ITEM 1

MINUTES

FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING, JULY 10, 2014, CITY COUNCIL CHAMBERS 300 NORTH CAMPBELL – 1ST FLOOR

All matters listed under the Consent Agenda below will be considered by the Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Commission or persons in the audience request specific items be removed from the Consent agenda to the Regular Agenda for discussion prior to the time the Commission votes on the motion to adopt the Consent Agenda.

Members Present: Karlsruher, Eileen – Vice Chair
Bautista, Jesus
Dominguez, Ricardo
Gezelius, Kenneth
Hernandez, Edward
Ramirez, Terry

Members Absent: Pleters, Michael
Viescas, Cora

Meeting convened at 6:00 p.m. with five Commissioners present and Vice Chair Karlsruher presiding. Vice Chair Karlsruher asked CSC Secretary Linda Ball Thomas if there were any changes to Agenda. Ms. Thomas stated there were no changes to consent agenda.

CONSENT AGENDA

1. Approval of Minutes:

June 12, 2014 Civil Service Commission Meeting

MOTION TO APPROVE CONSENT AGENDA MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER BAUTISTA AND PASSED WITH COMMISSIONER DOMINGUEZ ABSTAINING.

REGULAR AGENDA

2. Discussion and Action on Approval of Hearing Officer's Report and Recommendation:

A. George R. Villarreal – Public Health – Suspension

Discussion by Appellant George Villarreal, Assistant City Attorney Linda Samples, CSC Hearing Officer William Ellis, CSC Assistant City Attorney Elizabeth Ruhmann, and Commissioners Gezelius, Bautista.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION UPHOLDING DISCIPLINE AND MODIFYING SANCTION BY SETTING ASIDE 10-DAY SUSPENSION AND REMANDING THIS MATTER TO THE DEPARTMENT DIRECTOR FOR FORMAL COUNSELING MADE BY COMMISSIONER RAMIREZ AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

B. Antonio Leon – Sun Metro - Termination

Discussion by Appellant's Representative Jaime A. Arellano, Jr.,Vice Chair Karlsruher, Assistant City Attorney Linda Samples, Commissioners Hernandez, Bautista, Dominguez, Ramirez, Director Sun Metro Jay Banasiak, Assistant Director of Operations Lloyd Williams, CSC Assistant City Attorney Elizabeth Ruhmann, and Appellant Antonio Leon.

MOTION TO OVERRULE HEARING OFFICER'S RECOMMENDATION "TO TERMINATE EMPLOYEE FOR HAVING HIS PERSONAL MOBILE PHONE POWERED "ON" AND ANSWERING IT WHILE SEATED IN THE DRIVER'S SEAT OF A BUS, IN VIOLATION OF THE POLICY. THEREFORE, RECOMMENDS LEON'S TERMINATION FOR VIOLATION OF THE POLICY BE UPHELD" TO REINSTATE EMPLOYEE WITH BACK PAY AND BENEFITS MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER DOMINGUEZ AND PASSED BY A VOTE OF 3 TO 2.

AYES: RAMIREZ, DOMINGUEZ, BAUTISTA
NAYES: GEZELIUS, HERNANDEZ

MOTION TO MOVE TO EXECUTIVE SESSION FOR ITEM 3 MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER BAUTISTA AND UNANIMOUSLY PASSED.

Executive session convened at 7:40 p.m.

The Civil Service Commission may retire into Executive Session pursuant to Civil Service Commission Rule 1, Section 11(a) and the Texas Government Code, Section 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Commission may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.). The Commission will return to open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.074 PERSONNEL MATTERS

MOTION TO RECONVENE TO OPEN SESSION MADE BY COMMISSIONER GEZELIUS AND SECONDED BAUTISTA AND UNANIMOUSLY PASSED.

Reconvened to open session at 7:50 p.m.

3. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule :8.5 and City's Application Policy:

Victor Martell – Truck Driver

1ST MOTION TO DENY APPEAL MADE BY COMMISSIONER GEZELIUS MOTION FAILS FOR LACK OF SECOND.

2ND MOTION TO APPROVE APPEAL MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER DOMINGUEZ AND PASSED BY A VOTE OF 4 TO 1.

AYES: RAMIREZ, DOMINGUEZ, BAUTISTA, HERNANDEZ
NAYES: GEZELIUS

MOTION TO ADJOURN MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER HERNANDEZ AND UNANIMOUSLY PASSED.

MEETING ADJOURNED AT 7:51 P.M.

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Eileen Karlsruher, Vice Chair

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Linda Ball Thomas, C.S.C. Secretary

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Date Approved