



SACRAMENTO CITY EMPLOYEES'
RETIREMENT SYSTEM

CITY OF SACRAMENTO
CALIFORNIA

801 NINTH STREET
ROOM 110
SACRAMENTO, CA
95814-2693

June 8, 1987

City Council
Sacramento, California

CITY MANAGER'S OFFICE
RECEIVED
JUN 5 1987

916-449-5665

RICHARD E. SNYDER
RETIREMENT SYSTEM
MANAGER

Honorable Members in Session:

SUBJECT: Proposed Amendment to City Code Section 34.1407

Summary.

It is proposed that Section 34.1407 of the City Code be amended to permit the recording of proceedings of a retirement appeal hearing before a Hearing Officer, Office of Administrative Hearings, by either a tape recorder or by a certified shorthand reporter.

Background.

Section 34.1407 of the City Code currently reads:

The proceedings at the hearing shall be recorded by a tape recorder. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the party's own expense.

The above language mandates that administrative hearings be held in a facility which is equipped with an adequate audio recording system. The only facility which is readily available for such hearings is Room 103, 801 Ninth Street.

Over the past years, Room 103, 801 Ninth Street, has been used for regular scheduled meetings of the Civil Service Board, Administration, Investment and Fiscal Management Board and the Retirement Hearing Commission. This room is also in steady use for Civil Service examinations, Civil Service hearings and other city meetings. The net effect is that retirement appeal hearings in Room 103 are now being set as many as four months in advance of the hearing date. This facility's scheduling problems delay the resolution of employees' retirement appeals, which is undesirable to all parties.

Discussion.

A simple resolution to the problem of delayed retirement appeal hearings is to provide an option for recording proceedings during such hearings by tape recorder or by a certified shorthand reporter. A certified shorthand reporter has recorded all retirement appeal hearings for nearly ten years and it is

City Council
June 8, 1987
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expected that this practice will continue. By deleting the mandate for tape recording of proceedings, other facilities may be used for such hearings, including the two chambers maintained by the Office of Administrative Hearings at 501 J Street. The use of such additional facilities should expedite the retirement appeal hearing schedule.

In order to resolve the problem outlined above, it is proposed that City Code Section 34.1407 be amended to read as follows:

Section 34.1407 Record of oral evidence at hearing.

The proceedings at the hearing shall be recorded by a tape recorder or by a certified shorthand reporter.

This proposed amendment to the City Code has been submitted to all recognized City employee organizations for comment. Written support for the proposed amendment was received from one employee organization. No objections were received from any employee organization.


During a May 8, 1987 meeting, the Retirement Hearing Commission, by unanimous vote, recommended adoption of the proposed ordinance to the City Council.

On June 4, 1987, the Law and Legislation Committee voted unanimously to recommend adoption of the proposed ordinance to the City Council.

Recommendation.

It is recommended that the City Council adopt the attached proposed ordinance.

Respectfully submitted,


Richard E. Snyder
Retirement System Manager

RECOMMENDATION APPROVED:


Donna L. Giles, Director of Personnel

RECOMMENDATION APPROVED:


Walter J. Slupe, City Manager

Attachment

All Districts
June 23, 1987

ORDINANCE NO. 87-076

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING CHAPTER 34 OF THE SACRAMENTO CITY CODE RELATING TO RETIREMENT HEARING COMMISSION PROCEDURES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

Section 1407, Chapter 34, Article XIV of the Sacramento City Code is amended to read as follows:

Section 34.1407 Record of oral evidence at hearing.

The proceedings at the hearing shall be recorded by a tape recorder or by a certified shorthand reporter.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

ATTEST:

CITY CLERK

MAYOR

APPROVED
BY THE CITY COUNCIL

JUN 23 1987

OFFICE OF THE
CITY CLERK

Sec. 34.1407 Record of oral evidence at hearing.

The proceedings at the hearing shall be recorded by a tape recorder/ either party may provide a certified shorthand reporter to maintain a record of the proceeding at the party's own expense/ or by a certified shorthand reporter.



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23

PASSED FOR
PUBLICATION
& CONTINUED
TO 6-23-87

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JUN 5 1987

RICHARD E. SNYDER
RETIREMENT SYSTEM
MANAGER

Honorable Members in Session:

Subject: Proposed Amendment to City Code Section 34.1407

Summary.

It is proposed that Section 34.1407 of the City Code be amended to permit the recording of proceedings of a retirement appeal hearing before a Hearing Officer, Office of Administrative Hearings by either a tape recorder or by a certified shorthand reporter. The Law and Legislation Committee considered this item on June 4, 1987 and voted unanimously to recommend adoption to the City Council.

Recommendation.

It is recommended that the City Council pass the attached proposed ordinance for publication and consider this item at the June 23, 1987 City Council meeting.

Respectfully submitted,

Richard E. Snyder
Richard E. Snyder
Retirement System Manager

RECOMMENDATION APPROVED:

Donna L. Giles
Donna L. Giles, Director of Personnel

RECOMMENDATION APPROVED:

Walter J. Stipe
Walter J. Stipe, City Manager

Attachment

All Districts
June 16, 1987

ORDINANCE NO.

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MAYOR

ATTEST:

CITY CLERK

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