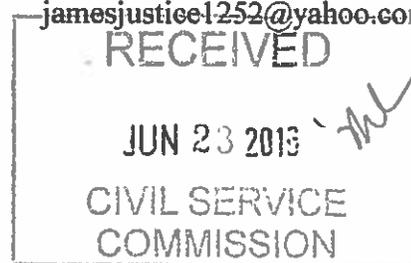


ITEM 6 + 7

From: Mr. Jaime A. Arellano, Jr.
Retired Mass Transit City Sun
Metro Bus Driver and President
Our Struggle for Survival and
Justice Committee

June 23, 2016
10837 Obsidian
El Paso, Texas, 79924
915-821-1833

jamesjustice1252@yahoo.com



To: Mr. Robert Bowling, IV, CSC Chair
Mr. Antonio C. Williams, CSC Vice Chair
Ms. Amy Ross, CSC Secretary
Ms. Mary Holguin, CSC Recorder

Re: Discussion and action on a CSC item for the CSC meeting on July 14, 2016, involving the following:

1. The level of authority and power of the CSC secretary, Ms. Amy Ross, on placing items on the CSC Agenda meetings, and denying and blocking to place items already submitted for discussion and action, making decisions for the whole commission.
2. The decision making authority granted to the CSC Secretary, Ms. Amy Ross, in determining, which item should be placed in the CSC Agenda, and which item does not meet the criteria or consideration to be place in the agenda basing the overall logic and judgement solely on the CSC Secretary Ms. Amy Ross, own judgement and free will.

Mr. Bowling, CSC Chair, Mr. Antonio C. Williams, CSC Vice Chair, Ms. Amy Ross, CSC Secretary, and Ms. Holguin, CSC Recorder:

The main general purpose on this matter, is to request to place this item on the CSC agenda for the CSC meeting on July 14, 2016, for discussion and action.

The reference and supporting facts and documentation on this matter includes the following supportive and reinstating facts:

1. Rule 1 of the CSC section 2-C, which states the following: the CSC Secretary should receive all requests from members of the public or groups who seek in writing to address the commission and place those matters on the commission agenda.
2. Civil Service Commission by laws article XIV placing items on agenda.

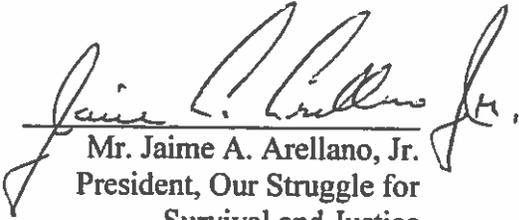
1. The secretary shall prepare the agenda for all meetings of the commission, and shall receive all requests from members of the public or groups who seek in writing to address the commission and place those matters on the agenda as soon as practicable, taking into account the urgency of the request.

3. Section 6.1, Civil Service Commission 6.1-2 functions and duties of the Civil Service Commission

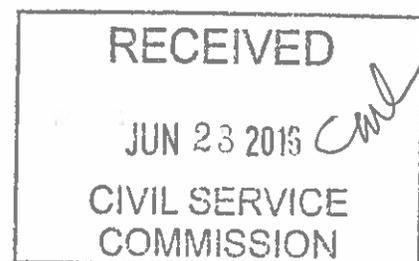
C. Hear and determine appeals or complaints as may be further prescribed in the rules.

Therefore, in conclusion, I am seeking a full clarification, reactiveness, and favorable consideration on this matter from the commission.

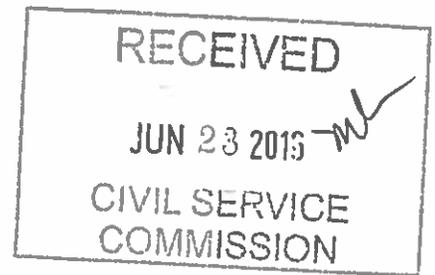
Respectfully Submitted,


Mr. Jaime A. Arellano, Jr.
President, Our Struggle for
Survival and Justice
Committee

CC: Ms. Elizabeth Ruhmann, CSC Asst. City Attorney



RULE 1
Civil Service Commission



Section 1. Appointment.

At such time as vacancies occur in the Civil Service Commission, City Council, will, in accordance with Article III, Section 3.7B of the City Charter, appoint such members as are required to fill Commission vacancies. (Amended 6/21/94; 7/31/07)

Section 2. Officers.

a. Chair. The Chair shall be elected from the Commission by majority vote. The Chair shall preside over all meetings of the Commission; call the meetings to order at the time they are scheduled to convene; ensure that a quorum is present; put to vote all motions that are in order; initiate general consent when appropriate; recognize Commissioners and others present at the meeting who desire to speak; enforce such statutory provisions and rules affecting the Commission's meetings, including rules of debate; maintain order and decorum; rule on parliamentary inquiries, points of order, and any other motions that require action by the Chair; appoint committees of the Commission as needed, and perform such other duties as naturally inhere in that office. When, in the judgment of the Chair, it is necessary to limit the time that members of the public may address the Commission, he shall impose reasonable time limits to ensure economy of time while allowing those who wish to address the Commission adequate opportunity to voice their views. (Amended 7/11/06)

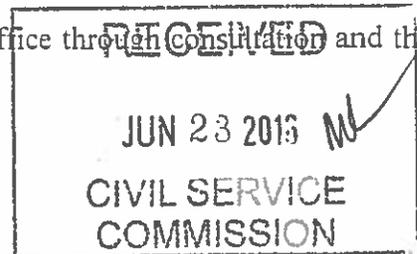
b. Vice Chair. The Vice-Chair shall be elected from the Commission by majority vote. The Vice-Chair shall enjoy the same duties as the Chair in the absence of the Chair or upon the inability or refusal of the Chair to exercise its duties, and shall be governed by the same constraints as the Chair.

c. Secretary. The Secretary, who need not be a member of the Commission, shall supervise the Commission recorder, and shall review and assist the Commission Recorder with the preparation of all minutes of Commission meetings, which minutes shall record the time and place of each meeting of the Commission, the names of those Commissioners present and absent, summaries of discussion on matters before the Commission and the votes given by the Commission, except when acts are unanimous. The Secretary will cause the minutes to be written and presented for approval or amendment. The minutes or a copy certified by the Chairman will be open to public inspection and filed with the Municipal Clerk in accordance with City ordinance. The Secretary shall also prepare the agenda for all meetings of the Commission and receive all requests from members of the public or groups who seek in writing to address the Commission and place those matters on the Commission's agenda as soon as practicable, taking into account the urgency of the request; sign all documents as required by statutory provisions or the Rules of the Commission; prepare reports as required by law, or these Rules and as otherwise directed by the Commission; post meetings of the Commission or its committees as required by law; require the assistance of the Director of Human Resources and Commission Recorder in the discharge of the duties specified in this paragraph; and perform such other duties as naturally inhere in that office. (Amended 7/31/07)

Section 3. Election.

The Chair and Vice-Chair will be elected at the regular meeting in February of each year, and will serve until their successor assumes the office. The Secretary is appointed by the Commission and serves at the pleasure of the Commission. In the event any officer's position becomes vacant for any reason, the Commission will immediately designate a replacement to serve the unexpired portion of the term. The

1. The Secretary of the Commission shall provide for the administrative staffing of the Commission which duties shall, at a minimum, include the following:
 - a. including maintaining all records of meetings, findings and determinations of the Commission;
 - b. assisting in all research activities undertaken by the Commission;
 - c. carrying out all functions assigned to or connected with the Commission;
 - d. representing the Commission as requested or when no other member is present at hearings of the City Council, as necessary.
2. The Secretary shall make available to the City Council and all other duly elected or appointed public officials, all records and recommendations undertaken by the Commission that are not confidential by law.
3. The Secretary shall assist members in performance of their office through consultation and the furnishing of information.



ARTICLE IX – Amendments

The Commission, by a majority decision of its voting members, may make, alter, or rescind these Bylaws at any regular meeting, after fourteen (14) days written notice to the voting membership.

ARTICLE X – Conduct

Although not adopted as the Rules of the Commission, Robert’s Rules of Order may be considered as advisory authority unless otherwise provided for in these Bylaws, the City Charter and/or Civil Service Rules and Regulations.

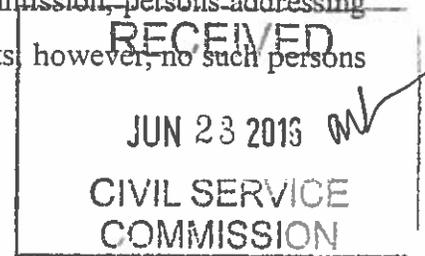
ARTICLE XI – Decorum and Debate

1. When a member desires to speak or make a motion, he/she shall address himself/herself through the Chair. Upon being recognized by the Chair, he/she may address the membership.
2. When more than one member addresses the Chair, the Chair shall name the person who is to speak, recognizing the person who first addressed the Chair.
3. No member shall interrupt another, except to call to order or to correct a mistake.
4. Personal attacks are not permitted.

CSC BYLAWS

mean it is permissible to "mark all" or to sign up for every item "just in case" they wish to speak when the discussion on an item takes place.

7. At the time that an agenda item is taken up for consideration, the Secretary shall advise the Chair whether persons in the audience have signed up to ask a question regarding an item posted on the agenda. The Chair shall have the floor and may ask the Secretary to call those individuals up to the podium to hear their questions. At that time, the Secretary will announce the agenda item number and call the person to the podium. The Chair may request the Secretary or other staff to respond to the questions raised by the members of the public.
8. No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.
9. Personal attacks are not permitted. Members of the public should address their questions to the Commission, not to the staff. The Commission may in turn ask staff to provide input.
10. Members of the public may be asked to leave or be removed from the meeting if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer.
11. During the discussion of matters of public hearing before the Commission, ~~persons addressing~~ the Commission may ask questions and make appropriate comments, ~~however, no such persons~~ shall argue an issue with members of the Commission or staff.



ARTICLE XIII – Ex Parte Communications

Pursuant to the Civil Service Rules and Regulations, no Commission member shall communicate, either directly or indirectly, with any person concerning a contested disciplinary or grievance case which is pending before the Commission. If a Commission member receives an ex parte communication concerning a pending, contested matter, such communication shall be disclosed at the next meeting of the Commission. A notation of the substance of the communication and the identity of the individual(s) making the communication shall be made a part of the minutes of the meeting.

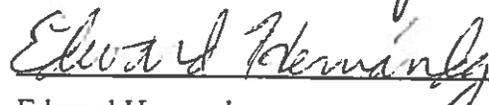
ARTICLE XIV – Placing Items on Agenda

1. The Secretary shall prepare the agenda for all meetings of the Commission, and shall receive all requests from members of the public or groups who seek in writing to address the Commission

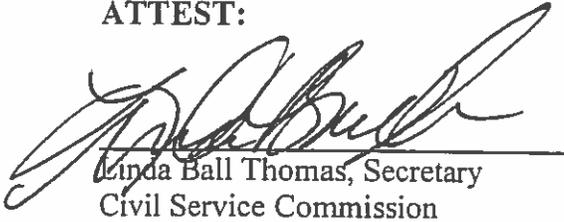
and place those matters on the agenda as soon as practicable, taking into account the urgency of the request.

2. The placement on the Agenda of an item that has been previously heard and acted upon by the Commission at a prior meeting may only be discussed and acted upon again at a subsequent meeting upon majority vote of the Commission members to rehear the item. Alternatively, the repeated Agenda item may be deleted by majority vote of the Commission members.

ADOPTED BY THE EL PASO CIVIL SERVICE COMMISSION, AT A MEETING OF ITS MEMBERS CURRENT THROUGH THIS 12th DAY OF February, 2015.

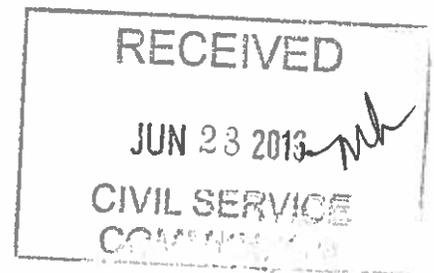

Edward Hernandez, Chair

ATTEST:

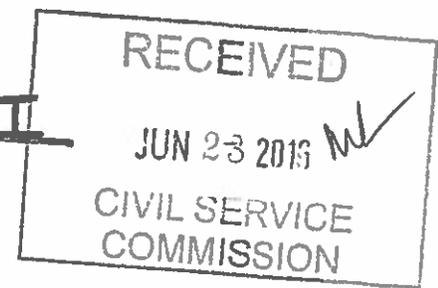

Linda Ball Thomas, Secretary
Civil Service Commission

APPROVED AS TO FORM:


Elizabeth M. Ruhmann
Assistant City Attorney



CITY CHARTER - ARTICLE VI



Section 6.1 - CIVIL SERVICE COMMISSION.

Section 6.1-1 - GENERAL.

The Civil Service system exists to ensure a personnel system that is based solely on merit. The Civil Service Commission of El Paso exists for the purposes of overseeing the City's Civil Service system, the purpose of which is to ensure fairness, economy and efficiency in the selection process and personnel system created for the classified employees, and performing the duty of hearing grievances by or against classified employees. The Commission shall establish its own procedures within the framework of this Charter to carry out these functions.

Section 6.1-2 - FUNCTIONS AND DUTIES OF THE CIVIL SERVICE COMMISSION.

Special meetings shall be held as required for the proper discharge of the duties of the Commission, due notice having been given. Five members of the Commission will constitute a quorum. It shall be the duty of the Commission to:

- A. Recommend to the Council:
 - 1. Adoption of Rules for the administration of the Civil Service provisions of this Charter, and
 - 2. Thereafter, appropriate amendments.
- B. Investigate matters concerning the enforcement and effect of the Civil Service provisions of this Charter in the manner prescribed by the Rules or by established Commission procedure.
- C. Hear and determine appeals or complaints as may be further prescribed in the Rules.
- D. Oversee the Civil Service provisions of this Charter ensuring fair and equitable treatment of all persons coming before the Commission.
- E. Appoint hearing officers.

Section 6.1-3 - APPOINTMENT.

The Commission shall consist of nine persons appointed by the Council. All members serving on the Commission when this amendment takes effect will continue to serve until their terms of office expire. Appointments shall be for three-year terms, provided however, the terms of all members as established on the effective date of this amendment shall be extended such that all terms shall end on January 31st of the next-following year, as applicable. All terms thereafter shall commence on February 1st. Commissioners serving consecutive terms shall be limited to two full successive three-year terms, regardless of the date of their original appointments. No person may serve as a member on the Commission for more than a total of ten years throughout their lifetime and no person may be appointed as a member on the Commission if, serving out the full length of the term to which they would be appointed would result in the person having more than a total of ten years of lifetime service. The one-time extension of a term under this section to provide for the uniform termination and commencement dates of the terms shall not be included in the calculation of the lifetime service of a member of the Commission.

Section 6.1-4 - QUALIFICATIONS.

Members of the Commission must be residents of the City at the time of their appointment and remain a resident of the City throughout their term of office. No Commissioner shall be related in any manner described in Article III, Section 3.3 B to any employee of the City, the Public Service Board, or any entity that has a contract with the City to operate or manage any City facility or department, nor hold any salaried public office or other employment compensated by the City, and any violation of this provision shall be deemed malfeasance in office and cause for removal therefrom. At least two Commissioners must hold or have retired from positions other than managerial or professional. No more than three Commissioners may be former city employees, and any such Commissioners are not eligible