MINUTES

FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING, FEBRUARY 12, 2009, CITY COUNCIL CHAMBERS #2 CIVIC CENTER PLAZA – 2ND 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: Boureslan, Ali – Chair
Graham, Elijah
Karlsruher, Eileen
Medina, Larry M.
Pleters, Michael
Sustaita, Jessie
Viescas, Cora

MEMBERS ABSENT: Brannon, Edith
Chacon, Fernando

The meeting convened at 6:03 p.m. with six Commissioners present and Chair Boureslan presiding. Chair Boureslan asked CSC Secretary Linda Thomas if there were any changes to Agenda. Ms. Thomas stated there were no changes.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

   January 8, 2009

2. Notation- Assignment of Hearing Officers to the following Appeals:

   A. Martin Urueta- Health Department- Suspension- William Ellis
   B. Christopher Reaves-Fire Department- Suspension- Patricia Palafox

3. Notation- Termination Appeals Withdrawn:

   A. Fernando Najera – Sun Metro – Termination – Patricia Palafox
   B. Juan M. Lopez – Streets – Termination – William Ellis
   C. Martin Valverde – Environmental – Termination - William Ellis

MOTION TO APPROVE CONSENT AGENDA MADE BY COMMISSIONER GRAHAM AND SECONDED BY COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.

REGULAR AGENDA

4. Discussion and Action on Proposed Changes to Ordinance 8064, Classification and Compensation, in its entirety. (Postponed from 1/8/09 CSC Meeting)

Discussion by El Paso City Employees Association, David Ochoa, Chair Boureslan, HR Director Linda Thomas, Commissioner Graham, City Manager Joyce Wilson, and Assistant City Attorney John Batoon. Further discussion by Commissioner Graham, City Manager Joyce Wilson, Assistant City Attorney John Batoon, Chair Boureslan, and EPMEA, David Ochoa.

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

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

Martin Urueta – Suspension – Health Department

Discussion by Appellant's Attorney, David Hilles, Chair Boureslan, and Assistant City Attorney Audrey Hare.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT THE 3 DAY SUSPENSION BE SUSTAINED MADE BY COMMISSIONER GRAHAM AND SECONDED BY COMMISSIONER VIESCAS AND UNANIMOUSLY PASSED.

5. 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, Section 1.d.1:

Mendoza, Bertha A. – Marketing and Customer Relations Coordinator

Discussion by Commissioner Graham, Chair Boureslan, and HR Manager Peter Fargo.

MOTION TO DENY MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED.

Executive session convened at 6:35 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 RETURN FROM EXECUTIVE SESSION MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED.

Reconvened to open session at 7:07 p.m.

6. 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 8.1.d.2:

   Welker, Michael E. – Zoo Keeper

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

7. 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 12 Section 9:

   Rios, Teresa – Public Health Specialist

FIRST MOTION TO APPROVE MADE BY COMMISSIONER GRAHAM AND SECONDED BY COMMISSIONER SUSTAITA. FIRST MOTION FAILS BY SPLIT VOTE OF 2 TO 4.

AYES: SUSTAITA, GRAHAM
NAYES: MEDINA, PLETERS, KARLSRUHER, VIESCAS

SECOND MOTION TO DENY MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY SPLIT VOTE OF 4 TO 2.

AYES: MEDINA, PLETERS, KARLSRUHER, VIESCAS
NAYES: SUSTAITA, GRAHAM

8. 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 13 Section 5.B:

   Paz, Mark – Zoo Keeper

Comments by Appellant Mark Paz.

MOTION TO APPROVE MADE BY COMMISSIONER VIESCAS AND SECONDED BY COMMISSIONER SUSTAITA AND PASSED BY A VOTE OF 5 TO 1.

AYES: SUSTAITA, GRAHAM, PLETERS, KARLSRUHER, VIESCAS
NAYES: MEDINA

MOTION TO ADJOURN MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

MEETING ADJOURNED AT 7:14 P.M.

Ali Boureslan, C.S.C. Chair

Linda Ball Thomas, C.S.C. Secretary

3/12/09

Date Approved