

MINUTES
FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT
6:00 P.M., THURSDAY EVENING, JUNE 12, 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: Boureslan, Ali – Chair
 Brannon, Edith
 Chacon, Fernando
 Graham, Elijah
 Karlsruher, Eileen
 Pleters, Michael
 Viescas, Cora

MEMBERS ABSENT: Sustaita, Jessie

The meeting convened at 6:02 p.m. with six Commissioners present and Chair Boureslan presiding. Chair Boureslan asked CSC Secretary Ms. Linda Thomas if there were any changes to the Agenda. Ms. Thomas stated no changes.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:
 - May 08, 2008
 - May 19, 2008 (Special Meeting)

2. Discussion and Action on Re-Appointment of Hearing Officers.
 - A. Hearing Officer William J. Ellis.

 - B. Hearing Officer Patricia Palafox.

MOTION TO APPROVE CONSENT AGENDA MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

REGULAR AGENDA

3. Discussion and Action on Approval of Hearing Officer's Report and Recommendation:
 - Norma Estrada – Suspension – Fire Department
 - (Tabled 5/8/08 CSC Meeting)

Discussion by AFSCME Local 59 Bill Arballo, representing Appellant Norma Estrada, Assistant City Attorney Michele Daly. Further discussion by Commissioners Chacon, Boureslan, Pleters, Graham and AFSCME Local 59 Bill Arballo.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION FOR SUSPENSION TO BE UPHeld AND THAT APPEAL BE DENIED MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A SPLIT VOTE OF 5 TO 1.

AYES: BRANNON, GRAHAM, PLETTERS, KARLSRUHER, VIESCAS

NAYES: CHACON

- 3.5 Discussion and Action on Approval of Hearing Officer's Report and Recommendation, and on issues and questions from the Hearing Officer.

Joseph R. Rochefort – Termination – Sun Metro

Discussion by Chair Boureslan, Appellant Joseph Rochefort, Assistant City Attorney John Batoon. Further discussion by Chair Boureslan, Commissioners Viescas, Chacon, Brannon, Graham, Karlsruhe, Pleters, Assistant City Attorney John Batoon, and Hearing Officer Patricia Palafox. Chair Boureslan recognizes new Commissioner Elijah Graham and welcomes him to the Commission.

MOTION TO DELETE ITEM 3.5 WITH THE UNDERSTANDING THAT THE REMAND HAS BEEN CLARIFIED TO ONLY REMAND TO THE HEARING OFFICER FOR HER CONSIDERATION OF NEW EVIDENCE OR NEW INFORMATION WHICH IS DEFINED TO BE INFORMATION OR EVIDENCE THAT WAS NOT AVAILABLE AT THE TIME OF THE ORIGINAL HEARING. IT'S FOR THE HEARING OFFICER TO MAKE THAT DETERMINATION WAS MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY A SPLIT VOTE OF 5 TO 1.

AYES: BRANNON, CHACON, PLETTERS, KARLSRUHER, VIESCAS

NAYES: GRAHAM

4. Discussion and Action on Election of Commissioner Ali Boureslan as Chair of the Civil Service Commission at the May 8, 2008 meeting.

Discussion by Chair Boureslan and Assistant City Attorney John Batoon.

MOTION TO VOTE FOR COMMISSIONER BOURESLAN AS CHAIR MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER PLETTERS 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

Executive Session convened at 7:02 p.m.

MOTION TO RECONVENE TO OPEN SESSION MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

Reconvened to Open Session at 7:30 p.m.

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 8.1.d.2

Delgado, Gilberto – General Service Worker

MOTION TO APPROVE MADE BY COMMISSIONER GRAHAM AND SECONDED BY COMMISSIONER CHACON AND PASSED BY SPLIT VOTE OF 5 TO 1.

AYES: BRANNON, CHACON, GRAHAM, PLETTERS, VIESCAS
NAYES: KARLSRUHER

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.f

Garcia, Ernest – Coach Operator

FIRST MOTION TO DENY MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER KARLSRUHER. FIRST MOTION FAILS.

AYES: BRANNON, PLETTERS, KARLSRUHER
NAYES: GRAHAM, CHACON, VIESCAS
Chair Boureslan broke the tie, voting nay.

SECOND MOTION TO APPROVE MADE BY COMMISSIONER GRAHAM AND SECONDED BY COMMISSIONER CHACON AND PASSED.

AYES: GRAHAM, CHACON, VIESCAS
NAYES: BRANNON, PLETTERS, KARLSRUHER
Chair Boureslan broke the tie, voting aye.

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 8.1.f and Rule 12.9

Rodriguez, Enrique – Training Specialist (Rule 8.1.f) - Disqualification
Health Education Specialist (Rule 12.9) - Removal

MOTION TO DENY MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY SPLIT VOTE OF 5 TO 1.

AYES: BRANNON, CHACON, PLETTERS, KARLSRUHER, VIESCAS
NAYES: GRAHAM

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

MEETING ADJOURNED AT 7:35 P.M.

Ali Boureslan

Ali Boureslan, C.S.C. Chair

Linda Ball Thomas

Linda Ball Thomas, C.S.C. Secretary

7/10/08

Date Approved