

MINUTES OF THE REGULAR MEETING
OF THE CIVIL SERVICE BOARD
CITY OF SACRAMENTO
OCTOBER 5, 1982

The regular meeting of the Civil Service Board, City of Sacramento, was called to order by President Joseph L. Russell, in Conference Room 103, Department of Personnel, 801 - 9th Street, Sacramento, California, at 1:35 p.m.

Members Present: Ms. Gail A. Mabbutt
Mr. Jonathan E. Mayhew
Mrs. Vivian C. Nance
Ms. Pamela C. Placencia
Mr. Joseph L. Russell

MINUTES OF THE REGULAR MEETING OF SEPTEMBER 21, 1982

Motion was made to approve the minutes of the regular meeting of September 21, 1982, as read.

Motion: Mr. Mayhew
Second: Ms. Placencia

Motion was approved by the following roll call vote:

Ayes: Mr. Mayhew
Ms. Mabbutt
Ms. Placencia
Mr. Joseph L. Russell

Abstain: Mrs. Nance

REPORTS OF DIRECTOR OF PERSONNEL

In the absence of Mrs. Donna L. Giles, Director of Personnel, Mr. John Worcester, Personnel Services Manager, informed the Board that there were no reports.

REQUEST TO TRANSFER

Lynette R. Frayer, Clerk I - Typist Clerk I

Ms. Frayer was in the audience. Motion was made to approve the request for transfer of Lynette R. Frayer, Clerk I - Typist Clerk I.

Motion: Mrs. Nance
Second: Mr. Mayhew

Motion was approved by unanimous roll call vote.

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REQUEST TO WAIVE RESIDENCY REQUIREMENT

Alan R. Young III, Firefighter

Reference was made to a letter from Wayne G. Peyton, M.D., regarding the respiratory problems of Amanda Young, daughter of Firefighter Alan Young; this letter had been distributed to Board Members prior to the commencement of the meeting.

There was some discussion on this request, and Deputy Fire Chief Kenneth Feil informed the Board that the Fire Department had no problem with the response time from Firefighter Young's home in Auburn. Deputy Chief Feil also stated that Firefighter Young would reapply for this waiver on a regular basis, should his appeal be granted.

Mr. Bill Carnazzo, Deputy City Attorney, responded to Board's questions and informed that they did have the jurisdiction to grant this waiver of Rule 13.5(a).

Motion was made to approve the request of Firefighter Alan R. Young to waive residency requirements.

Motion: Mr. Mayhew
Second: Mrs. Nance

Motion was approved by unanimous roll call vote.

Mr. Russell informed Deputy Chief Feil that the requirement to have Mr. Young reapply for the waiver on a regular basis could be handled at department level, and need not come back to the Board for approval.

APPEAL OF REJECTION FOR EMPLOYMENT

Raymond Mora

Ms. Margaret Allen, Vocational Rehabilitation Coordinator, informed the Board that Mr. Mora had been contacted by telephone that morning, and had told her that he was not pursuing the appeal any farther.

There was some discussion by the Board, and motion was made that the appeal be considered at this time, in Mr. Mora's absence.

Motion: Mr. Mayhew
Second: Ms. Mabbutt

Motion was approved by the following roll call vote:

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Ayes: Mrs. Nance
Mr. Mayhew
Ms. Mabbutt
Ms. Placencia

Noes: Mr. Russell

Ms. Allen informed the Board of Dr. Clancy's involvement in this issue, and answered questions from Board Members. There was some discussion on Mr. Mora's falsification of his medical record information, and statements he made to Dr. Clancy.

Motion was made to deny the appeal of rejection for employment by Raymond Mora because of falsification and omission of information on his medical history.

Motion: Mr. Mayhew
Second: Ms. Mabbutt

Motion was approved by unanimous roll call vote.

FINDINGS OF FACT ON THE APPEAL OF POLICE OFFICER HARRY HENRIKSEN

As Mr. David Simmons, Attorney, was not in the audience at this time, this item was tabled to the end of the meeting.

EXAMINATION ANNOUNCED

#1904 - Assistant Box Office Supervisor

There was some discussion on this information item.

ELIGIBLE LISTS

- a. #1883 - Junior Planner
- b. #1884 - Assistant Planner
- c. #1885 - Associate Planner
- d. #1891 - Supervising Dispatcher

Ms. Placencia voiced some concern about the Plan the limited term employees who were working in who had taken the test.

Mrs. Verna Banks, Senior Personnel Analyst, and Action Officer, addressed the Board on this matter that the limited term personnel handled special covered a broad spectrum of duties. There was of time these limited term personnel had worked ranking on the examinations.

Appeals were expected
to be brought to
the Board at its
Oct 19 mtg.

Motion was made to freeze all eligible lists or examinations until October 23, 1982.

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Motion: Ms. Placencia
Second: Ms. Mabbutt

Motion was approved by unanimous roll call vote.

FINDINGS OF FACT ON THE APPEAL OF POLICE OFFICER HARRY HENRIKSEN

Mr. David Simmons, Attorney at Law who represented Police Officer Harry Henriksen, and Mr. Sam Jackson, Deputy City Attorney, addressed the Board on this issue.

There was some discussion on the differences between the two sets of findings of fact presented by each attorney and their relationship to the findings of the Administrative Law Judge. The Board also discussed with the two attorneys present, and with Mr. Bill Carnazzo, Deputy City Attorney some aspects of this issue, including the rigidity of General Order X5 and whether in the Board's opinion Officer Henriksen was negligent or not.

Motion was made to adopt Mr. Simmons' findings of fact and determination of issues.

Motion: Mr. Mayhew
Second: Ms. Placencia

Motion failed by the following roll call vote:

Ayes: Mr. Mayhew
Ms. Placencia

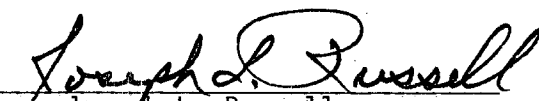
Noes: Mrs. Nance

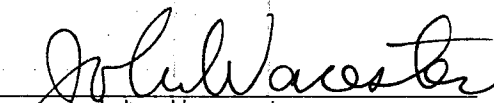
Abstain: Ms. Mabbutt
Mr. Russell

There was further discussion on the Board's decision at a previous meeting when they granted the appeal of Police Officer Henriksen, and Mr. Jackson questioned if the Board was not possibly exceeding its jurisdiction by disputing a policy of a department. There was some discussion on potential legal action if Mr. Jackson's findings of fact were adopted.

After further discussion, Mrs. Nance changed her vote to "Aye" and the motion was approved by majority vote.

There being no further business, President Russell declared the meeting adjourned at 3:15 p.m.


Joseph L. Russell
President


John Worcester
Acting Secretary