



CITY OF SAN JOSE, CALIFORNIA

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CIVIL SERVICE COMMISSION

Bill Brill, Chair
Jon Fitch, Vice Chair
Dave Busse
Peter Soulé
Emily Côté

CIVIL SERVICE COMMISSION Minutes of the Commission January 7, 2010

The Civil Service Commission of the City of San José convened on January 7, 2010, in Room W242, San José City Hall, at 6:41 p.m.

PRESENT: Commissioner Brill, Busse, Fitch, Soulé and Côté
ABSENT: None

Presiding Officer Côté stated this meeting had been called to order to hear the appeal of dismissal of Michael Rose, Police Officer. It was determined that the appellant, the appellant's representative, Craig Brown, Senior Deputy City Attorney Brian Hopper, representing the respondent, City of San José, Lieutenant Larry Esquivel and Gina Donnelly, representing the Office of Employee Relations, were present and all parties were ready to proceed. The appellant waived his right to a closed session.

Presiding Officer Côté read a letter into the record as follows: "In the Pre-hearing telephone conference in this matter, objections were made to the provision of certain documents to the Commissioners in advance of live testimony on the issues. In order to ensure the protection of the due process rights of the Appellant, when reading the investigative reports included in this packet, please be mindful that questions or statements made by an investigator during questioning which imply that third parties (who may not be testifying as witnesses) made various statements are not evidence".

Opening statements were made by Mr. Hopper and Mr. Brown.

Testimony was heard from Andrew Creelman.

At 8:03 p.m., the Commission recessed and reconvened at 8:17 p.m. with Commissioners Brill, Busse, Fitch, Soulé, and Côté present.

Testimony was heard from Heidi Creelman and Jenny M. Creelman.

At 9:11 p.m., the Commission adjourned to January 11, 2010 at 6:30 p.m. to continue to hear the appeal of discipline of Michael Rose, Police Officer (0927).

EMILY J. CÔTÉ, PRESIDING OFFICER

ATTEST:

CIVIL SERVICE COMMISSION
LEE PRICE, MMC, SECRETARY

Nora Pimentel, CMC, Deputy Secretary