

**MINUTES**  
**AGENDA FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION**  
**TO BE HELD AT 6:00 P.M., THURSDAY EVENING, APRIL 12, 2007**  
**CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA – 2ND FLOOR**

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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  
                                  Gezelius, Ken  
                                  Graham, Elijah  
                                  Mosher, Fran  
                                  Reynolds, Thurman  
                                  Ruck, Lance  
                                  Schwartz, Elma  
                                  Scott, Valerie

MEMBERS ABSENT:        Edith Brannon

**CONSENT AGENDA**

The meeting convened at 6 p.m. with seven commissioners present and Chair Boureslan presiding. Chair Boureslan began the meeting by asking if there were any changes to the agenda. Linda Thomas responded that item 5.5B should be listed with code of 16045. Linda Thomas requested that Item 6B be moved to the regular agenda. Commissioner Gezelius requested that Item 6A also be moved to the regular agenda. Chair Bourselan requested that Item 2A, B, C, D and E be moved to the regular agenda.

**MOTION TO APPROVE THE CONSENT AGENDA MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

1.        Discussion and Action on Approval of Minutes:

March 22, 2007

2.        Discussion and Action on Approval of Contracts

      A.        Personal Services Contract with Troy M. Ainsworth to perform the duties of Historic Preservation Officer from April 25, 2007 through April 24, 2008, for the Museums and Cultural Affairs Department.

Chair Bourselan inquired as to how many people were interviewed for the position. Linda Thomas did not have a number, but stated the position was first advertised as a Lead Planner and advised that no applicants were available. Yolanda Alameda from Museums responded that there were two personal interviews and two phone interviews. She added that when the position was advertised as a Lead Planner we did make offers on the job, but they were declined.

(Further Discussion)

**MOTION TO APPROVE MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.**

- B. Personal Services Contract with Victor Guerrero to perform the duties of Marketing & Communications Assistant from April 16, 2007 through April 15, 2008, for the Museums and Cultural Affairs Department.

Commissioner Graham commented that the position contract stated that this was a civil service position. Linda Thomas stated that it is not a civil service position... that the contract just contained a typo.

**MOTION TO APPROVE THE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

- C. Independent Contractor Contract with Romy Ledesma to perform the duties of Grant Writer from April 21, 2007 through April 21, 2008, for Financial Services – Grant Services Division.

Chair Boureslan inquired about the applicant's resume stating that they were a Ph.D., but yet had not completed coursework for a Ph.D. Chair Boureslan inquired if the applicant may have a Ph.D. in something else?

(Further Discussion)

**MOTION TO APPROVE MADE BY COMMISSIONER GRAHAM AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

- D. Independent Contractor Contract with Virginia Price to perform the duties of Grant Writer from April 13, 2007 through April 12, 2008, for Financial Services – Grant Services Division.
- E. Independent Contractor Contract with David Glovier to perform the duties of Grant Writer from April 13, 2007 through April 12, 2008, for Financial Services – Grant Services Division.

**MOTION TO APPROVE ITEM 2D AND 2E MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

3. Notice of Promulgation of Eligible Lists:

- A. Fleet Body Repair Technician = Promulgated 3/15/07 (O-2)
- B. Materials Specialist = Promulgated 3/22/07 (P-7) (O-13)
- C. Museum Operation Assistant = Promulgated 3/30/07 (O-2)
- D. Neighborhood Relations Coordinator – Promulgated 3/21/07 (O-4)
- E. Senior Grant Planner – Promulgated 3/22/07 (O-6) (P-1) (CR-1)

## 4. Discussion and Action on Request for Temporary Promotions:

- A. Cooper, Stanley – Municipal Clerk  
From: Deputy Court Clerk  
To: Senior Deputy
- B. Martinez, Estella – Municipal Clerk  
From: Senior Office Assistant  
To: Deputy Court Clerk

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

- A. Gerardo Pena Martinez – General Service Worker – Airport
- B. Jesus A. Martinez – Customer Service Representative – Municipal Court
- C. Veronica Gonzales – Customer Relations Clerk – EPWU
- D. Mario A. Macias – Senior Cashier – Tax Department
- E. Florentina Cordero – Accountant – Sun Metro

## 5.5 Discussion and Action on Approval of Classification Actions:

	<u>TITLE</u>	<u>CODE</u>	<u>GRADE</u>
A. Proposed:	Landscape Architect	13121	PM 128
B. Proposed:	Parks Superintendent	16045	PM 132

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

- A. Cardona, Peggy – Termination – Fire Department

Commissioner Gezelius questioned whether this position should be coming to the Civil Service Commission. Linda Thomas explained that this was a civilian payroll position.

**MOTION TO ASSIGN HEARING OFFICER MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER REYNOLDS AND UNANIMOUSLY PASSED.**

- B. Segura, Rafael – Termination – Mass Transit

Lisa Elizondo, representative of employee, Rafael Segura, spoke, City Attorney, John Batoon advised that there had been an offer of settlement made to Mr. Segura through William Ellis. Subsequently Mr. Segura had discontinued Mr. Ellis' services, but as far as the City was concerned there was a settlement in place.

(Further Discussion)

John Batton reminded the Commission since they had previously decided that this was not a traditional disciplinary appeal, the Commission would hear the case itself.

**MOTION TO TABLE UNTIL CSC MEETING OF 4/26/07 MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.**

7. Discussion and Action on request to have name placed on Reinstatement List:
  - A. Juan Gonzales – Secretary – Community & Human Development
  - B. Luz E. Sierra – Senior Office Assistant - Police
  
8. Discussion and Action on Approval of Hearing Officer's Invoice:

William Ellis – Feb./Mar. Invoice = \$1,586.25

### REGULAR AGENDA

9. Discussion and Action on Pending Appeals of Mr. Edward De Bruhl

Mr. DeBruhl spoke advising that he would not do any concessions to the memo he had presented to the Commission. Mr. DeBruhl advised that he wanted to be paid for the suspension and wanted the decision to come tonight. Mr. DeBruhl acknowledged that he had one hearing, but without any resolution, and there was no hearing on the second case.

(Further information)

**MOTION TO HAVE MR. YETTER ISSUE THE DECISION PROMPTLY AND REASSIGN THE SECOND CASE TO ANOTHER HEARING OFFICER. MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

- 9A. Discussion and Action on the termination of Mr. Bruce Yetter's Hearing Officer contract and to have all open cases transferred to our active hearing officers expeditiously.

Commissioner Gezelius expressed his concerns relating to the previous item 9, just heard by the Commission. He continued that a number of cases have been "hanging there" for an excessive period of time, and this is not fair to employees.

(Further Discussion)

Mr. Yetter responded that as he reported last time, it is his intention to clear up all of his open cases by June, and still believes he can do that.

(Further Discussion)

**MOTION TO DELETE ITEM 9A, MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER SCHWARTZ AND PASSED WITH ONE OPPOSITION BY COMMISSIONER GEZELIUS.**

10. Discussion and Action on Appeal of Performance Evaluation:

A. Salcido, Camille Deanna – Marketing & Customer Relations Coordinator – Sun Metro

**Performance Evaluation Committee will consist of Commissioner Boureslan as Chair, Commissioner Reynolds and Commissioner Brannon.**

B. Abugalyon, Bashar – Engineering Division Manager – Engineering

**Performance Evaluation Committee will consist of Commissioner Ruck as Chair, Commissioner Graham and Commissioner Scott.**

**MOTION TO APPROVE COMMITTEES FOR ITEMS 10A AND 10B MADE BY COMMISSIONER GRAHAM AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.**

11. Discussion and Action on Replacement of Current Contract for Hearing Officers Patricia Palafox and Bruce Yetter.

Linda Thomas explained that this was part of what Mr. Ellis had submitted. The contracts need to be revised so that they are all being paid the same rate.  
(Further Discussion)

**MOTION TO APPROVE MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

12 A. Presentation and Discussion of Hearing Officer Ellis' Periodic Report to the Commission:

B. Discussion and Action on allowing the Commission Recorder to docket and assign disciplinary appeals immediately upon receipt and placing the item(s) on the earliest agenda thereafter for notation:

**MOTION TO APPROVE MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.**

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 9, Section 1.c:

Briseno, Sergio – Fleet Maintenance Technician

(Discussion)

**MOTION TO APPROVE MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER GRAHAM AND PASSED WITH ONE OPPOSITION BY COMMISSIONER SCHWARTZ.**

13.5 Discussion and Action on Hearing Officer's Report and Recommendation:

Cuellar, Carlos – Termination – Sun Metro (07-SM-02WE)

**MOTION TO ACCEPT REPORT AND RECOMMENDATION MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

**MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

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

MOVED TO EXECUTIVE SESSION AT 6:51 P.M.

**MOTION TO RETURN FROM EXECUTIVE SESSION MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.**

**REGULAR SESSION RESUMED AT 7:08 P.M.**

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. Rule 8, Section 1.d.3:

Fierro, Reyes M. – Electrical Inspector Supervisor

**MOTION TO APPROVE APPEAL MADE BY COMMISSIONER REYNOLDS AND SECOND BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED.**

**MOTION TO ADJOURN MADE BY COMMISSIONER SCHWARTZ AND SECOND BY COMMISSIONER GEZELIUS**

MEETING ADJOURNED AT 7:09 P.M.

*Ali Boureslan*

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Ali Boureslan, C.S.C. Chair

*Linda Ball Thomas*

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Linda Ball Thomas, C.S.C. Secretary

*4/26/07*

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Date Approved