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**MINUTES FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION
HELD AT 6:00 P.M., THURSDAY EVENING, MARCH 24, 2005
CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA – 2ND FLOOR**

MEMBERS PRESENT: Ellis, William
Graham, Elijah
Harris, Alvin
Martinez, Ramy
Peña, Andrew
Ruck, Lance – Chair
Schwartz, Elma

MEMBERS ABSENT: Berube, Paul

ALSO PRESENT:

Amato, Philip	Holguin, Minnie - Human Resources
Bond, Terry – CSC Secretary/HR Director	Loweree, Fred - El Paso Water Utilities
Buening, Rosy – CSC Recorder	Ortiz, Martin
Cuellar, Lupe – Assistant City Attorney	Smyth, Ellen - Solid Waste Management
Dunavant, Pete – Parks & Recreation	Thomas, Linda - Human Resources
Fargo, Peter - Human Resources	Wilson, Joyce – City Manager
Hengen, Elain – Assistant City Attorney	

The meeting convened at 6:08 p.m. with a quorum of 6 Commissioners present and Chair Ruck presiding.

CONSENT AGENDA

Ms. Bond requested that Items 1A and 1B be tabled. She also made a correction to Item 14 saying that the title should be a II instead of a I.

MOTION TO APPROVE THE CONSENT AGENDA WITH THE MODIFICATIONS MADE BY COMMISSIONER MARTINEZ, SECONDED BY COMMISSIONER HARIRIS AND UNANIMOUSLY PASSED.

1. Discussion and Action on Approval of Minutes:

- A. February 24, 2005
- B. March 10, 2005
- C. March 10, 2005 Special Meeting

2. Discussion and Action on Approval of Contracts:

A. Personal Services Contract with Mark M. Alvarado to perform the duties of Neighborhood Initiatives Liaison from May 14, 2005 through May 13, 2006, for the Office of the City Manager.

B. Personal Services Contract with Ellen Smyth to perform the duties of Environmental Services Director from March 30, 2005 through March 29, 2006, for the Office of the City Manager.

C. Two (2) Personal Services Contracts with Kimberly McCarden and Orlando Cedillo to perform the duties of Museum Development Assistant from March 31, 2005 through March 30, 2006, for the El Paso Museum of Art.

D. Undergraduate Intern Contract with Valeria Zepeda from March 28, 2005 through March 27, 2006, for Human Resources.

3. Discussion and Action on Approval of Applications for Outside Employment:

- | | |
|---------------------------------|--------------------------|
| B. Acosta-Vanessa-Police | F. Diaz-Orlando-Police |
| C. Anchieta-Jose-Fleet Services | G. Flores-Daniel-Police |
| D. Chavez-Luz-Fire | H. Fonseca-Adrian-Police |
| E. Clerk-Darryn-Police | I. Gallardo-Jose-Police |
| | J. Garcia-Juan-Police |

K.	Hernandez-Isaac-Police	T.	Perez-Patricia-Police
L.	Hernandez-John-Police	U.	Redd-Dennis-Fire
M.	Hernandez-Jose-Mass Transit	V.	Reyes-Jaime-Police
	Hicks-Deanne-Police	W.	Saiz-Ted-Police
	Holguin-Steven-Police	X.	Sanchez-Julio-Police
	Lozano-Pedro-Police	Y.	Stokes-Sarah-Police
	Lucero-Ramon-Police	Z.	Valero-Dave-Fire
	Martinez-Michael-Police	AA.	Zamora-Ana-Librar
	Montes-Ricardo-Police		

4. Notice of Promulgation of Eligible Lists:

- A. Accountant IV (P-7)(O-3)
- B. City Internal Auditor (O-5)
- C. Fire Paramedic (P-1)
- D. Grants Planner (P-6)(O-7)

5. For Notation: Request to have appeal heard by Arbitrator:

Goroeeff, Martina – Suspension – Police Dept. (IA04-176)

6. Discussion and Action on request to assign pending appeal cases:

- A. Gallegos, Eduardo – Suspension – Solid Waste Management
- B. Granados, Irene – Termination – Solid Waste Management

7. Discussion and Action on request to have named placed on Transfer List:

- A. *Item Not Used*
- B. Juarez, Rebeca – Customer Relations Clerk – Building Permits & Inspections

o. Discussion and Action on Approval of Merit Increases in accordance with C.S.C. Guidelines:

A.	EPWU-Aguila, Jr., Raul-EPWU Labor Lead Worker II	WW.	EPWU-Navarrete, Marcela-EPWU Chief Finance Officer
B.	EPWU-Apodaca, Rocio-Senior Chemis	XX.	EPWU-Nolasco, Francisco-EPWU Wastewater Plant Asst Supt
C.	EPWU-Armendariz, Alex-EPWU Water Plant Tech II	YY.	EPWU-Ojeda, Jose-EPWU Plant Tech I
D.	EPWU-Arnal, Andrew-Plant Technician I	ZZ.	EPWU-Orozco, Xavier-Maintenance Mechanic II
E.	EPWU-Baeza, Marcus-EPWU Wastewater Plant Tech II	AAA.	EPWU-Ortiz, Abel-EPWU Wastewater Plant Asst Supt
F.	EPWU-Balliew, John-Water System Div Mgr	BBB.	EPWU-Parker, Michael-EPWU Plant Asst Supt
G.	EPWU-Barajas, Luis-Customer Svc Asst Mgr	CCC.	EPWU-Payan, Belia-EPWU Personnel Coordinator
H.	EPWU-Betancourt, Benito-EPWU Plant Tech I	DDD.	EPWU-Payne, Sally-Laboratory Technician II
I.	EPWU-Brosman, David-EPWU Chief Ops Officer	EEE.	EPWU-Perea, Carmen-Customer Relations Clerk
J.	EPWU-Byram, Gretchen-Education/Graphics Technician	FFF.	EPWU-Perez, Alberto-Trades Helper
K.	EPWU-Castillo, Luis-Engineering Tech IV	GGG.	EPWU-Pierce, Henry-EPWU Plant Tech I
L.	EPWU-Castner, Amy-Civil Engineer Associate II	HHH.	EPWU-Portillo, Mary-Clerk Typist II
M.	EPWU-Castro, Jr., Ralph -EPWU Labor Lead Worker II	III.	EPWU-Priego, Roberto-Sewage Collect. Maint. Supt
N.	EPWU-De Anda, Alma-Planning Tech III	JJJ.	EPWU-Quezada, Martin-Well Maintenance Worker I
O.	EPWU-Duran, Arturo-Accountant IV	KKK.	EPWU-Quijano, Arturo-EPWU Fleet & Bldg Maint Spvr
P.	EPWU-Esparza, Melissa A.-Information Entry Operator	LLL.	EPWU-Quinn, Jr., William-Wastewater Oper Control Analyst
Q.	EPWU-Espinoza, Saul-EPWU Plant Tech I	MMM.	EPWU-Rocha, Ruben-EPWU Labor Lead Worker II
R.	EPWU-Fahy, Michael-Planning & Development Mgr	NNN.	EPWU-Rodriguez, Oscar-Electronic Technician
S.	EPWU-Finlay, Irma-Accounting Clerk	OOO.	EPWU-Sanchez, Raul-EPWU Wastewater Plant Tech II
T.	EPWU-Fiore, Catherine-Contracts Development Mgr	PPP.	EPWU-Sema, Ediviges-Customer Relations Clerk
U.	EPWU-Fleming, John-EPWU Water Plant Tech II	QQQ.	EPWU-Stockard, Tom-Customer Svc Asst Mgr
V.	EPWU-Fuentes, Armando-Equipment Operator II	RRR.	EPWU-Tonche, Christopher-Customer Service Worker
W.	EPWU-Gardon, Hortencia-Budget Specialist	SSS.	EPWU-Torres, Carlos-Civil Engineer Associate II
X.	EPWU-Gomez, Jose-Meter Reader	TTT.	EPWU-Trillo, Jr., Jose-Sewage Lift Station Maint Spvr
Y.	EPWU-Gomez, Rosa-Secretary III	UUU.	EPWU-Valadez, Victor-EPWU Wastewater Plant Tech II
Z.	EPWU-Gonzalez, Jr., Hector-EPWU Plant Tech II	VVV.	EPWU-Walker-Hughes, Dawn-Customer Relations Rep.
AA.	EPWU-Gonzalez, Hector-Strategic Business Mgr	WWW.	EPWU-Wilcox, Richard-Quality Control and Assurance Chemist
BB.	EPWU-Gonzalez, Helen-Clerk III	XXX.	EPWU-Woo, Enrique1-Sewage Systems Div Mgr
CC.	EPWU-Gorham, Fred-Industrial Electrician	YYY.	Human Resources-Chavez, Guadalupe-Personnel Technician I
DD.	EPWU-Groh, Nancy-Clerk Typist III	ZZZ.	Human Resources-Sanchez, Ana-Personnel Analyst II
EE.	EPWU-Gutierrez, Jesus-Trades Helper	AAAA.	Human Resources-Villagomez, Maria-Clerk Typist II
FF.	EPWU-Guzman, Victor-Water Production Asst Supt	BBBB.	Solid Waste Mgmt-Betancourt, Rogelio-Refuse Collection Route Frmn
GG.	EPWU-Hervol, Joseph-EPWU Water Plant Tech II	CCCC.	Solid Waste Mgmt-Brown, Leroy-Refuse Collection Route Frmn
HH.	EPWU-Hood, Robert-EPWU Wastewater Plant Asst Supt	DDDD.	Solid Waste Mgmt-Cano, Alberto-Automated Refuse Coll Op
II.	EPWU-Huerta, Francisco-Building Maintenance Worker II	EEEE.	Solid Waste Mgmt-Carrasco, Emilio-Refuse Collection Route Frmn
JJ.	EPWU-Jones, Janet-Communications Dispatcher II	FFFF.	Solid Waste Mgmt-Carrizosa, Juventino-Refuse Coll Asst Rte Frmn
KK.	EPWU-Limon, Daniel-EPWU Labor Lead Worker II	GGGG.	Solid Waste Mgmt-Casas, Jesus-Welder
LL.	EPWU-Lisko-Apodaca, Paula-Administrative Asst	HHHH.	Solid Waste Mgmt-Chavarria, Alfredo-Automated Refuse Coll Op
MM.	EPWU-Lopez, Linda-Secretary II	IIII.	Solid Waste Mgmt-Chavarria, Tomas-Refuse Heavy Equip Op
NN.	EPWU-Luna, Jesus-Customer Service Worker	JJJJ.	Solid Waste Mgmt-Corona, Rafael-Refuse Collection Route Frmn
OO.	EPWU-Macias, Luis-Pipe Layer	KKKK.	Solid Waste Mgmt-Davila, Rodolfo-Refuse Collection Route Frmn
PP.	EPWU-Maldonado, Lilia-Accounting Technician	LLLL.	Solid Waste Mgmt-De La Rosa, Jr., Oscar-Vehicle and Equip Spvr
QQ.	EPWU-Martinez, Daniel-EPWU Plant Tech I	MMMM.	Solid Waste Mgmt-Dominguez, Richard-Solid Waste Ops Supt
RR.	EPWU-Mendoza, Martin-Water Meter Repairer II	NNNN.	Solid Waste Mgmt-Elizondo, Roberto-Automated Refuse Coll Op
SS.	EPWU-Montes, Ruben-EPWU Water Plant Tech II	OOOO.	Solid Waste Mgmt-Elorreaga, Aida-Secretary II
TT.	EPWU-Moreno, Jr., Manuel-EPWU Pretreatment Supervisor	PPPP.	Solid Waste Mgmt-Escobedo, Lorenzo-Refuse Collection Route Frmn
UU.	EPWU-Munoz, Ruben-Building Maintenance Worker I	QQQQ.	Solid Waste Mgmt-Garcia, Manuel-Automated Refuse Coll Op
VV.	EPWU-Myers, Eligio-EPWU Labor Lead Worker I	RRRR.	Solid Waste Mgmt-Gomez, Samuel-Sanitation Worker

SSSS. Solid Waste Mgmt-Gonzalez, Jesus-Refuse Coll Asst Rte Frmn
 TTTT. Solid Waste Mgmt-Guillen, Martha-Customer Relations Clerk
 UUUU. Solid Waste Mgmt-Juarez, Martha-Communication
 Dispatcher I
 VVVV. Solid Waste Mgmt-Lara, Michael-Automated Refuse Coll Op
 WWWW. Solid Waste Mgmt-Lopez, Ruben-Refuse Collection Route
 Frmn
 XXXX. Solid Waste Mgmt-Martinez, Arturo-Automated Refuse Coll Op
 YYYY. Solid Waste Mgmt-Mendoza, Samuel-Communication Dispatcher I
 ZZZZ. Solid Waste Mgmt-Montes, Gilberto-Refuse Collection Route Frmn
 AAAAA. Solid Waste Mgmt-Morales, David-Refuse Collection Div
 Spvr
 BBBB. Solid Waste Mgmt-Ortega, Maria-Refuse Collection Div Spvr
 CCCCC. Solid Waste Mgmt-Porras, Irma-Clerk Typist III

DDDDD. Solid Waste Mgmt-Pulido, David-Refuse Collection Route Frmn
 EEEEE. Solid Waste Mgmt-Rodriguez, Juan-Refuse Collection Route Frmn
 FFFFF. Solid Waste Mgmt-Rodriguez, Sergio-Refuse Collection Route Frmn
 GGGGG. Solid Waste Mgmt-Rosales, Jr., Manuel-Refuse Collection Route Frmn
 HHHHH. Solid Waste Mgmt-Ruiz, Alonso-Refuse Collection Div Spvr
 IIIII. Solid Waste Mgmt-Smith, Jr., Jimmy-Equipment Operator II
 JJJJJ. Solid Waste Mgmt-Sylvester, Kevin-Automated Refuse Coll Op
 KKKKK. Solid Waste Mgmt-Valadez, Carolina-Clerk Typist II
 LLLLL. Solid Waste Mgmt-Vallejo, Eduardo-Refuse Collection Div Spvr
 MMMMM. Solid Waste Mgmt-Vega, Armando-Automated Refuse Coll Op
 NNNNN. Solid Waste Mgmt-Villarreal, Genaro-Refuse Coll Asst Rte Frmn
 OOOOO. Solid Waste Mgmt-Zamorano, Guadalupe-Refuse Collection Route Frmn
 PPPPP. Solid Waste Mgmt-Zarazua, Ernesto-Refuse Coll Asst Rte Frmn

9. Discussion and Action on Request to Work Employee Out of Classification:

A. Acuña, Magda – Mass Transit (Extension)

Current: Clerk Typist III
 Proposed: Clerk III

B. Esparza, Daisy – Parks & Recreation

Current: Clerk Typist II
 Proposed: Clerk Typist III

10. Discussion and Action on Request for Extension of Eligible Lists for an additional six months:

- A. Administrative Analyst (through 09/26/05)
- B. Secretary I (through 11/24/05)

REGULAR AGENDA

11. Discussion and Action on amendment to Rule 1, Civil Service Commission, Section 10, Commission Recorder (Tabled 03/10/05).

Ms. Bond suggested postponing the item since Ms. Wilson was conducting an audit of the job duties of the CSC Recorder.

Commissioner Ellis said this didn't have anything to do with the duties of the Commission Recorder, it had to do with Rule 1, Section 10. He noted for the record that the references in the backup should read Secretary of the Commission instead of Human Resources Director.

Assistant City Attorney Lupe Cuellar said that at the last meeting they had reviewed the options as stated in the backup.

Commissioner Ellis stated that the words "other than termination" were inserted not to imply that the Secretary of the Commission would have the authority to terminate the Recorder but to emphasize what the Charter says and that is that the power to terminate the Recorder would vest only in the Commission itself.

Elaine Hengen, Assistant City Attorney, requested that this item be tabled per Ms. Wilson's request. She also asked the Commission to refer to the Charter and referred to the provision related to discipline which says it will be done by the appointing authority or the Department Head. Appointing authority is defined in the Charter as Mayor and Council. She believed that discipline, the job duties and supervision of the Recorder were all related and again asked that the item be postponed until all those issues could be brought forward at one time.

Commissioner Ellis asked what it meant if the Recorder serves at the pleasure of the Commission, then if one day it is no longer the pleasure of the Commission that the particular Commission Recorder continue in that capacity?

Ms. Hengen said she would presume the Commission could remove the Recorder for reasons that could or could not relate to discipline, she agreed that the Commission would terminate the Recorder.

Discussion.

Chair Ruck read Charter Section 6.2-3 verbatim which ended "may be removed by the City Manager, or by the Department Head with approval of the City Manager, except for hearing officers and the Commission Recorder who may be removed only by a majority vote of the commissioners, present and voting, based on a quorum of five.", and asked how they could overcome those words referring to Ms. Buenning as the Commission Recorder.

Ms. Hengen said that they didn't interpret removal to be the same thing as discipline and explained her reasons.

Chair Ruck asked if the City Manager wishes to postpone the item because they might be trying to revise the job specification since it was pointed out at a previous meeting that the job specification didn't allow duties other than those related to the Civil Service Commission?

Joyce Wilson, City Manager, stated that when they initially discussed this matter they discussed whether the Recorder duties by themselves constituted a full time job. She determined it would be appropriate to have a desk audit done and present the results at the following meeting. She assured the Commission that this would be done between now and the next meeting. She said that what prompted this also was whether or not the Recorder should be placed in another location and under another supervisor other than the Secretary of the Commission. She didn't object to the amendment approved tonight.

MOTION TO APPROVE THE PROPOSED AMENDMENT TO READ AS FOLLOWS MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GRAHAM AND PASSED BY A VOTE OF 5 TO 1.

"The Commission Recorder serves at the pleasure of the Commission. Disciplinary action, other than termination, may be taken against the Commission Recorder by the Secretary of the Commission only with the concurrence of two thirds of the Commission present and voting."

Ayes: Commissioners Peña, Graham, Martinez, Harris, Ellis

Nay: Commissioner Schwartz

12. Discussion and Action on Appeal of Performance Evaluation of:

Garcia, Victor H. – Coach Operator – Sun Metro

Chair Ruck assigned Commissioner Graham and himself to a committee to hear Mr. Garcia's appeal of his performance evaluation.

13. 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.1.:

Amato, Philip Frank – Police Sergeant

Mr. Amato was present. Chair Ruck read the specifics of Mr. Amato's disqualification. Mr. Amato stated that when he was filling out the application, his error was that when he was speaking with the Human Resources representative he was asked about his college credits and his intermediate certificate, which he stated he had enough college credits and an advanced certificate. He said that he was told by the Human Resources representative that if they were unable to verify his college credits or certificates through the academy that he would have to provide them to which he said "of course and I will." Mr. Amato said that because of that he was assuming that the information was known and they were going to verify all the police credentials. He said that it was his fault of course for assuming and believing that it was known information that would have to be verified anyway. Mr. Amato respectfully requested to remain on the eligibility list stating he did meet the qualifications.

MOTION TO APPROVE ITEM 13 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

MOTION TO ADJOURN TO EXECUTIVE SESSION MADE BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

The Commission retired into Executive Session at 6:30 p.m. to discuss Item 14, and reconvened for Open Session at 6:37 p.m.

MOTION TO ADJOURN EXECUTIVE SESSION AND RETURN TO REGULAR SESSION MADE BY COMMISSIONER HARRIS, SECONDED BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED.

14. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rules and Regulations:

Ortiz, Martin L. – EPWU Wastewater Plant Tech I (Ord. 8064, 5.1.b.)

Mr. Ortiz was present. The matter was discussed in Executive Session. The following action was taken in Open Session.

MOTION TO APPROVE ITEM 14 MADE BY COMMISSIONER PEÑA, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

15. Discussion and Action on Proposed appointment to the Civil Service Commission:

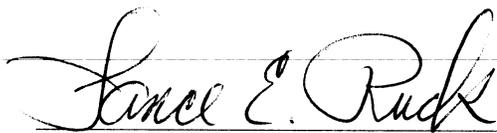
Scott, Valerie Ann to replace Alvin Harris – District 7

MOTION TO APPROVE ITEM 15 AND GIVE MS. SCOTT A FAVORABLE RECOMMENDATION MADE BY COMMISSIONER HARRIS, SECONDED BY COMMISSIONER GRAHAM AND PASSED BY A VOTE OF 5 WITH 1 ABSTENTION.

Ayes: Commissioners Peña, Graham, Martinez, Schwartz, Harris
Abstain: Commissioner Ellis

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION, A MOTION TO ADJOURN WAS MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.

THE MEETING ADJOURNED AT 6:38 P.M.


LANCE RUCK, C.S.C. CHAIR


TERRY BOND, C.S.C. SECRETARY

4/14/05
DATE APPROVED