that is tied into our core of duties of curriculum instruction, I don't see this on that job description either, they weren't following the results of the curriculum management audit. I thought that was really a big concern to this particular job description that was supposed to be made on May 17th so that is just some comments I wanted to make.

Thank you.

Steve Holt, 1st Vice President for CSEA:

Steve Holt, 1st Vice President Classified Union Chapter 183, I like to speak on Action Item B; Commissioner Barabani is legally disqualified for voting. Commission, CSEA feels the answer is no you have every right to vote for the record. Thank you.

Mr. Barabani: Anyone else? Thank you.

IV. ACTIONS ITEMS

Mr. Barabani: We will now move to Action Item IV, we will start with **Item A**, It is moved that the commission employ Holly Teel of Kaufman Dolowich Voluck Gonzo, LLP to provide legal assistance in regards to a conflict of interest declared by governing board counsel on August 22, 2011 regarding rejecting invoices with redactions for counsel employed by the commission pursuant to Education Code section 45313. Do I have a second?

Ms. Early: I second.

Mr. Barabani: Discussion?

Mr. Salazar: I just have a couple of questions. I don't know how we came across this firm. Can you help me find the reason how you came across this firm?

Mr. Barabani: I did a search in the internet of people that do this kind of litigation work I provided, I found this one here, I provided a packet here, and then contacted them and this is the letter that was sent of course, not signed that is what we are dealing with right here right now.

Mr. Salazar: Previously there was a discussion about us hiring somebody to provide these legal services, and the commission assigned you to go out and do the search for an attorney? Is that correct?

Mr. Barabani: You are asking me?

Mr. Salazar: Yes I am asking you.

Mr. Barabani: This came about because we are losing our attorney we are still on litigation and they won't pay her.

Mr. Salazar: Because I don't remember.

Mr. Barabani: We had many discussions.

Mr. Salazar: I don't remember having a discussion here and voting on having any one of us go out and seek attorney services, and I just want to make that clear for the record, I understand how you went about finding them, you went out and did a search on the internet and found somebody who you feel is in the best position to take on whatever this assignment is here to protect the PC with respect to some legal matters but, it's just surprising to me that we as the commission don't have to my recollection a discussion asking you to go out and find an attorney that is all on that.

Mr. Barabani: Call for the vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: Nay.

*Mr. Barabani: **Item B**, the Commission will make a decision and take action on the District's proposal for mediation of conflicts and disagreements concerning the merit system. A proposed motion is: It is moved that the commission notify the governing board that it is interested in and will participate in mediation to resolve conflicts between the governing board and the commission provided that:*

- 1. There is a specific agenda on each issue to be discussed jointly prepared by the governing board and the commission.*
- 2. The Superintendent or someone from the District with authority to fully participate at done school board member participates.*
- 3. The commission has legal representation that the district pays for pursuant to Education Code section 45313 with no rejection of invoices and the District pays all past due legal fees before mediation is commenced.*

4. *The mediator must have authority to make recommendations in accord with the Principle of Merit and the Law.*
5. *Both parties to agree to the mediator who is selected from an organization with members who are professional mediators, such as JAMS. I will open it up, do I have a second?*

Ms. Early: I will second.

Mr. Barabani: Open for discussion.

Mr. Salazar: There is a bit of this that makes a lot of sense for the record. There is a good part of this that makes perfect sense to me. Where I have an issue with this is it all lumps together in one clump, and we take it all or we leave it, and so I cannot respectfully, I cannot vote with a yes upon this as a full package. I can vote on bits and pieces. So I like for us to consider this in pieces not as one catch off of everything, it is too much of a run on, too many things that are included here that frankly I think at the end of the day it will make our job a little bit more difficult. Since we are trying to work with the district I think there are some things that we can work with the district, and I think there some things that if we take it as a whole paragraph or a whole. To vote on this thing as a whole then I think we are going to run into problems.

Mr. Barabani: Well, the reason they are in this order is this one motion is by condition, the district in their letter you can see in the back packet they identify several issues of importance but at the same time they didn't even invite the commission for input they just saidand the other think like the item of JAMS that is just an example, I stated on that part, doesn't such as or requirements for JAMS professional mediation or to look up I thought you know we need somebody that is a professional such as you want to go with someone else, I mean I already got Ms. Gordon here accusing me of being bias, I don't want her to think I am hiring my brother in law or something.

Mr. Salazar: If you want to know what my concern is I will be happy to share it with you but, I will not vote on this item as a whole.

Mr. Barabani: Any more discussion?

Ms. Early: Do you want to share your concerns Mr. Salazar?

Mr. Salazar: Sure, I would be happy to. I think that the first part of this makes sense that we can talk about a mediation process for conflicts and disagreements and have somebody that is unbiased such as jams involved in that process not necessary jams I think that is another project for us to work on as the commission to figure out JAMS is actually the best. But that is another topic so where I have a concern is where we get down here and on the third part here it says the commission has legal representation that the district pays for all pursuant to Education Section 45313 with no rejection of invoices and the district pays for all past legal fees before mediation is commenced. It is just I have a problem with that, I have a problem with us you know, to me that appears to be strong-arming the district I think we want to work with the district in that regards I would hold that item 3 discussion out and get a little bit further into that and make that I think a little bit powerful for both parts.

Mr. Barabani: So which part don't you like?

Mr. Salazar: I don't like three.

Mr. Barabani: You do not like it at all, so we should not have legal representation?

Mr. Salazar: You said that I didn't.

Mr. Barabani: Well what are you saying?

Mr. Salazar: I said I don't like item 3.

Mr. Barabani: Item 3, the commission has legal representation that the district pays for under Ed Code 45313 with no rejection of invoices.

Mr. Salazar: Where we come to a problem with no rejection of invoices that means you know what that is saying to the district is we can invoice anything. I don't think we can say that. I don't think we can go and say you know what we want this cart washed; we can't invoice anything that we want. That is the first part of that, the second part is it pays all legal fees before mediation before is commenced. You know past due legal fees I am sure the district has some reason why certain things are objecting to pay and again we are going with the strong approach legal fees have been incurred therefore you must pay them. I think we need to dig down into that a little bit more work together and I think that passed legal fee issue will work itself out or we can work together to work that out. So that is why I have a problem with that, see the problem is that all that is lump together and the problem is when three is lumped together with the entire Action Item B then I have to reject the entire Action Item B, because I do not agree with that.

Mr. Barabani: You don't agree with the rejection of the invoices or the paying of the passed fees. What about us having legal representation is that ok?

Mr. Salazar: Legal representation, why will we need legal representation when we are asking for mediation? Mediation is a form of legal representation.

Mr. Barabani: Because part of the issue is we are going to mediate.

Mr. Salazar: And there would be no attorneys on the mediation. I mean I am not the expert on law here, I mean that's...

Mr. Barabani: Bingo that is why we need an attorney.

Mr. Salazar: But I think we have some people here that maybe can help us with that.

Mr. Barabani: I am trying to hire her. Some of the things that they proposed were they proposing commission rule changes.

Mr. Salazar: Are we talking about the Action Item B?

Mr. Barabani: Yes, we are still here.

Mr. Salazar: Where is it at?

Mr. Barabani: In the package.

Mr. Salazar: Where is it at on Action Item B? I am sorry I will catch that.

Mr. Barabani: Here are the supporting documents pages.

Mr. Salazar: That is what I wanted to know, so we are going to go to Action Item B in the back?

Mr. Barabani: Page 11 of 103.

Mr. Salazar: I think I know which one you are talking about, is this it? Ok, what were you referring to in here?

Mr. Barabani: The district asked us again, they had some concerns right, I see a mistake there it says concerning for, to five issues of contentions...

Mr. Salazar: I am sorry I am trying to follow you.

Mr. Barabani: And then, these are some of the contentions.

Mr. Salazar: Ok, you are talking about while rejected the commission's proposal to refer the matter of the appointment of Mel Albiso to AIJ to serve as hearing officer that is what you are talking about?

Mr. Barabani: Yes

Mr. Salazar: What is that? I am lost help me.

Mr. Barabani: When some of the items the district has concerns with are like the Associate Superintendent Chief Administrative Officer that is a concern, the proposed Commission rule changes, finally the commission's Executive Director, feeling sorry, bringing closure to this and departure the person appointed to perform as director's function in which basically the same as the first, and then the one above it.

And then get the vacant classified position filled as quickly as possible; we want to fill those positions. I hear the district claiming they want to fill the position right? But I also have a problem because the district says that we can't fill the position. Their attorney told us we can't fill those positions when we have that letter and those letters were sent to you.

Mr. Salazar: So are we talking about? We are not talking about Action Item B?

Mr. Barabani: Yes we are, the reason I would ask that we have representation because I have an attorney saying we can't fill those positions. How can we sit down and mediate this unless we both have attorneys? They give us an opinion stating that yes we can or we can't or we have to do this. When they chose to make, we got legal opinion from their attorney stating that, so now what am I supposed to do ignore that and mediate it.

That is one example, let's get you to know the last one, I got people here concerned, they talk to me every day sometimes not so kindly, sometimes kindly. So here we are, I am asking, let's get us an attorney, I am not saying they can't have one. A good

example, we are talking about the rules. They told us Ms. Kwong can't come any more, they are not going to pay for it anymore. Even though we are under the judges Writ, we got to make sure we don't violate it or we can be in contempt too court. So if we are going to discuss this I want to make sure we have an attorney. And so what I am asking you, is it the part about having an attorney or the part of them having to pay for everything? In the past we can modify this we can work for this, I will reagentize this.

Mr. Salazar: Let's reagentize it with modification.

Mr. Barabani: I got a motion on table.

Mr. Salazar: That is fine.

Mr. Barabani: Wait a minute we are not done. I want to hear your modifications to this.

Mr. Salazar: I told you.

Mr. Barabani: No attorneys?

Mr. Salazar: You can read, modify the way you would like to see it, I told you the things I have problems with.

Mr. Barabani: I heard that you didn't want to....

Mr. Salazar: If you weren't paying attention that is not my fault.

Mr. Barabani: No we weren't paying attention, because I asked when I sent this thing out to please read it so we would not have this major discussion and you did not know what page it was on. You did not even bother reading this and then you are given me...

Mr. Salazar: You were able to connect dots right here from this group of people?

Mr. Barabani: No kidding.

Mr. Salazar: Yea, no kidding, its relevant Mr. Barabani.

Mr. Barabani: This is relevant whether we fill these positions or not is relevant. I asked you I send this early please read through so you understand all this, you did not bother.

Mr. Salazar: You can tell what I did or did not.

Mr. Barabani: Well obviously you didn't because you asked me, I don't know where it is in on the packet.

Mr. Salazar: Don't make assumptions about what I do in my private life.

Mr. Barabani: Yea, you made an assumption because you said you didn't know where it was. Let's take a vote on this.

Mr. Salazar: You do not know what to read, so you assume that you can't read?

Mr. Barabani: I will abstain voting on this.

Ms. Early: We have a motion on the floor.

Mr. Barabani: Sorry it's still open for discussion, I did not hear from you, I apologize.

Mr. Early: So my understanding is that the issue with number 3 is that the verbiage no rejection of invoices that the district pays off past due legal fees before mediation is next was there any other concerns under this action item other than that particular place, Commissioner Salazar?

Mr. Salazar: That is the problem that I have right there.

Ms. Early: Ok. We have a motion to approve. I would like to second your motion to approve and I would like to strike item number 3, I would like item number 3 to read the commission has legal representation that the district pays for pursuant to Ed Code section 45313. And delete the rest of the sentence. So I support approval with that modification.

Mr. Barabani: Since we are opening with discussion, the trouble is without the rejection of invoices and I understand his point to because it is so vague, now that I heard it. Just like with Ms. Kwong if they don't pay then we end up with no representation.

Ms. Early: That sentence before that says the commission has legal representation the district pays for.

Mr. Barabani: Ok, so we will have to vote on the first motion and then we will modify the changes and vote ok. Call for the vote on the first motion which is to hold back if what was presented here.

Ms. Early: Nay.

Mr. Salazar: Nay.

Mr. Barabani: Nay.

Ok. Ms. Early one more time, I know you already stated for the record. I will repeat it. You are saying strike item number 3; the commission has legal representation that the district pays for pertaining to Ed Code section 45313. And then with no rejection of invoices that the district pays all passed due legal fees before mediation commence we are going to strike that correct?

Ms. Early: That is my proposal.

Mr. Barabani: Ok, any discussion? Call for the vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: Aye.

Mr. Barabani: *We will move on to **Item C** under Action Item IV. The Commission will make a decision and take action on whether or not Mel Albiso was appointed or assigned as an Associate Superintendent (Associate Superintendent/Chief Administrative Officer) in accord with the Education Code Article 6 commencing with section 45240 on the merit system and the Commission Article 6 commencing with section 45240 on the merit system and the Commission Rules pertaining to examination procedures and whether or not the Commission should order that no further pay warrant be issued. Call for a second?*

Ms. Early: Can you restate your motion?

Mr. Barabani: Yes, I was reading, let's make the motion. *It is moved the commission by the governing board appointment assignment of Mel Albiso to the position Associate Superintendent (Associate Superintendent/Chief Administrative Officer) was made in violation of personnel commission rules 3.06, 4.01, 4.08, and 5.01 and Education Code sections 45256, 45272, 45273, 45276, 45278, 45280, and 45300 as they pertain to the examination procedures in the classified service.*

Ms. Early: I second.

Mr. Barabani: Open for discussion. Call for a vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: Nay.

Mr. Barabani: Second part of this motion now that the first part is passed.

Ms. Early: *Mr. Barabani, based on the last motion that just passed, I move that no further pay warrant be issued.*

Mr. Barabani: Granted under 45310 Ed Code.

Ms. Early: The previous motion stated that the appointment or the assignment was in violation and so based on this motion I move that no further pay warrant be issued to this individual.

Mr. Barabani: Any discussion?

Mr. Salazar: Was that not part of the motion?

Mr. Barabani: No.

Mr. Salazar: I mean for part C is right here. Order that no further pay warrant be issued?

Ms. Early: He did not read that in the previous motion. He did not state that in prior motion.

Mr. Salazar: Ok so we didn't vote on this right here then, we voted on the back up?

Mr. Barabani: The back up.

Mr. Salazar: Ok I can't vote on that so that is ok.

Mr. Barabani: Since we are open for discussion, you can't vote on that not given pay warrant until the first part votes. Call for the vote.

Ms. Early: Motion second.

Mr. Gino: I will second it. Call for the vote.

Mr. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: I will abstain.

Mr. Barabani: **Action Item D.** *The Commission will discuss the contention of the District that Commission Barabani is legally disqualified from voting on the proposed revisions to the Rules and Regulations of the Commission.*

Mr. Barabani: This is a discussion between us because I didn't hear any comments other than from Steve from the public hearing. So I like to state that I did some soul searching, and I looked around. It is my contention that I performing the same role here as a legislator who introduces legislation, helps it keeps it going, and then votes on it. Two attorneys say that you are not legally stopped from voting on rules, you are responsible for drafting and you will vote. So I think that I have every right to vote. Any further discussion?

Ms. Early: I have none, we read three legal opinions, unfortunately, and they are different. You have one legal opinion saying that you should not vote, you have two other ones that say that the case laws that were referenced are not relevant to the commission and so based on the information that we see and we received I am going to say that you should not be disqualified from voting, that is my opinion, I would like to hear from Commissioner Salazar?

Mr. Salazar: I just want to say for the record that I think it is a conflict of interest for commissioner Barabani to vote. Thank you.

Mr. Barabani: The job of the commission in my opinion is got to go on. Part of that was but the rules don't object to that so now rules don't have anything stating otherwise also so end of discussion. Thank you, I thank everyone.

Mr. Barabani: Aye. **Action Item E,** *The commission will address the legal opinion that litigation in the matter of San Bernardino City Unified school District; Dr. Arturo Delgado v Personnel Commission at the San Bernardino City Unified School District Case No: CIVDS 916709 has terminated. A proposed motion is: It is moved that the commission approve the signing of a substitution of attorney removing Kristine Kwong as counsel for the personnel commission with the commissioners service as their own counsel before the Court in Case No: CIVDS 916709. Do I have a second?*

Ms. Early: So let me just for clarification your motion is that we sign substitution of attorney removing Kristine Kwong and that we represent ourselves in the legal arena is that your motion?

Mr. Barabani: Yes.

Ms. Early: That is your motion?

Mr. Barabani: That is my motion? Do I have a second?

Ms. Early: I will second your motion to open it for discussion.

Mr. Barabani: Thank you, for what I understand Kristine Kwong is not being paid. The district has decided there is some contention, best example, I can give and say she made some phone calls and this is just and the district wants to know who she called. Why they were called? And some of that is confidential information, and she is our client, and she just has to state she made the call. They were holding her to higher standard as they have been holding any other attorney. And then they didn't pay her, and also with the Writ we also got the other law firm that is supposed to represent us, saying that we are no longer in litigation even though Ms. Gordon sits up here every day that we talk about the rules and considers as the district legal counsel, and I don't know what they are paying her. To represent the district but we don't need representation because we are not on legal conflict even though we are under the Writ, this is basically done to protect ourselves from contempt charges. Because the district contempt's the litigation has ended and there is no need for legal representation. But we commissioners are due in court and now we don't have, they said we are not in litigation, they took it upon themselves to say that Kristine Kwong can no longer work, someone has to go to court to tell the judge what is happening. The district keeps using attorney's to raise legal objection to propose rules and process but won't let the commission have an attorney. So Mr. Salazar said that he is not an attorney, and neither am I an attorney, but I know we are under a Writ and I don't want to be under contempt for not showing up in court. Remember this is litigation the district brought us to court on. Now we are sitting here going with these rules and we don't have an attorney, so we are the commission and somehow we are going to have to represent ourselves or not go, if the judge asks us to go what is going to happen?

Ms. Early: Do we have a court date?

Mr. Barabani: There is not one right now that I know of, I have to be specific on that, but if Ms. Gordon should file something I don't know what we are going to do. This is the greatest (inaudible) I have ever seen. The district keeps their attorney and says we don't need one.

Ms. Early: So action item IV (A) we move to employ other legal counsel to assist with the rejecting of invoices of Ms. Kwong, we don't have one that we know off.

Mr. Barabani: We need a legal opinion on whether the district is stating that they have the right to reject this based on these circumstances as we know they set up these procedures and it appears that this procedures are only for our attorney. And we need legal opinion on that and they also declared a letter of conflict on that, remember, so that is why because we ask for their legal opinion, and they said they don't have to declare a letter

of conflict, I guess they already discussed it with the district. This is a perplexing problem, and we do have another meeting if you like more time to think about it or try to find out your own things, we can reagendize it.

Ms. Early: I am not in favor of removing Ms. Kwong, so it is my hope that Holly Teel will be able to swiftly move things around in resolution to the payment of past due invoices so that we do not have to represent ourselves in the regal arena.

Mr. Barabani: It's not only invoices it's that; remember the letter that we got from the attorney stating that we are not in litigation any more. Marca the law firm stated that we are not there is no litigation so there is no reason to pay Kristine Kwong, and once again we are not in litigation we don't need an attorney, but every time we talk about the rules the district's attorney is there. If the judge calls us back or ask us what we are doing, if we are following his Writ properly, we have no representation but the district has representation, and the district now made the determination that we do not need by using their law firm to give us an opinion on that kind of a catch 22.

Ms. Early: I recommend that we reagendize this item since it's not, we don't have a court date next week or the week after that I know off, so we have a little bit of time, so my recommendation is that we reagendize this item for next meeting.

Mr. Barabani: We have a motion on table let's vote on it. Call for the vote.

Ms. Early: Nay.

Mr. Barabani: Nay.

Mr. Salazar: Nay.

Mr. Barabani: *Motion is to reagendize this item for next Personnel Commission Meeting.*

Ms. Early: I second.

Mr. Barabani: Call for vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: I will abstain.

Mr. Barabani: We will go to **part F**, *The commission will review minutes and consider taking action to adopt minutes. Proposed motions are: 1. It is moved that the commission approve the minutes for the meeting of January 26, 2011.*

Ms. Early: I second.

Mr. Barabani: Call for discussion, corrections. Mr. Salazar, no corrections? Ms. Early, any corrections?

Ms. Early: For the January minutes?

Mr. Barabani: January 26, 2011.

Ms. Early: I have none.

Mr. Barabani: I don't legally have to abstain but I was absent that day so I will call for the vote.

Ms. Early: Aye.

Mr. Salazar: Aye.

Mr. Barabani: I will abstain. Minutes approved for January 26, 2011.

Mr. Barabani: 2. *It is moved that the commission approve the minutes for the meeting of February 10, 2011.*

Mr. Salazar any changes? No changes for Mr. Salazar.

Ms. Early?

Ms. Early: Page 1, Mr. Barabani called meeting to order, I did that.

Mr. Barabani: Nerci, I did not even see that.

Ms. Early: Page 7, at the top of the page strike be abstaining and insert abstain? So it will read would you want to abstain?

Mr. Barabani: Nerci did you get that?

Ms. Early: Page 11, sixth lines down strike that desk is and insert a two words over strike on that and insert at the so the sentence will read once a person is sitting at the desk.

Mr. Barabani: Nerci.

Ms. Early: That is all for me.

Mr. Barabani: *All right, call for the approval of the February minutes, February 10, 2011 with corrections that were brought up.*

Ms. Early: I second.

Mr. Barabani: Call for the vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: Aye.

Mr. Barabani: 3. It is moved that the commission approve the minutes for the meeting of April 27, 2011.

Ms. Early: Page 9, 7th paragraphs down strike I motion and it should just read nay.

Mr. Barabani: I have a correction, Nerci on page 2 the last had to have, can you double check that? I'm not too sure what it is. I had trouble with it to so that will be fine. Mr. Salazar? Nothing? OK. *I move that the Minutes for April 27, 2011 be approved with the corrections.*

Ms. Early: I second.

Mr. Barabani: Call for the vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: Aye.

Mr. Barabani: 4. *It is moved that the commission approve the minutes for the meeting of May 11, 2011.*

Mr. Salazar, any corrections?

Mr. Salazar: I was absent that day.

Mr. Barabani: You were absent ok. *It is moved that the commission approved the minutes for the meeting of May 11, 2011.*

Ms. Early: I second.

Mr. Barabani: Call for the vote.

Ms. Early: Aye.

Mr. Barabani: Aye.

Mr. Salazar: I will abstain.

V.CLOSED SESSION

Mr. Barabani: It's now time where the commission moves into closed session and we are moving to closed session approximately 6:35 p.m. I give about 12 minutes. The commission will adjourn into closed session at 6:35 p.m. for: Pursuant to Government Code section 54957 to discuss: Public Employee Appointment Title: Personnel Commission Director.

The commission reconvened into open session at 7:10 p.m. and announced the following action taken into closed session:

The commission will like to extend an invitation to Dr. Harold Vollkommer to come to Closed Session regarding Public Employee Appointment titled Personnel Commission Director that would be at the next earliest convenience.

Nersidalia Garcia, Secretary III to Personnel Commission: The next one is September 28th.

Mr. Barabani: Yes, but I just want to say the next convenient thing and that is the convenient one, the most convenient just in case something happens. I don't know, anything can happen, that way I don't have to reagendize and do this again.

V. ADJOURNMENT

The commission adjourned the meeting at 7:11 p.m.