

MINUTES OF THE SPECIAL MEETING
OF THE CIVIL SERVICE BOARD
CITY OF SACRAMENTO
NOVEMBER 24, 1980

The special meeting of the Civil Service Board, City of Sacramento, was called to order by President Street at 6:05 p.m., in the Conference Room, Personnel Department, 801 - 9th Street, Sacramento, California.

Members present: Mrs. Vivian C. Nance
 Mr. Luis Campos
 Mr. Jonathan E. Mayhew
 Mr. Wilfred Street

Members absent: Mr. Joseph L. Russell

Mr. Street stated that the purpose of this special meeting was for discussion on the Police Sergeants' examination, and the request for postponement of the hearing on the appeals of this Police Sergeants' examination scheduled for December 8 - 12, 1980.

Deputy City Attorney Lee Savage addressed the Board and with the aid of a chart explained the background which lead up to the three separate legal actions which had been filed.

Mr. Joseph L. Russell entered the meeting at 6:09 p.m.

Mr. Savage informed the Board of the outcome of the court hearing regarding the interpretation of the Civil Service Rule 4.9 which had been filed by the four appellants who had passed the Police Sergeants' examination, but were contesting their position on the eligible list. Mr. Savage stated that the court concurred with the Civil Service Board's interpretation of Rule 4.9 and that the four Police Officers did not have the right of appeal.

Mr. Savage referred to the hearing set for December 8 - 12, 1980, and also to the subpoenas served by the Department of Fair Employment and Housing. These subpoenas were the result of discrimination complaints lodged by two Police Officers, Dowden and Marshall. Mr. Savage informed the Board that the DFEH would have to arrive at some decision by December 20, 1980 as Police Officer Marshall filed on December 20, 1979 and the Department has to take some action within one year from filing date. Mr. Savage stated that he had complied with the subpoena with the exception of the request for the examination material. Should the DFEH file accusations, then the City would be compelled to turn over this material or face court action.

Mr. Savage explained to the Board that the power of the DFEH was such that it could impose its ruling on any decisions that might be made by the Civil Service Board or the Administrative Law Judge, and therefore requested that the hearing scheduled before the Administrative Law Judge be postponed until after any potential action by the DFEH.

Mr. Melvyn Coben, attorney, representing the eight Police Officers appealing to the Civil Service Board addressed the Board and requested that Mr. Savage's request for a postponement be denied.

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Mr. Coben stated that these were two separate legal actions, and that one should not be postponed because of the other. He also referred to the expiration date on the eligible list for Police Sergeant and his request in August, 1980 to have it extended.

There was some discussion on the postponement request and any potential effects it might have on the six Police Officers appealing to the Civil Service Board who did not file a complaint with the DFEH like Marshall and Dowden.

Motion was made that the Board go into Executive Session to discuss this matter.

Motion: Mr. Campos
Second: Mr. Mayhew

Motion was approved by unanimous voice vote.

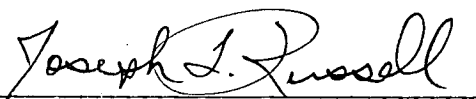
Meeting adjourned at 6:37 p.m.
Meeting reconvened at 6:46 p.m.

Motion was made that the request for a postponement of the hearing of the appeal of eight Police Officers scheduled for December 8 - 12, 1980, be denied.


Motion: Mr. Mayhew
Second: Mr. Campos

Motion was approved by unanimous roll call vote.

President Street declared the meeting adjourned at 6:48 p.m.



Joseph L. Russell
President Pro Tem.



Donna L. Giles
Secretary