

**CIVIL SERVICE COMMISSION**

Meeting Minutes  
September 1, 2011

**ROLL CALL**

PRESENT: Chair Brill, Vice Chair Fitch and Commission Members Akdeniz, Soule and Vaughn.

ABSENT: None.

STAFF: Senior Deputy City Attorney Vera Todorov, City Clerk Dennis Hawkins, and Deputy City Clerk Ruth Krantz.

**PUBLIC COMMENT**

None.

**ORDERS OF THE DAY**

By motion unanimously adopted, the Orders of the Day were approved.

**CONSENT CALENDAR**

By motion unanimously adopted, the Consent Calendar was approved.

**END OF CONSENT CALENDAR**

3. The following hearings were scheduled:
  - a. The appeal of dismissal of Sergio De Leon, Instrument Control Technician (3761), Case 11-30, was rescheduled for Thursday, October 27, 2011.

Deputy City Attorney Richard North appearing on behalf of the City, and the Appellant, Sergio De Leon, were present.

## 3. Scheduled hearings (Cont'd.):

- b. The appeal of dismissal of Police Officer, Case 11-32, was continued to the October 6, 2011 Civil Service Commission meeting. (Ahn/Peterson)

Associate Deputy City Attorney Paul Ahn, appearing on behalf of the City and Larry Peterson, appearing on behalf of the Appellant, were present.

- c. The appeal of dismissal of Police Officer, Case 11-33, was scheduled for Thursday, November 17 and Wednesday, November 30, 2011.

Deputy City Attorney Daisy Nishigaya, appearing on behalf of the City and Larry Peterson, appearing on behalf of the Appellant, were present.

- d. The rescheduling of the appeal of the dismissal of Chuck Beltramo, Maintenance Worker II (3114), Case 11-15, was scheduled for Thursday, November 10, 2011.

Deputy City Attorney Nkia Richardson, appearing on behalf of the City and Bill Pope, Operating Engineers Local Union No. 3 representative, appearing on behalf of the Appellant, were present.

4. The Civil Service Commission's jurisdiction in the appeal of suspension of Rick Dale, Analyst II, Fiscal Unit of the San Jose Police Department (1632), Case 11-20, was determined. Deputy City Attorney Daisy Nishigaya on behalf of the City and Charles Allen, AFSCME Council 57 representative, appearing on behalf of the Appellant, were present.

Action: Upon motion by Commissioner Vaughn, seconded by Commissioner Soule and carried unanimously, the Commission dismissed Mr. Dale's appeal because as a retiree, the Civil Service Commission does not have jurisdiction over this matter, the matter at hand being on point with *Zuniga v. Los Angeles County Civil Service Com.* (2006).

5. City Clerk Dennis Hawkins provided an update on the City Council meeting of August 9, 2011 and reported that the recommendation to change stipends paid to Commissioners was approved. The Ordinance approving this action is to take effect September 13, 2011. Commissioner Fitch was in attendance at the August 9 Council meeting to speak on behalf of the Commission.

**FUTURE AGENDA ITEMS**

None.

**ADJOURNED** at 4:46 p.m.

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BILL BRILL, CHAIR

ATTEST:  
CIVIL SERVICE COMMISSION  
DENNIS HAWKINS, CMC, SECRETARY

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Ruth Krantz, Deputy Secretary