



**MARCH 16, 2009
APPROVED MINUTES
ADJOURNED MEETING
SUNNYVALE PERSONNEL BOARD**

The Personnel Board met in the City Council Chambers, 456 W. Olive Avenue. The meeting was called to order at 5:08 p.m. with Judith Nickey presiding.

ROLL CALL

Present: Branden Fryer, Werner Gans, Glenn Hendricks
Judith Nickey, Stephanie Saprai

Staff: Erwin Young, Director of Human Resources

Also Present: Marc Hynes, Attorney for Personnel Board
Rebecca Moon, Assistant City Attorney, Counsel for the City of Sunnyvale

APPEAL OF DISCIPLINARY ACTION BY PSO CHRISTOPHER KASSEL

The Personnel Board began closed deliberations at 5:17 pm in the West Conference Room regarding the APPEAL OF DISCIPLINARY ACTION BY PSO CHRISTOPHER KASSEL.

The Board reconvened to open session at 6: 27 pm. And Chairperson Nickey read the following decision by the Personnel Board.

The Personnel Board believes that PSO Kassel reacted in an instinctive manner when he pushed off Lt. LaFavre after LaFavre ran into PSO Kassel in a dark and narrow hallway shortly after waking up at 4 a.m. We further believe that the whole incident was an accident and that there was no malice involved. As a result, the Board believes that all sanctions against PSO Kassel be rescinded, including the 30 day suspension with full restitution of any pay loss, reassignment to all of the specialty and collateral assignments previously held, credit or reimbursement for the vacation time that PSO Kassel had to use to defend himself.

It was moved by member Hendricks and seconded by member Saprai to adopt the decision stated above. All members voted aye.

Personnel Board Attorney Marc Hynes indicated he would prepare a formal written decision to be adopted by the Personnel Board at their next regular meeting.

ADJOURNMENT

Meeting adjourned at 6:30 pm.

Respectfully submitted,