

**MINUTES OF REGULAR MEETING  
CIVIL SERVICE BOARD  
CITY OF SACRAMENTO  
October 16, 2007**

The meeting of the City of Sacramento Civil Service Board was called to order by Vice-Chairperson Thompson in the Hearing Room of Historic City Hall, 915 I Street, Second Floor, Sacramento, CA at 1:30 p.m.

**MEMBERS PRESENT:** Robillard  
Manders  
Thompson  
Lopez

**MEMBERS ABSENT:** Pryor

**MINUTES OF CIVIL SERVICE BOARD MEETING OF SEPTEMBER 18, 2007**

The Board received the minutes of the September 18, 2007 meeting. Vice-Chairperson Thompson asked if the Board had any comments. Ms. Manders moved to accept the minutes as submitted. The motion was seconded by Mr. Robillard. The motion to approve went as follows:

**Motion:** Manders  
**Second:** Robillard

The motion carried with the following roll call vote:

**Ayes:** Thompson  
Robillard  
Manders

**Abstain:** Lopez

**ELIGIBLE LISTS ESTABLISHED**

No comments or questions.

**CITIZENS ADDRESSING THE BOARD ON MATTERS NOT ON THE AGENDA**

None

**POLICE MATTERS TO BE CONSIDERED**

Mr. Gale, City Attorney, presented the three possible methods for hearing appeals when the Board has waived the general procedures set forth in the Rules. Each method meets the minimum due process requirements.

Mr. Gale advised the Board that the City maintains the burden of proof even if the appellant is a non-participating party once an appeal has been filed.

**Option #1 – Offer of Proof.** Witnesses would be sworn in, and the attorney representing the City would state what the witness would testify to, if the witness were to testify. The witness would confirm under oath that the facts presented were correct. Additional documents could be presented and would require authentication. It would be up to the Board if the facts meet the burden of proof.

**Option #2 – Oral testimony.** Witnesses would testify and the Board would determine if the evidence was sufficient to establish the discipline was properly imposed.

**Option #3 – Paper Hearing.** Declarations would be submitted under penalty of perjury. All factual documents would be submitted to the Board for review.

All of the methods would require appellants and witnesses be present if further questioning is needed, as well as all appellants be provided a 15-day notice. The Board would then determine the decision of sustaining, overturning or modifying the appeal and could direct the city attorney to write the decision.

The Board can decide which hearing method to use at the first November meeting, keeping in mind that appellants need to be noticed appropriately. Discussion took place regarding the possibility of creating a procedure for appellants to formally withdraw an appeal. Board members expressed desire for this item to be placed on a future agenda.

#### **BOARD IDEAS, QUESTIONS, AND ANNOUNCEMENTS**

Board Member Robillard thanked Mr. Gale for his research.

There being no further business, the meeting adjourned at 1:53 pm.

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**ROBERT THOMPSON**  
Vice-Chairperson

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**GERRIEE GIFFIN**  
Acting Secretary