



## CITY OF SAN JOSE, CALIFORNIA

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### CIVIL SERVICE COMMISSION

Bill Brill, Chair  
Jon Fitch, Vice Chair  
Margaret Akdeniz  
Peter Soulé  
Issac Vaughn

## CIVIL SERVICE COMMISSION Minutes of the Commission May 19, 2011

The Civil Service Commission of the City of San José convened on May 19, 2011, in Room W242, San José City Hall, at 6:04 p.m.

PRESENT: Commissioner Brill, Akdeniz, Fitch, Soulé and Vaughn.  
ABSENT: None

Presiding Officer Akdeniz stated this meeting had been reconvened to hear the appeal of dismissal of Brandon LeRoy, Firefighter. It was determined that the appellant, the appellant's representative, Daniel Jensen; Deputy City Attorney Shannon Smyth-Mendoza, and Deputy City Attorney, Richard North, representing the respondent, City of San José; and Jennifer Schembri, representing the Office of Employee Relations were present and all parties were ready to proceed.

Continued testimony was heard from Captain Patrick Mulcahy.

Testimony was heard from Jennifer Schembri, Senior Executive Analyst, Office of Employee Relations.

City's Exhibit #3 and #4 were entered into evidence.

At 7:50 p.m., the Commission recessed and reconvened at 8:15 p.m. with Commissioners Brill, Akdeniz, Fitch, Soulé, and Vaughn present.

Testimony was heard from witness Sharr Carr.

Testimony was heard from Appellant, Brandon LeRoy.

Appellant's Exhibit #2 was entered into evidence.

It was agreed that the City's attorney would submit closing arguments in writing, and the appellant would be given until May 27, 2011, to submit a written rebuttal. Commissioners agreed to reconvene directly following the June 2, 2011 Civil Service Commission meeting to present their decision.

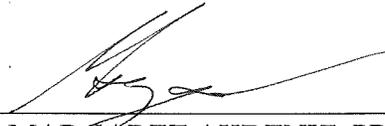
At 9:05 p.m. the Commission adjourned to conduct an on-site inspection of Firehouse 22 at 6461 Bose Lane, San José. The record notes that both parties agreed to waive an audio-visual record of this inspection, but agreed that any observations from this visit may be incorporated into their testimony.

The Appellant, the Appellant's representative, Daniel Jensen; Deputy City Attorney Shannon Smyth-Mendoza, and Deputy City Attorney, Richard North, representing the Respondent, City of San José; and all Commissioners were present on May 19, 2011 during the inspection of Firehouse 22, which commenced at approximately 9:30 p.m. and concluded at approximately 10:30 p.m.

On June 2, 2011 at 4:25 p.m. the Commission entered into Closed Session in Council Conference Room W-133 to deliberate. The Commission reconvened at 4:58 p.m. with Commissioners Akdeniz, Brill, Fitch, Soulé and Vaughn present.

The Commission voted on a 4-1 vote to sustain Charges #1-4 in full and uphold the termination of Brandon LeRoy. Noes: Fitch.

The Commission adjourned at 5 p.m.



MARGARET AKDENIZ, PRESIDING OFFICER

ATTEST:  
CIVIL SERVICE COMMISSION  
DENNIS HAWKINS, CMC, SECRETARY



Ruth Krantz, Deputy Secretary