

City of Fresno

*City Hall
2600 Fresno Street
Fresno, CA 93721*



Meeting Minutes - Final

Wednesday, October 11, 2023

9:00 AM

Regular Meeting

**City Hall, Second Floor
Meeting Room A (2165N)**

Civil Service Board

Chairperson Michael McDonald

Vice Chair Jack Tracy

Board Member Linda Moreno

Board Member Todd L Cregar

Board Member Vacant

The meeting was called to order at 9:00 A.M.

APPROVED

Present 4 - Chairperson Michael McDonald, Board Member Linda Moreno, Vice Chair Jack Tracy, and Board Member Todd L. Cregar

1. 9:00 A.M. ROLL CALL

Present 4 - Chairperson Michael McDonald, Vice Chair Jack Tracy, Board Member Linda Moreno, and Board Member Todd L. Cregar

2. APPROVAL OF MINUTES

ID 23-1471 August 21, 2023

APPROVED

Aye: 4 - Chairperson McDonald, Vice Chair Tracy, Board Member Moreno and Board Member Cregar

3. NEW BUSINESS

At 9:01 A.M. the Board convened into closed session.

ID 23-1476 Closed Session - Public Applicant Appointment - Title: Database Administrator [Rejection of Application Before the Civil Service Board] Municipal Code Section 3-223(a)(1)

The Appellant notified Board Secretary, Brooke Anderson that they have withdrawn their appeal for Rejection of Application Review.

ID 23-1477 Closed Session - Government Code Section 54957 Public Employee Discipline/Dismissal/Release - Schedule Meeting(s) to Conduct Appeal Hearing [Pursuant to Fresno Municipal Code Section 3-284]

Joe Ruben was present on behalf of the City of Fresno. The Appellant and their Representative were also present.

The Hearing was scheduled for January 16, 2024 and January 17, 2024 at 9:00 A.M.

ID 23-1504 Closed Session - Government Code Section 54957 Public Employee Discipline/Dismissal/Release - Schedule Meeting(s) to Conduct Appeal Hearing [Pursuant to Fresno Municipal Code Section 3-284]

Deputy City Attorney III, Mao Lee was present on behalf of the City of Fresno, the Appellant's Representative was present on behalf of the Appellant.

The Hearing was scheduled for January 8, 2024 and January 9, 2024.

ID 23-1505 Closed Session - Government Code Section 54957 Public Employee Discipline/Dismissal/Release - Schedule Meeting(s) to Conduct Appeal Hearing [Pursuant to Fresno Municipal Code Section 3-284]

Deputy City Attorney II, Virginia Madrid-Salazar was present on behalf of the City of Fresno. The Appellant and their Representative were also present.

The Hearing was scheduled for January 29, 2024 and January 30, 2024 at 9:00 A.M.

4. OLD BUSINESS

ID 23-1478 Closed Session - Government Code Section 54957 Continued Public Employee Discipline/Dismissal/Release - Review of Findings [Pursuant to Fresno Municipal Code Section 3-283]

A motion was made by Member Moreno and seconded by Member Cregar to approve the Order and Decision Rejecting Hearing Officer's Recommendation and Modifying Disciplinary Order.

5. HEARING ON APPEAL

ID 23-1479 Closed Session - Government Code Section 54957 Public Employee Discipline/Dismissal/Release [Pursuant to Fresno Municipal Code Section 3-284]

At 9:24 AM the Board convened into Closed Session and the Hearing on Appeal began.

Present on behalf of Appointing Authority was Deputy City Attorney II, Mao Lee and Director of Public Utilities, Brock Buche.

Present on behalf of the Appellant was Business Representative - IUOE, Local 39, Terri Hauschel and the Appellant.

Exhibits of evidence were presented during testimony and was filed and moved into the record.

At 2:41 PM following summaries and closing remarks from the parties, the Board convened into Executive Session to deliberate the matter.

At 3:08 PM the Board reconvened into Closed Session and voted on the charges as read by James McCann, Board Counsel.

Present for report of Decision from the Board on behalf of Appointing Authority was Deputy City Attorney II, Mao Lee and Director of Public Utilities, Brock Buche. Present on behalf of the Appellant was Business representative - IUOE, Local 39, Terri Hauschel and the Appellant. Also present were Board Counsel, James McCann and Acting Secretary Designee, Brooke Anderson.

The Board proposed action on a motion by Vice Chair Tracy, seconded by Member Moreno, that the Order of Removal be upheld.

The motion carried by the following vote:

Aye: 4 Chairperson McDonald, Vice Chair Tracy, Board Member Moreno and Board Member Cregar

No: 0

The charge of violation of Fresno Municipal Code, Section 3-286 (a) as set forth in the order was sustained by the following vote:

Aye: 4 Chairperson McDonald, Vice Chair Tracy, Board Member Moreno and Board Member Cregar

No: 0

The charge of violation of Fresno Municipal Code, Section 3-286 (b) as set forth in the order was sustained by the following vote:

Aye: 4 Chairperson McDonald, Vice Chair Tracy, Board Member Moreno and Board Member Cregar

No: 0

The charge of violation of Fresno Municipal Code, Section 3-286 (b) (4) as set forth in the order was sustained by the following vote:

Aye: 4 Chairperson McDonald, Vice Chair Tracy, Board Member Moreno and Board Member Cregar

No: 0

The charge of violation of Fresno Municipal Code, Section 3-286 (b) (7) as set forth in the order was sustained by the following vote:

Aye: 4 Chairperson McDonald, Vice Chair Tracy, Board Member Moreno and Board Member Cregar

No: 0

The charge of violation of Fresno Municipal Code, Section 3-286 (b) (8) as set forth in the order was sustained by the following vote:

Aye: 4 Chairperson McDonald, Vice Chair Tracy, Board Member Moreno and Board Member Cregar

No: 0

At 3:07 PM the Board reconvened into Open Session.

6. UNSCHEDULED COMMUNICATION

7. ADJOURNMENT

The meeting was adjourned at 3:15 PM