



**Career Service Board Meeting #2287**  
**Minutes**  
**Thursday, May 5, 2016, 5:00 p.m.**  
**Webb Municipal Building**  
**201 W. Colfax Ave, Fourth Floor, Room 4.G.2**

**Patti Klinge**  
**Neil Peck**  
**Derrick Fuller**

**I. Opening:** *Meeting called to order at 5:09 p.m.*

- 1. Approval of the Agenda for the May 5, 2016 Board Meeting.**  
*The Board unanimously approved the agenda for the May 5, 2016 meeting.*
- 2. Approval of the Minutes for the April 21, 2016 Board Meeting.**  
*The Board unanimously approved the minutes for the April 21, 2016 meeting.*

**II. Board Comments:**

*Neil Peck nominated Patti Klinge to serve as Board Co-Chair as a result of the recent resignation of Board Chair, Colleen Rea. The Board unanimously approved the nomination of Patti Klinge to Co-Chair.*

**III. Public Comments:** *None.*

**IV. Public Hearing:**

- 1. Classification Notice No. 1518 – Recreation Facility Assistant, Recreation Aide (Abolishment)**  
  
*Alena Duran, Classification and Compensation Analyst from the Office of Human Resources, presented Classification Notice No. 1518 to the Board.*  
  
*Ms. Duran proposed the abolishment of the Recreation Aide and Recreation Facility Assistant classifications because they are currently vacant and are no longer needed by the Department of Parks and Recreation.*  
  
*The Board unanimously approved Classification Notice No. 1518.*
- 2. Classification Notice No. 1519 – Aviation Program Manager**  
  
*Blair Malloy, Senior Classification and Compensation Analyst from the Office of Human Resources, presented Classification Notice No. 1519 to the Board.*  
  
*Ms. Malloy proposed a new classification of Aviation Program Manager at a pay grade of 819E (\$100,363 - \$160,581). Ms. Malloy said the classification is needed for complex program management functions and to oversee multiple large-scale, multi-disciplinary programs with airport and citywide impact.*  
  
*The Board unanimously approved Classification Notice No. 1519.*
- 3. Classification Notice No. 1520 – Deputy Manager**  
  
*Blair Malloy presented Classification Notice No. 1520 to the Board.*

*Ms. Malloy recommended a new classification of Deputy Manager at a pay grade of 821A (\$122,784 - \$196,454). Ms. Malloy said the new classification will allow large departments to better attract and retain employees at the executive level.*

*The Board unanimously approved Classification Notice No. 1520.*

4. Public Hearing Notice No. 519 – Proposed Revision of Career Service Rule 19-45A (Discovery and Subpoenas)

*Pete Garritt, HR Supervisor from the Office of Human Resources, and Karla Pierce, Assistant City Attorney, presented Public Hearing Notice No. 519 to the Board.*

*Mr. Garritt explained that the request for this rule change came from the Office of the Independent Monitor (OIM) and the Executive Director of the Department of Safety. The purpose of the change is to address problems that have arisen with discovery requests in appeals of discipline imposed on uniformed members of the Denver Sheriff's Department. The proposed changes are intended to clarify the applicability of certain evidentiary privileges to Career Service hearings.*

*Board member Patti Klinge asked if any input was provided by the Career Service Hearings Officers for this proposed rule change.*

*Mr. Garritt said no discussion was held with the Hearings Officers, but that they were provided the original draft as well as the public hearing notice.*

*Board member Neil Peck asked for further clarification of the need for the proposed change.*

*Ms. Pierce and Nicholas Mitchell, Monitor from the OIM, provided further explanation as to why the proposed change is needed.*

*Public hearing speaker Mike Jackson, President of the Denver Sheriff's Department Lodge 27 of the Fraternal Order of Police, said the proposed rule is disturbing due to the Sheriff's Department's recent efforts for more transparency. He said he believes anything documented by the OIM can be helpful in an investigation. As a result, he feels this information should be available to the Hearings Officers and they can determine what is or is not relevant in a case.*

*Public hearing speaker Steve Koch, Deputy Sheriff Sergeant with the Denver Sheriff's Department, also expressed a concern with the proposed rule change. He pointed out that the proposed change covers all documents prepared by the OIM, but does not address the other parties mentioned in the Denver Revised Municipal Code (DRMC). For the purpose of mirroring the deliberative process privilege requirements, he asked that the scope of exclusion be reduced with regard to materials that are not discoverable or admissible. He also recommended that the scope be expanded to include all of the parties mentioned in the DRMC.*

*The proposed rule change was further discussed with specific emphasis on the language.*

*The Board deferred their decision regarding Public Hearing Notice No. 519 in order to wait for additional clarifying language to be added to the proposed rule change.*

5. Public Hearing Notice No. 520 – Proposed Revision of Career Service Rules 10 (Paid Leave) and 11 (Unpaid and Extended Leave)

*Pete Garritt presented Public Hearing Notice No. 520 to the Board.*

*Mr. Garritt said that the proposed changes were largely focused on formatting and structure. He explained each change to rules 10 and 11 and reviewed rule 12 which is newly created and applies to leave for extended illnesses and injuries, a topic previously covered by rules 10 and 11.*

*The Board unanimously approved Public Hearing Notice No. 520.*

**V. Director's Briefing:** *None.*

**VI. New Cases:**

1. Frank Espinoza v. Department of Safety, Denver Sheriff's Department, Appeal No. 42-15.  
*The Career Service Board deferred their decision on the case.*
2. Marion Stewart v. Denver Sheriff's Department, Consolidated Appeals 38-15 and 60-15.  
*The Career Service Board granted a motion to stay, written order to follow.*
3. Franklin Gale v. Department of Safety, Denver Sheriff's Department, Appeal No. 02-15A  
*The Career Service Board granted the agency's unopposed motion for a ten-day extension to file response brief, written order to follow.*

**VII. Pending Cases:** *None.*

**VIII. Executive Session:**

*The Board went into executive session at 6:16 p.m. to discuss cases and staffing matters.*

*The Board re-convened the meeting at 6:42 p.m.*

**IX. Adjournment:** *Adjournment was at 6.42 p.m.*