MINUTES

FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING, APRIL 10, 2008, 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: Ruck, Lance – Chair
Boureslan, Ali
Gezelius, Ken
Brannon, Edith
Pleters, Michael
Sustaita, Jessie
Chacon, Fernando
Reynolds, Thurman
Viescas, Cora

The meeting convened at 6:06 p.m. with eight Commissioners present and Chair Lance Ruck presiding. Chair Ruck asked Ms. Linda Thomas if there were any changes to the Agenda. Ms Thomas requested that Item 6B be tabled.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

   March 13, 2008

2. Item not used

3. Notation – City Employment Contracts for 2nd Quarter – FY08

4. Discussion and Action on Approval of Classification Actions:

		Title	Code	Grade
A.	Proposed:	Transit Safety Manager	14345	PM132

MOTION TO APPROVE CONSENT AGENDA WITH CHANGES BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

REGULAR AGENDA

5. Discussion and Action, including possible use of investigatory powers, concerning the Hours of Service Issues brought up in grievances filed by Joseph Rochefort, dated 11/23/07, 11/30/07, 12/10/07, and 12/27/07.

Discussion by Chair Ruck, Assistant City Attorney John Batoon, Commissioners Boureslan, Chacon, and Appellant Joseph Rochefort.

MOTION TO DELETE ITEM 5 BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER BRANNON AND UNANIMOUSLY PASSED.

6. Discussion and Action on Approval of Hearing Officer Report and Recommendation:

A. Joseph R. Rochefort – Termination – Sun Metro
(Tabled from 3/13/08 CSC Meeting)

There was a motion submitted by Commissioner Gezelius in writing to Chair Ruck that the Commission accept the Hearing Officer's recommendation regarding Mr. Rochefort's termination.

MOTION MADE BY COMMISSIONER BRANNON TO REMAND ITEM 6A TO THE HEARING OFFICER FOR CONSIDERATION OF ADDITIONAL INFORMATION AND EVIDENCE TO BE SUBMITTED AND SECONDED BY COMMISSIONER BOURESLAN.

B. Gustavo Vidal-Garay – Termination – Fire Department

TABLED ITEM 6B TO NEXT CSC MEETING ON MAY 8TH, 2008.

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 8, Section 1.d.1:

Reza, Jose Cruz – Zoo Area Supervisor

Discussion by Commissioner Gezelius and HR Manager Peter Fargo.

MOTION TO DENY ITEM 7 MADE BY COMMISSIONER REYNOLDS AND SECONDED BY COMMISSIONER PLETERS AND UNANIMOUSLY PASSED.

MOTION TO MOVE TO EXECUTIVE SESSSION MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER REYNOLDS AND UNANIMOUSLY PASSED.

Executive Session convened at 7:13 p.m.

MOTION TO RECONVENE TO OPEN SESSION MADE BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER PLETERS AND UNANIMOUSLY PASSED.

Reconvened to Open Session at 7:37 p.m.

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 8.1.f

Sanchez, Robert – Zoo Keeper

MOTION TO APPROVE ITEM 8 BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER SUSTAITA AND UNANIMOUSLY PASSED.

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 8.1.d.2

Tribble, Eduardo – Utility Plant Technician

MOTION TO DENY ITEM 9 BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER PLETERS AND PASSED BY A SPLIT VOTE OF 5 TO 3.

AYES: GEZELIUS, BOURESLAN, CHACON, PLETERS, VIESCAS
NAYES: BRANNON, SUSTAITA, REYNOLDS

10. Discussion and Action on use of Civil Service Commission investigatory powers, including subpoena powers, for a limited investigation by a Committee to determine if the unusual circumstances of the Joseph Rochefort dismissal should be investigated in a Special Meeting of the full Commission.

Discussion by Chair Ruck, Assistant City Attorney John Batoon, Commissioners Boureslan, Pleters, Viescas, Chacon, and Assistant Director, Sun Metro/Lift Norman Schenck.

MOTION TO APPOINT SUB-COMMITTEE MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER CHACON AND PASSED BY SPLIT VOTE OF 6 TO 2.

AYES: BRANNON, SUSTAITA, BOURESLAN, CHACON, PLETERS, VIESCAS
NAYES: REYNOLDS, GEZELIUS

11. Discussion and Action on the possible need for a Texas Attorney General Ruling on CSC Rule 21 – Ex Parte Communications.

Discussion by Chair Ruck, Assistant City Attorney John Batoon, Commissioners Boureslan, Pleters, Reynolds, Viescas, Chacon, and CSC Secretary Linda Thomas.

MOTION TO DELETE ITEM 11 MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

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

MEETING ADJOURNED AT 8:12 P.M.

Ali Boureslan **C.S.C. Chair**

Linda Ball Thomas, C.S.C. Secretary

5/8/08

Date Approved