

MINUTES
AGENDA FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION
TO BE HELD AT 6:00 P.M., THURSDAY EVENING, MAY 24, 2007
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
 Brannon, Edith
 Gezelius, Ken
 Graham, Elijah
 Mosher, Fran
 Reynolds, Thurman
 Ruck, Lance – Chair
 Scott, Valarie

MEMBERS ABSENT: None

The meeting convened at 6 p.m. with all commissioners present and Chair Ruck presiding. Chair Ruck asked if there were any changes to the agenda. Linda Thomas requested that Item 2 on the Consent Agenda be deleted. Ms. Thomas noted that Item 15F on the regular agenda, in reference to Ernest Garcia, that Mr. Garcia would not be present, but she asked that the Commission hear his appeal. Chair Ruck then denied the request to delete Item #2, since that was tabled from last week with the request for information. Chair Ruck further stated that this item would be moved to the regular agenda. Chair Ruck requested to move Item 1, 2, 2.5 and 3D to the regular agenda. Mr. Bill Arballo requested that Item 8 be moved to the end of the regular agenda.

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

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

May 10, 2007

Item 6A does not reflect that the item was tabled. Chair Ruck instructed the CSC Recorder to make this change on the minutes.

MOTION TO APPROVE THE MINUTES WITH AMMENDMENT MADE BY COMMISSIONER MOSHER AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY PASSED

2. Discussion and Action on Approval of Contracts: *(item deleted)*

Personal Services Contract with Roger Hernandez to perform the duties of Construction Inspector from June 11, 2007 through June 10, 2008, for the Engineering Department.

Chair Ruck questioned whether this position was advertised, and if there were interviews of more than one person. Linda Thomas explained that the names for this position were chosen from the Engineering Associate list. Commissioner Bourselan felt this position was the same as the civil service position for Building Inspector. It is almost verbatim, but the education requirements are much different.

(discussion)

- 2.5 Discussion and Action on Proper Disposition on Information Relative to the Roger Hernandez personal services contract. *(item deleted)*

3. Notice of Promulgation of Eligible Lists: *(noted)*

- A. Aquatics Supervisor = Promulgated 5/9/07 (O-11)
- B. Development Review Manager = Promulgated 5/3/07 (O-2) (P-3)
- C. Facilities Maintenance Superintendent = Promulgated 5/9/07 (P-12)
- D. Planner = Promulgated 5/3/07 (O-9) (P-2)

Chair Ruck requested clarification of original and promotional planner lists. Promotional lists consists of City employees testing for position and, Original list is from outside applicants.

MOTION TO ACCEPT ELIGIBLE LIST MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER REYNOLDS AND UNANIMOUSLY PASSED

- E. Recreation Program Supervisor = Promulgated 5/14/07 (O-8) (P-4)
- F. Senior Accounting/Payroll Specialist = Promulgated 5/14/07 (O-2) (P-13)
- G. Trades Helper = Promulgated 5/4/07 (O-27) (P-9) (CR-1)
- H. Utility Field Customer Service Worker = Promulgated 5/7/07 (O-8) (P-7) (CR-1)

4. Discussion and Action on request to have named placed on Transfer List: *(approved)*

- A. Alejandro Ponce – Fleet Maintenance Technician – Sun Metro
- B. Javier Porras – Truck Driver – Environmental Services
- C. Rudy Murga, Jr. – Truck Driver – EPWU

5. Discussion and Action on Request for Temporary Promotion: *(approved)*

Arthur McDaniel – Police Department
From: Police Lieutenant
To: Police Commander

6. Discussion and Recommendation on Approval of Classification Actions to Council:

	<u>TITLE</u>	<u>CODE</u>	<u>GRADE</u>
A.	Proposed: Affordable Housing Finance Coordinator	10645	PM 132

- | | | | |
|----|--------------------------------------------|-------|--------|
| B. | Proposed: Neighborhood Service Coordinator | 10700 | PM 130 |
| C. | Proposed: Code Compliance Manager | 17300 | PM 128 |
| D. | Proposed: Solid Waste Landfill Supervisor | 17740 | GS 52 |

Ellen Smyth of Environmental Services requested that a correction be made to Item 6D on the job specification under licenses and certificates, it should state Texas Class **B** license.

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|----|-----------------------------------------------|-------|-------|
| E. | Proposed: Transit Customer Service Supervisor | 14300 | GS 51 |
| F. | Proposed: Transit Data Specialist | 14335 | GS 51 |

7. Item not used.

REGULAR AGENDA

8. Discussion and Action on Appeal of Performance Evaluation:

Alberto Rodriguez – Fleet Maintenance Supervisor – Sun Metro

Performance Evaluation Sub-committee to be chaired by Commissioner Mosher. Commissioner Brannon and Commissioner Scott will also serve.

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

A. Lorenzo Lopez – Termination – Sun Metro

MOTION TO APPROVE HEARING OFFICER REPORT & RECOMMENDATION MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY PASSED

B. Jose Maese – Suspension – Sun Metro (tabled from 4/26/07)

Mr. Arballo spoke on behalf of Jose Maese.

(discussion)

MOTION TO APPROVE HEARING OFFICER REPORT & RECOMMENDATION MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED

10. Discussion and Action on using the provisions of the City Charter, Article VI, Sections 6.1-5B and 6.1-7 to investigate the William Dearen, III and Joe Reza Grievances to ensure classified employees are being treated fair and equitable in the hiring of contract positions.

Chair Ruck referred back to his original questions in Appendix A. He also stated that there was never a ¾ vote by City Council or this Commission to move the entire zoo department under the provisions of the Charter to be contract positions as specified in 6.6-5F. The policy that was approved by the Commission does not indicate that the CSC allowed all zoo positions to become contract until after an agreement between the City and the Zoo Society was signed and that has not happened.

(discussion)

John Batoon, City Attorney requested that the Commission retire to Executive Session to discuss this matter and potential litigation.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER REYNOLDS AND UNANIMOUSLY PASSED

EXECUTIVE SESSION @ 7:07 P.M.

MOTION TO RECONVENE IN OPEN SESSION MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY PASSED

RECONVENE OPEN SESSION @ 7:42 P.M.

MOTION TO TABLE THIS ITEM FOR ONE MONTH BASED ON PROCEDURAL CONCERNS AND RECOMMEND THAT THE CITY CONSIDER THE TERMINATION OF THE CONTRACT WITH MS. VASQUEZ UNDER THE PROVISIONS THAT ARE ALLOWED WITHOUT CAUSE AND INSTITUTE A PROPER PROCEDURE FOR THIS POSITION AS A CIVIL SERVICE POSITION MADE BY COMMISSIONER MOSHER AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY PASSED

11. Discussion and Action on Grievances filed by: (tabled from 4/26/07 CSC Meeting)

A. William Dearen, III – Zoo

B. Joe Reza – Zoo

MOTION TO TABLE THIS ITEM FOR ONE MONTH TO SEE WHAT RESOLUTION THE CITY COMES UP WITH, AND IF THE RESOLUTION IS NOT SATISFACTORY TO THE GRIEVANCE, THEN WE EXPECT THEM TO COME BACK AND GET A FULL HEARING HERE TO PRESENT THEIR COMPLETE POSITION AND THE CITY WILL PRESENT THEIR COMPLETE POSITION TO THEN MAKE A DETERMINATION OF THEIR GRIEVANCE MADE BY COMMISSIONER GRAHAM AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED

12. 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:

Fernando Gonzalez – Property & Evidence Supervisor (*denied*)

Minnie Holguin spoke on behalf of the Police Department.

MOTION TO DENY MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER MOSHER AND PASSED WITH ONE OPPOSITION BY COMMISSIONER BOURESLAN

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER REYNOLDS AND UNANIMOUSLY PASSED.

EXECUTIVE SESSION @ 7:45 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 BOURESLAN AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

RECONVENED OPEN SESSION @ 8:29 p.m.

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 25, Section 2.f:

Jesus Delgado – Coach Operator Trainee (denied)

MOTION TO DENY MADE BY COMMISSIONER BRANNON AND SECOND BY COMMISSIONER SCOTT 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. Rule 11.3.g:

- A. Victor M. Morales – Property Control Officer (*approved*)
- B. Victor M. Morales – Property & Evidence Supervisor(*approved*)
- C. Victor M. Morales – Property Disposition Specialist(*approved*)

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

15. 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.3c:

A. Aracely Torres – Police Records Specialist

MOTION TO DENY MADE BY COMMISSIONER BRANNON AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY PASSED.

B. Vanessa Chavez – Police Records Specialist

MOTION TO DENY MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER BRANNON AND PASSED.

Ayes: Brannon, Reynolds, Boureslan, Scott, Mosher
Nays: Graham, Gezelius

C. Martha Reid – Police Records Specialist

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

D. Eduardo Castanon, Jr. – Police Records Specialist

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

E. Gerardo C. Holguin – Coach Operator Trainee

MOTION TO DENY MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER SCOTT AND UNANIMOUSLY PASSED.

F. Ernest Garcia – Toll Collector

MOTION TO APPROVE MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN AND PASSED WITH ONE OPPOSITION BY COMMISSIONER MOSHER.

- 16. 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.2:

Luis Garcia – Toll Collector

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

MOTION TO ADJOURN MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY PASSED.

MEETING ADJOURNED @ 8:39 P.M.



Lance Ruck, C.S.C. Chair



Linda Ball Thomas, C.S.C. Secretary

6/28/07

Date Approved