ITEM 1

# MINUTES

## FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING, AUGUST 15, 2013, CITY COUNCIL CHAMBERS 300 N. 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:

Pleters, Michael – Chair
Bautista, Jesus
Dominguez, Ricardo
Gezelius, Kenneth
Hernandez, Edward
Karlsruher, Eileen
Ramirez, Terry
Turner, Marcia
Viescas, Cora

Meeting convened at 6:05 p.m. with 8 Commissioners present and Chair Pleters presiding. Chair Pleters asked CSC Secretary Linda Ball Thomas if there were any changes or additions to Agenda. Ms. Thomas stated that there were some changes that on Item 6 and 7 Mr. Blumenfeld had asked if he could be interview next month due to death in family. Ms. Thomas requested that Item 8 be moved up before Item 4. Late arrival by Commissioner Viescas at 6:10 p.m. Early departure by Commissioner Turner at 7:15 p.m.

## CONSENT AGENDA

1. Approval of Minutes:

   July 11, 2013 Civil Service Commission Meeting

2. Notation: Assignment of Hearing Officers to the Following Appeals

   A. Alejandro Campos-Sun Metro-Termination-Patricia Palafox
   B. Lucinda Chavez-Public Health-Suspension-William Ellis
   C. Gregory Walter-Parks & Recreation-Suspension-Patricia Palafox

3. Notation: Amendments to Human Resources policies and procedures that were removed from Ordinance 8065 (Civil Service Rules and Regulations) and placed into personnel policies following the March 6, 2012 amendments to Ordinance 8065.

   A. Application Policy
   B. Certification Policy
   C. Classification Policy
   D. Conditions of Employment Policy
   E. Contact Information Policy

F. Examination Ratings Policy
G. Examination Standards Policy
H. Promotional Process Policy
I. Regular Part-time Employees Policy
J. Temporary Appointments Policy
K. Provisional & Temporary Appointments Policy
L. Working Out of Classification Policy

**MOTION TO APPROVE CONSENT AGENDA MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.**

## REGULAR AGENDA

4. Discussion and Action on Approval of Hearing Officer's Reports and Recommendations:

A. Leo Morales-Environmental Services-Termination (Postponed from 7/11/13)

Discussion by Appellant's Attorney Fernando Chacon, Commissioners Hernandez, Dominguez, Ramirez, Bautista, CSC Assistant City Attorney Elizabeth Ruhmann, Assistant City Attorney Daniel Ortiz, Chair Pleters, and Director Environmental Services Ellen Smyth.

**MOTION TO POSTPONE UNTIL NEXT MONTH'S CSC MEETING ON SEPTEMBER 12, 2013 MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER HERNANDEZ AND PASSED BY A VOTE OF 6 TO 2.**

AYES: RAMIREZ, DOMINGUEZ, GEZELIUS, BAUTISTA, HERNANDEZ, VIESCAS
NAYES: TURNER, KARLSRUHER

B. Sixto Pena- El Paso Water Utilities- Termination

Discussion by Appellant's Representative Jaime A. Arellano, Jr., Commissioners Bautista, Hernandez, Ramirez, Karlsruher, Dominguez, Turner, Chair Pleters, Assistant City Attorney Daniel Ortiz, and HR Departmental Manager EPWU Ana Sanchez.

**MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT SIXTO PENA'S TERMINATION BE SUSTAINED MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER TURNER AND PASSED BY A VOTE OF 5 TO 3.**

AYES: TURNER, DOMINGUEZ, GEZELIUS, KARLSRUHER, VIESCAS
NAYES: RAMIREZ, BAUTISTA, HERNANDEZ

*EARLY DEPARTURE BY COMMISSIONER TURNER AT 7:15 P.M.*

C. Alfredo Rodriguez- Sun Metro- Suspension

Discussion by Appellant's Representative AFSCME Local 59 David Ochoa, Commissioners Gezelius, Dominguez, Hernandez, Ramirez, Bautista, Viescas, Chair Pleters, Assistant City Attorney Daniel Ortiz and Sun Metro Director Jay Banasiak.

**MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT APPELLANT'S APPEAL BE DENIED AND THE DETERMINATION OF THE DIRECTOR BE UPHELD IN ALL RESPECTS MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER GEZELIUS AND PASSED WITH COMMISSIONER BAUTISTA ABSTAINING AND COMMISSIONER TURNER NOT PRESENT.**

5. Discussion and Action on Renewal of Employment Contracts for Hearing Officers:

   A. Patricia Palafox
   B. William J. Ellis

**MOTION TO APPROVE RENEWAL OF CONTRACTS FOR HEARING OFFICERS PATRICIA PALAFOX AND WILLIAM ELLIS MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER DOMINGUEZ AND UNANIMOUSLY PASSED.**

6. Interview of Robert L. Blumenfeld for Position of Hearing Officer.

**MOTION TO POSTPONE INTERVIEW UNTIL NEXT MONTH'S CSC MEETING ON SEPTEMBER 12, 2013 MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER RAMIREZ AND UNANIMOUSLY PASSED.**

7. Discussion and Action on Offer of Employment to Robert L. Blumenfeld for Position of Hearing Officer.

**MOTION TO POSTPONE UNTIL NEXT MONTH'S CSC MEETING MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER RAMIREZ AND UNANIMOUSLY PASSED.**

8. Discussion and Action on proposed amendments to Ordinance 8065 (Civil Service Rules and Regulations) to amend various sections of Rule Nos. 2, 4, 5, 6, 8 and 10 to comport with the recent amendments to the Charter of the City of El Paso, Texas; to delete Rule No. 3 and mark as "Reserved;" to amend Rule No. 6 to correspond with City Personnel Policies; and to correct a Scrivener's Error in Rule 2.

Discussion by Commissioner Karlsruher and HR Director/CSC Secretary Linda Ball Thomas.

**MOTION TO APPROVE MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER TURNER AND PASSED WITH COMMISSIONER BAUTISTA ABSTAINING.**

**MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.**

**Executive session convened at 7:50 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 BAUTISTA AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.**

**Reconvened to open session at 8:03 p.m.**

9. 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 5.1.(b):

   Esparza, Christian A. – General Services Lead Worker

**MOTION TO APPROVE MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIESCAS AND UNANIMOUSLY PASSED.**

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

**MEETING ADJOURNED AT 8:05 P.M.**

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**Michael Pleters, Chair**

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**Linda Ball Thomas, C.S.C. Secretary**

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**Date Approved**