

**MINUTES OF REGULAR MEETING
CIVIL SERVICE BOARD
CITY OF SACRAMENTO
December 18, 2007**

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

MEMBERS PRESENT: Robillard
Manders
Pryor
Lopez

MEMBERS ABSENT: Thompson*

*Thompson arrived at 1:41 p.m.

MINUTES OF CIVIL SERVICE BOARD MEETING OF NOVEMBER 20, 2007

The Board received the minutes of the November 20, 2007 meeting. Chairperson Pryor asked if the Board had any comments. Ms. Lopez moved to accept the minutes. The motion was seconded by Ms. Manders. The motion to approve went as follows:

Motion: Lopez
Second: Manders

The motion carried with the following roll call vote:

Ayes: Pryor
Robillard
Manders
Lopez

ELIGIBLE LISTS ESTABLISHED

No comments or questions.

APPEAL OF APPLICATION REJECTION

In the Matter of Michael Fleming – Neighborhood Services Coordinator I Board Member Robillard raised a potential conflict of interest he had with regard to hearing Mr. Fleming's appeal. Mr. Robillard reported that he was based in East Palo Alto while employed by the State of California. Mr. Robillard noted that Mr. Fleming's employment record lists East Palo Alto as a previous employer. However, Mr. Robillard does not know Mr.

Fleming. Mr. Gale, Attorney to the Board, advised this set of circumstances did not necessarily rise to the level of a conflict of interest. However, Board Member Robillard recused himself from hearing the appeal and left the room. Mr. Gale advised the Board that general hearing procedures per Rule 4.11(c) could be waived. Board Member Manders moved to waive general hearing procedures. Board Member Lopez seconded the motion. The motion to approve went as follows:

Motion: Manders
Second: Lopez

The motion carried with the following roll call vote:

Ayes: Pryor
Lopez
Manders
Thompson

Mr. Fleming and Ms. Laurenzi, Sr. Personnel Analyst representing the City, were sworn in.

Ms. Laurenzi explained the reason Mr. Fleming's application was rejected was that Mr. Fleming does not possess the required experience as stated in the application process. The City determined Mr. Fleming lacks work experience in developing and implementing community based programs for community organizations as required pursuant to the minimum qualifications.

Mr. Fleming requested all correspondence between him and the City be entered into evidence. The Board noted they had been provided with such correspondence.

Mr. Fleming submitted additional documents to the Board that had not previously been submitted to the City, and requested Board review of the additional documents.

Board Member Lopez cited that she did not require any more information from Mr. Fleming. She felt the documents already provided by the City were sufficient to make a ruling. Ms. Lopez also raised concern that the additional documents were not provided to the City in advance of the meeting.

Ms. Manders suggested the Board carryover the appeal to provide time to review Mr. Fleming's documents. Since there are no procedures in place to instruct appellants on submitting supplemental information when the Board has waived its general hearing procedures, the Board should consider the evidence.

A ten minute recess was called for document duplication.

The hearing reconvened at 2:00 pm. Mr. Pryor advised Mr. Fleming that due to the substantial amount of new material provided, the Board would not be able to review the documents in a timely manner.

Ms. Manders questioned whether the City considered any of the additional information presented by Mr. Fleming, other than what was presented today.

Ms. Laurenzi responded the City had considered the information and it did not change the City's position.

Mr. Thompson asked if the City's position is that Mr. Fleming does not possess the required experience?

Ms. Laurenzi responded affirmatively.

Mr. Thompson further inquired, would the new information submitted today potentially change the City's decision?

Ms. Laurenzi responded the new information would not change the City's position.

Mr. Thompson advised Mr. Fleming to provide any foreseeable additional evidence to the City in advance of the next meeting. Mr. Fleming shared a concern of the position being filled prior to the postponed meeting. However, he emphasized the importance of the Board's review of his new evidence. The Board presented Mr. Fleming with the option of postponing their decision to the next meeting to allow the board time to review additional documents submitted by Mr. Fleming, or making a decision without thorough review of additional documents. Mr. Fleming agreed to the postponement.

Board Member Manders moved to continue Mr. Fleming's appeal until the next scheduled meeting, January 15, 2008. Ms. Lopez seconded the motion. The motion to approve went as follows:

**Motion: Manders
Second: Lopez**

The motion carried with the following roll call vote:

**Ayes: Manders
Pryor
Thompson
Lopez**

Noes: None

The City will provide Mr. Fleming with a notification providing a deadline for document submittal.

Board Member Robillard returned to the meeting at 2:10 p.m.

CONSENT CALENDAR

Fire Apparatus Operator – Revised Classification

Mr. Cosgrove, Sr. Personnel Analyst, reported the Union had no concerns with the changes.

Board Member Lopez moved to approve the reclassification. Mr. Thompson seconded the motion. The motion to approve went as follows:

Motion: Lopez
Second: Thompson

The motion carried with the following roll call vote:

Ayes: Manders
Pryor
Thompson
Lopez
Robillard

Noes: None

CITIZENS ADDRESSING THE BOARD ON MATTERS NOT ON THE AGENDA

None

BOARD IDEAS, QUESTIONS, AND ANNOUNCEMENTS

Ms. Manders suggested the City have a procedure in place for additional appellant documentation. Mr. Gale, City Attorney's Office, advised his office would research and potentially draft a letter for appellants regarding process when the Board waives general hearing procedures.

There being no further business, the meeting adjourned at 2:15 pm.

THOMAS PRYOR
Chairperson

GERRIEE GIFFIN
Acting Secretary