

MINUTES OF THE REGULAR MEETING
OF THE CIVIL SERVICE BOARD
CITY OF SACRAMENTO
MARCH 15, 1983

The regular meeting of the Civil Service Board, City of Sacramento, was called to order by President Jonathan E. Mayhew, in Conference Room 103, Department of Personnel, 801 - 9th Street, Sacramento, California at 1:33 p.m.

Members Present: Ms. Pamela C. Placencia
Mr. Joseph L. Russell
Mr. Jonathan E. Mayhew

Members Absent: Mrs. Vivian C. Nance
Ms. Gail A. Mabbutt

MINUTES OF THE SPECIAL MEETING OF FEBRUARY 24, 1983

A motion was made to approve the minutes of the special meeting of February 24, 1983 as read.

Motion: Mr. Russell
Second: Ms. Placencia

The motion was approved by the following vote:

Ayes: Ms. Placencia
Mr. Russell
Mr. Mayhew

MINUTES OF THE REGULAR MEETING OF MARCH 1, 1983

A motion was made to approve the minutes of the regular meeting of March 1, 1983 as read.

Motion: Mr. Russell
Second: Ms. Placencia

The motion was approved by the following vote:

Ayes: Ms. Placencia
Mr. Russell
Mr. Mayhew

REPORTS OF DIRECTOR OF PERSONNEL

Mrs. Donna Giles, Director of Personnel, addressed the Board and informed them that decisions from the Office of Administrative Hearings on Donald R. Robinson and Antonio Sanchez had been received on the same day the agenda was distributed. These two issues will be heard at the April 5, 1983 meeting.

Mrs. Giles informed the Board that a request had been made for a transcript of the Carson case and the transcriber had a difficult time recognizing voices. She asked the Board if they would identify themselves prior to speaking on issues and to instruct speakers from the audience to do the same.

Mrs. Giles introduced Sam Somers, Captain in the Police Department's Personnel and Training Section.

Mr. Mayhew introduced his brother, Christopher, who was visiting from Detroit, Michigan.

RECOMMENDED DECISION OF ADMINISTRATIVE LAW JUDGE

Police Officer Andrew Cruz

Mr. Sam Jackson, Deputy City Attorney, and Mr. Richard Chiurazzi, Attorney at Law, representing Officer Cruz, addressed the Board on this issue.

Mr. Chiurazzi addressed the Board, introduced Officer Cruz, and pointed out statements in the Administrative Law Judge decision which he felt were in error.

Mr. Jackson addressed the Board and stated that the statements of the Administrative Law Judge's decision were accurate and that the Board should uphold the decision of the Law Judge.

The Board discussed this matter and asked questions of the two attorneys as well as Officer Cruz.

Officer Cruz responded to the questions of the Board.

The Board went into executive session at 2:20 p.m.

The Board reconvened at 2:32 p.m.

Motion was made on the appeal of Officer Cruz as follows:

Mr. Russell moved that the appeal be denied and the Administrative Law Judge proposed decision adopted, with the following modifications:

- a. That finding of fact "X" be modified to read as follows:

In both the Taylor and Thomson incidents Brar was the initially aggressive officer. In both cases Cruz acquiesced through inaction or silence. Cruz did not use physical force in either case.

- b. That the determination of issues be modified to delete in Paragraph 1 the following language: "37.22 - Use of Physical Force".

Motion: Mr. Russell
Second: Ms. Placencia

The motion was approved by the following vote:

Ayes: Ms. Placencia
Mr. Russell
Mr. Mayhew

RECOMMENDED DECISION OF ADMINISTRATIVE LAW JUDGE

Robert Nichols, Police Officer

Kenneth R. Hulse, Attorney at Law, representing Officer Nichols addressed the Board and said he would accept the 20-hour suspension recommended by the Administrative Law Judge.

The Board asked Mr. Sam Jackson, Deputy City Attorney, if he had any objection. Mr. Jackson did not.

The Board discussed this matter and asked questions of both attorneys.

A motion was made to adopt the findings of fact, accept the modification in discipline and deny the appeal.

Motion: Ms. Placencia
Second: Mr. Russell

The motion was approved by the following vote:

Ayes: Ms. Placencia
Mr. Mayhew

Noes: Mr. Russell

EXTENSION OF ELIGIBLE LISTS:

- a. Street Maintenance Supervisor #1868
- b. Dispatcher I (Police) #1855

No questions were asked.

EXAMINATIONS ANNOUNCED

- a. Dispatcher II (Fire) #1934
- b. Parking Meter Coin Collection #1874
- c. Refuse Collection Supervisor #1895
- d. Street Cleaning Supervisor #1894

A question was asked by Ms. Placencia about why the Parking Meter Coin Collector examination was being held for City employees only.

Susan Davidson, Personnel Analyst II responded that this would provide upward mobility for some of the lower paid classes within the City.

ELIGIBLE LISTS ESTABLISHED

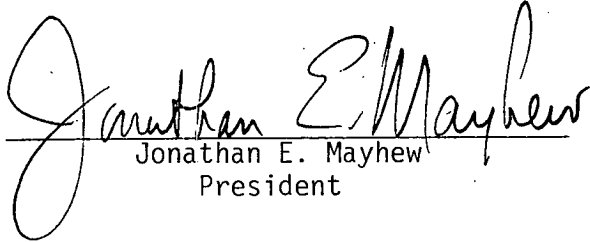
- a. Property Assistant I #1927
- b. Sanitation Worker IV #1923
- c. Vegetal Waste Facility Worker #1921

No questions were asked.

Mrs. Giles brought to the Board's attention a letter, which had been given to each member, from Chief Kearns regarding the Donald Gillick case. The Board raised some questions regarding the legality of what had occurred. Bill Carnazzo, Deputy City Attorney, addressed the issue, and said no legal transgressions had occurred.

The Board asked Mrs. Giles to place the matter on the agenda for the next meeting.

There was no further business, so President Mayhew adjourned the meeting at 2:50 p.m.


Jonathan E. Mayhew
President


Donna L. Giles
Secretary