



City of Fresno
Meeting Minutes
Civil Service Board

City Hall
2600 Fresno Street
Fresno, CA 93721
559-621-6950

Chairperson Michael McDonald
Vice Chair Jack Tracy
Board Member Lynda Snauffer

Tuesday, January 24, 2017

9:00 AM

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

The meeting was called to order at 9:02am.

1. Roll Call

Present 3 - Chairperson Michael McDonald, Vice Chair Jack Tracy, and Board Member Lynda Snauffer

Board Council, Dan McCloskey was present and represented the Board. Acting Secretary Designee, Stephanie Martinez, was also present. It was noted that Board Member Mary Ann Rogozinski resigned effective January 12, 2017.

2. Approval of Minutes

A. December 13, 2016

A motion was made by Vice Chair Tracy, seconded by Member Snauffer, to approve the December 13, 2016 minutes. The motion was carried by the following vote:

Aye: 3 - Chairperson McDonald, Vice Chair Tracy and Board Member Snauffer

3. Old Business

The Board convened into closed session, then immediately into executive session, at 9:03am. At 9:31am, the Board reconvened into closed session.

A. Closed Session - Continued Public Employee Discipline/Dismissal/Release [Pursuant to Government Code Section 54954]

Joseph Rubin, Esq. was present on behalf of the Appointing Authority. Neither the Appellant nor a representative were present.

A motion was made by Member Snauffer, seconded by Vice Chair Tracy, to direct the Chair to sign the findings with corrections to page

1. The motion was carried by the following vote:

Aye: 3 - Chairperson McDonald, Vice Chair Tracy and Board Member Snauffer

4. New Business

- A.** Schedule Meeting(s) to Conduct a Public Employee Discipline Appeal Hearing [Pursuant to Fresno Municipal Code Section 3-284]

The Appointing Authority was not present, but was represented by Jennifer DeRuosi, Deputy City Attorney. The Appellant was not present, but was represented by Marina Magdaleno, Business Representative, Local 39. A hearing was scheduled for March 15, 2017 at 9:00am.

- B.** Schedule Meeting(s) to Conduct a Public Employee Discipline Appeal Hearing [Pursuant to Fresno Municipal Code Section 3-284]

The Appointing Authority was not present, but was represented by Jennifer DeRuosi, Deputy City Attorney. The Appellant was present, and his representative, Heather Phillips, Esq., was not, but had provided dates of availability to Ms. DeRuosi. A hearing was scheduled for May 17, 2017 at 9:00am.

5. Hearing on Disciplinary Appeal

Deputy Chief Robert Nevarez was present on behalf of the Appointing Authority and was represented by Deputy City Attorney Jennifer DeRuosi. The Appellant was present and was not represented.

Witnesses were sequestered and the reading of the Order was waived by the parties.

Witness testimony was heard and breaks were taken as needed.

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

At 11:41am, following summaries and closing remarks from the parties, the Board convened into executive session to deliberate the matter.

At 12:37pm, the Board reconvened into closed session and voted on the charges as read by Stephanie Martinez, Acting Secretary Designee.

The charge of violation of Fresno Municipal Code Section 3-286(a) as set forth in the Order was sustained on a 3-0 vote.

The charge of violation of Fresno Municipal Code Section 3-286(b) as set forth in the Order was sustained on a 3-0 vote.

The charge of violation of Fresno Police Department Policy 703.1 as set forth in the Order was sustained on a 3-0 vote.

A motion was made by Vice Chair Tracy, seconded by Member Snauffer, to uphold the decision of the Appointing Authority. The motion was carried out by the following vote:

Aye: 3 - Chairperson McDonald, Vice Chair Tracy and Board Member Snauffer

The hearing began at 9:44am.

- A.** Closed Session - Continued Public Employee Discipline/Dismissal/Release [Pursuant to Government Code Section 54954]

At 12:40pm, the Board convened into open session and the decisions of the Board were announced in accordance with the Brown Act.

6. Unscheduled Public Communications

None.

7. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 12:44pm.