

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING OCTOBER 29, 1975

The regular meeting of the Civil Service Board was called to order by President Wilfred Street at 1:45 p.m. in the Personnel Department Conference Room, 801 Ninth Street.

Present: Wilfred Street, Alba Kuchman, Ronald Wright, Jimmie Yee
Absent: Marion Woods

EXECUTIVE SESSION re APPEAL OF RICKY C. JONES, POLICE OFFICER

(Marion Woods would be unable to listen to the tapes; therefore, the other members of the Board decided to proceed with the findings.)

It was the unanimous decision of the Civil Service Board, in executive session, to grant the appeal of a 10-day suspension of Ricky C. Jones. Mr. Yee's motion, in executive session, to reduce the disciplinary action to a letter of reprimand failed due to lack of a second. (Ms. Kuchman did not participate in the executive session.)

MINUTES OF REGULAR MEETING AND SPECIAL MEETING HELD OCTOBER 7, 1975

Motion was made by Ms. Kuchman, seconded by Mr. Yee, and carried by unanimous vote approving the minutes of the Regular and Special meetings of October 7, 1975.

ELIGIBLE REGISTERS ESTABLISHED

#1321-E Police Officer (continuous)
#1417 Administrative Trainee and Buyer Trainee

Motion was made by Mr. Yee, seconded by Mr. Wright and carried by a unanimous vote that no certification was to be made from the Police Lieutenant #1412 eligible list until the next regularly scheduled meeting.

REPORTS OF DIRECTOR OF PERSONNEL

Mr. Tom Holland, Acting Secretary, reported on the status of Sabino Trujillo and presented the Findings and Conclusions of the Alfred Humphrey hearing for signature.

Motion was made by Mr. Wright, seconded by Mr. Yee, and carried by a unanimous vote approving the Findings and Conclusions of the Alfred Humphrey hearing as amended.

OBJECTIONS TO FINDINGS AND CONCLUSIONS AND REQUEST FOR HEARING IN THE MATTER OF THE APPEAL OF THOMAS N. BRISTOW, POLICE OFFICER

Attorneys David Simmons, representing Thomas N. Bristow, and Leliand Savage, representing the City, stipulated to submitting legal briefs to the Board.

B. Alendern

Motion was made by Mr. Wright and seconded by Mr. Yee that both attorneys submit legal briefs to the Board within 30 days. The motion was carried by the following vote:

Ayes: Street, Wright, Yee
 Noes: None
 Abstain: Kuchman
 Absent: Woods

Ms. Kuchman abstained from this motion because she did not participate in the hearing.

WITHDRAWAL OF APPEAL

Sammie Anderson, Refuse Collector (Truck Driver)

Motion was made by Mr. Wright, seconded by Mr. Yee, and carried by a unanimous vote to accept the written Stipulation by Attorney Martin F. Jennings, Jr., representing Sammie Anderson, and by Attorney Leliand Savage, representing the City of Sacramento.

REQUEST FOR VOLUNTARY DEMOTION

Konnie Kwong, Police Officer to Intermediate Typist-Clerk

Motion was made by Mr. Wright, seconded by Mr. Yee and carried by a unanimous vote to grant the request for Voluntary Demotion for Ms. Konnie Kwong from Police Officer to Intermediate Typist-Clerk.

REQUEST FOR REINSTATEMENT AFTER RESIGNATION

Lyn Readdy Popovich, former Intermediate Typist-Clerk

Motion was made by Mr. Yee, and seconded by Ms. Kuchman to deny the request of Ms. Lyn Popovich for reinstatement to her former classification of Intermediate Typist-Clerk. The motion was carried by the following vote:

Ayes: Kuchman, Street, Yee
 Noes: Wright
 Absent: Woods

REQUEST FOR LEAVE OF ABSENCE

Fernando F. Barcena, Sr., Parking Lot Attendant

Motion was made by Ms. Kuchman, seconded by Mr. Yee and carried by a unanimous vote granting Mr. Fernando F. Barcena, Sr. Parking Lot Attendant, a one year leave of absence commencing on November 1, 1975 through October 31, 1976.

AMENDMENT TO CIVIL SERVICE BOARD RULES AND REGULATIONS

The proposed addition of Rule 22.17 concerning Vacation Administration was put over until the regular meeting of November 18, 1975.

SCHEDULING OF HEARING DATES

The continuation of the hearing to appeal disciplinary action of Reed Gibson, Firefighter, was scheduled for 12:30 p.m. on November 18, 1975 before the regular meeting.

Scheduling of hearing dates for the following hearings will be set on November 4, 1975:

- (1) Joe Lewis Hunter, Refuse Collector
- (2) Robert E. Kelley, Police Sergeant
- (3) Michael M. Martin, Patrolman
- (4) Wayne L. Smith, Maintenance Man I, Recreation and Parks
- (5) Jesse Edwards, Refuse Collector
- (6) James Davis, Refuse Collector (Extra Board)
- (7) Lillian Kness, Relief Telephone Operator
- (8) Paul M. Hronec, Maintenance Man I, Recreation and Parks

Mr. Ronald Nichols, Deputy Fire Marshal, was present and verbally withdrew his request for hearing to appeal disciplinary action.

REQUEST FOR HEARING TO APPEAL DISCIPLINARY ACTION

Laureano Luna, Maintenance Man (Truck Driver)

Motion was made by Mr. Wright, seconded by Mr. Yee and carried by unanimous vote granting Mr. Laureano Luna, Maintenance Man (Truck Driver) in the Street Maintenance and Cleaning Division, a hearing to appeal disciplinary action. The date for the hearing is to be set at the November 4, 1975 meeting.

REQUEST FOR HEARING TO APPEAL DECISION OF QUALIFICATION APPRAISAL BOARD FOR SENIOR ACCOUNTANT EXAMINATION

Russell Chinn, Applicant

The request for hearing to appeal the decision of the Qualifications Appraisal Board for Senior Accountant by Russell Chinn, represented by Phillip Cunningham, Business Representative for SCEA/Local 39, was re-scheduled for the November 4, 1975 meeting.

COMMUNICATIONS RECEIVED

Mr. Christopher C. Bowman's, Police Officer applicant, request of the Board to review their hearing standards set for Police Officer candidates was denied. Motion was made by Ms. Kuchman, seconded by Mr. Yee and carried by unanimous vote to deny the request.

The communications received from Phillip Cunningham, Business Representative for SCEA/Local 39, regarding the reassignment of Robert McGee from Refuse Collector (Truck Driver) to Refuse Collector and the reassignment of Richard Vasquez from Refuse Collector (Truck Driver) to Refuse Collector, were tabled and the issue referred to the Attorney's Office for opinion as to the Board's options by motion made by Mr. Wright, seconded by Mr. Yee and carried by a unanimous vote.

EXAMINATION ANNOUNCED

#1432 Traffic Engineering Technician (Promotional)
#1433 Key Data Operator I
#1435 Maintenance Man II (Promotional)

Mr. Wright moved to approve the above listed announcements. Ms. Kuchman seconded the motion which was carried by unanimous vote.

#1431 Library Stores Clerk (Promotional)

After discussion, Mr. Wright moved to approve announcement #1431 Library Stores Clerk. Mr. Yee seconded the motion which was carried by unanimous vote.

HEARING TO APPEAL DISCIPLINARY ACTION

Gordon F. McCall, Police Officer

The hearing commenced at approximately 4:10 p.m.

Gordon F. McCall, Police Officer, received a letter of reprimand dated October 3, 1974 from John P. Kearns, Deputy Chief of Police, for violation of Department General Orders 72-21, Z-2 and 73-10, N=8. Officer McCall allegedly used mace in an altercation with several neighborhood subjects on October 12, 1974 and did not properly report the use of mace. In accordance with Police Department General Orders 73-10, it was felt by Captain Jerry Finney that Officer McCall should have waited for on-duty officers to arrive.

Police Captain Jerry V. Finney was called to testify by Attorney Leliand Savage, representing the City of Sacramento, and was sworn in by the Secretary. Captain Finney stated that it had come to his attention by the officers arriving at the scene on October 12, 1974 that mace had been used and a report was not made. When Officer McCall arrived at work on October 16, 1974, Captain Finney asked him to fill out a report for the use of mace. Officer McCall complied with the request. Captain Finney also stated that Officer McCall should have waited for on-duty officers to arrive because the seriousness of the crime was not that of which required immediate action.

Captain Finney was excused after being questioned by Attorney David Simmons, representing SPOA for the appellant, and the Board members.

D. S. Poroli, Police Officer, was called to testify by Attorney Savage and was sworn in by the Secretary. Officer Poroli stated that at the scene on October 12, 1974 an individual by the nick name of "Shorty" reported to him that Officer McCall had used mace on one of his friends.

Officer Poroli was excused after being questioned by Attorney Simmons.

James White, Police Lieutenant, was called by Attorney Savage and was sworn in by the Secretary. Lt. White testified that the McCall case was turned over to the I.I.S. (Internal Investigations Section) by Captain Finney. He stated Sergeant Youngblood contacted the individuals involved in the incident of October 12, 1974. Lt. White was excused after being questioned by Attorney Simmons and by the Board members.

The meeting adjourned at 5:25 p.m. and was continued to October 30, 1975 at 8:30 a.m.

Tom Holland *Wilfred J. Street*

Tom Holland Wilfred Street
Acting Secretary President

Barbara Allenbaum