

**MINUTES FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION  
TO BE HELD AT 6:00 P.M., THURSDAY EVENING, JUNE 22, 2006  
CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA – 2ND FLOOR**

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MEMBERS PRESENT: Boureslan, Ali - Chair  
Brannon, Edith  
Gezelius, Ken  
Graham, Elijah  
Mosher, Fran  
Reynolds, Thurman  
Ruck, Lance

MEMBERS ABSENT: Schwartz, Elma  
Scott, Valerie

The meeting convened at 6:02 p.m. with 6 Commissioners present and Chair Boureslan presiding.

**CONSENT AGENDA**

Commissioner Ali Boureslan started the meeting by presenting Rosy Buenning with a plaque of appreciation for her work as CSC Recorder from August 12, 1999 through June 15, 2006.

Ms. Thomas requested that on Item 5 on the agenda, the numbering was such that it would be easier if the item numbering be disregarded and that the Commission go by the names instead of the item number. She requested that Item 11 be tabled at the request of the employee. She requested that Item 14 be deleted.

Commissioner Graham requested the Items 2A and 2B be moved to the Regular Agenda.

1. Discussion and Action on Approval of Minutes:

June 8, 2006

2. Discussion and Action on Approval of Contracts:

- A. Professional Services Contract with Chris Borunda to perform the duties of Hearing Officer from June 19, 2006 through June 18, 2007, for the Civil Service Commission.

This item was addressed at the beginning of the Regular Agenda.

Commissioner Graham said that earlier he had gotten a complaint regarding Chris Borunda's Professional Service Contract. He reminded the Commission that during the CSC Meeting when the contract for Ms. Borunda had first come to Commission, there had been a complaint brought to the Commission by Sun Metro regarding the feeling that they could not be treated fairly by Ms. Borunda based on the fact that she had a family member currently working in the office of the City Attorney and that when it came up for renewal that they would take a closer look at it. Commissioner Graham said that it was now that time and he wanted to take a closer look at it. Commissioner Graham asked if there was anyone that could address this issue.

Lupe Cuellar, Assistant City Attorney, said she didn't feel it was an issue unless the Commission had some questions and confirmed that Ms. Borunda currently does have a sister working for the City Attorney's office as an Assistant City Attorney.

Commissioner Graham stated that he did not know that at that time. Lupe Cuellar reminded Commissioner Graham that he was made aware of it then. He also said the Mr. George Murphy had come forward with that concern and said that because Mr. Murphy had approached him, he was not comfortable with employees feeling they could not be treated fairly by Ms. Borunda. Lupe Cuellar

reminded the Commission that they could hire anyone they wanted but felt that there was never an issue regarding Ms. Borunda's ethical stand.

Nonetheless, Commissioner Graham said that since he was aware of it now that he was making a motion to deny. Motion to second failed pending a request by Commissioner Ruck for additional information.

Discussion.

MOTION TO APPROVE ITEM 2A FOR A PERIOD OF SIX MONTHS MADE BY COMMISSIONER BRANNON, SECONDED BY COMMISSIONER RUCK AND UNANIMOUSLY PASSED.

- B. Personal Services Contract with Howard S. Stanfield to perform the duties of Airport Operations Officer from June 24, 2006 through June 23, 2007, for the Airport.

This item was addressed after item 2A.

Commissioner Graham asked Pat Abeln, Director of Aviation, to explain the need for a contract for this position. Pat Abeln, explained that there is a need to hire someone with the experience and the expertise that Mr. Howard S. Stanfield possesses and that to train someone to do this job would take a substantial amount of money and time. He reminded the Commission that Mr. Stanfield's contract was partially to fill the vacancies that come up when someone goes on vacation leave or fill in for someone that does not come in for one reason or other.

Discussion.

MOTION TO APPROVE ITEM 2B MADE BY COMMISSIONER GRAHAM, SECONDED BY COMMISSIONER RUCK AND UNANIMOUSLY PASSED.

3. Notice of Promulgation of Eligible Lists:

- A. Engineering Technician I = Promulgated 06/09/06 (P-1)(CR-0)(O-4)
- B. Museum Operations Assistant = Promulgated 06/07/06 (P-0)(O-4)
- C. Environmental Engineering Associate II = Promulgated 06/05/06 (O-6)
- D. EPWU Plant Technician I = Promulgated 06/05/06 (P-1)(O-18)

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

Elizalde, Martina – Suspension – Police Dept. (CP06-068)

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

- A. Alvarez, Jose Antonio – Groundskeeper – Street Dept.
- B. Cardenas, Hector – Stores Clerk I – El Paso Zoo
- C. Dressen, Juergen – Electronics Technician – Street Dept.
- D. Saenz, Manuel – Electronics Technician – Street Dept.

6. Discussion and Action on request to have name placed on Reinstatement List:

- A. Contreras, Humberto – EPWU Plant Technician I – El Paso Water Utilities
- B. De La Peña, Mario – Coach Operator – Mass Transit
- C. Lomas, Estela – Public Safety Dispatcher-Fire – Fire Dept.
- D. Cardenas, Lourdes – Traffic Engineer IV – Engineering
- E. Salazar, Rosa – Secretary I – Police Dept.

7. Discussion and Action on Request for Temporary Promotion:

Cubillos, Rosalia – Police Department  
From: Police Sergeant  
To: Police Lieutenant

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

- A. Inventory Coder..... Extended through 12/28/06
- B. Trades Helper ..... Extended through 12/27/06

APPROVED CONSENT AGENDA WITH MODIFICATIONS MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER MOSHER AND UNANIMOUSLY PASSED.

REGULAR AGENDA

Item 2A and 2B were addressed here.

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

Villanueva, Ricardo – Transit Route Supervisor – Mass Transit

Chair Boureslan suggested that this appeal be assigned to a committee of three Commissioners to review and bring to the commission.

Chair Boureslan went on to say that before he would assign the committee members to this committee he wanted to read an e-mail he had received from Commissioner Gezelius. Giving him some suggestion concerning this item, but also for some other items not concerning this item. Chair Boureslan continued to read the e-mail from Commissioner Gezelius and said that they would discuss the items in executive session.

Discussion:

Commissioner Boureslan assigned a committee consisting of Commissioners Reynolds, Brannon, Mosher (Chair of Committee) to hear Mr. Villanueva’s appeal.

10. Discussion and Action on documents submitted by Jaime Arellano titled “Harassed, Intimidated, discriminated into driving a hot bus or go home and punch out after 8 hours work.”

Chair Boureslan said that before he would allow Mr. Arellano to speak he wanted to hear comments from Sun Metro, Linda Thomas and to hear from Lupe Cuellar, Assistant Attorney. Chair Bourlesan proceeded to tell Mr. Arellano that the Commission has heard Mr. Arellano on numerous occasions whenever he brings a grievance, but that he would appreciate if that grievance would come from him on a personal, individual basis and said that anytime Mr. Arellano refers to the word “and” that he is referring to a group and that this group is appealing for him and that with the exception of the Police Department which have a privilege under the rules and regulations permitted, He also stated that under the Rules and Regulations of this Commission he could not permit Mr. Arellano to present himself as a group and as employee of the City of El Paso he would need to follow the rules and regulation set by the Commission. Chair Boureslan said that they would hear Mr. Arellano’s comments, but that however when Mr. Arellano comes before the Commission with this kind of grievance he not address to read as the “President of Our Struggle for Survival and Justice Committee, because that represent him coming as a group and they cannot permit that. In addition, Chair Boureslan said that Mr. Arellano’s paperwork was submitted in such a way that it does not come as a grievance, but that he would like Lupe Cuellar to comment on that.

Lupe Cuellar, said that she agreed with the Chair that Mr. Arellano needs to follow the procedure for filing a grievance. Mr. Arellano proceeded to say that it was not a grievance, but a disagreement. Ms. Cuellar proceeded to ask Mr. Arellano that if it was not a grievance then under what procedure, what rule was he presenting his complaint. Ms. Cuellar addressed the Commission stating that there is a process in place for City employees to present their concerns grievances to the Commission and that Mr. Arellano's would need to follow that process in order for them to hear his complaint.

Discussion:

There was a motion to delete by Commissioner Graham. Motion to second by Commissioner Brannon, failed pending a request by Commissioner Ruck for additional information.

Discussion:

MOTION TO DELETE ITEM 10 MADE BY COMMISSIONER GRAHAM AND SECONDED BY COMMISSIONER BRANNON AND UNANIMOUSLY PASSED.

11. Discussion and Action on EEO Discrimination Complaint dated 06/13/05 submitted by Raymundo Ceballos, Sr.

Ms. Thomas said that the item be tabled at the request of Mr. Ceballos, Sr.

12. Discussion and Action on Miscellaneous Appeals reference Fire Medical Lieutenant examination filed by:

Item Not Used

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 9.1.c.:

Hernandez, Oscar – Certified Firefighter Trainee

Commissioner Ruck noted that Mr. Hernandez had indicated two or three things he had done and received additional training and had also been working part time a fire department.

MOTION TO APPROVE ITEM 13 MADE BY COMMISSIONER RUCK AND SECONDED BY COMMISSIONER BRANNON 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 8.1.d.1.:

Chacon, Felipe Jr. – Electronics Technician

ITEM WAS DELETED AT THE REQUEST OF MS. THOMAS, APPLICANT HAD BEEN QUALIFIED.

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

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. Rules and Regulations:

Lozano, Joe E. – Automotive Technician II (8.1.d.4.)

Mr. Lozano was not present.

MOTION TO DENY WAS MADE BY COMMISSIONER RUCK SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

MOTION TO ADJOURN TO EXECUTIVE SESSION MADE BY COMMISSIONER GEZELIUS, SECONDED BY COMMISSIONER MOSHER AND UNANIMOUSLY PASSED.

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The Commission retired into Executive Session at 6:50 p.m. to discuss Item 16, and reconvened for Open Session at 8:08 p.m.

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The following were present: Yvette Diaz, America E. Luna, Laura L. Acosta with Ms. Laura Brown being absent. Ms. Thomas stated that Ms. Brown was out of town but would be willing to do a phone interview.

MOTION TO ADJOURN EXECUTIVE SESSION AND RETURN TO REGULAR SESSION MADE BY COMMISSIONER RUCK AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

16. Selection of Commission Recorder

- A. Interviews for Commission Recorder position. (551.074 Personnel Matters)

Laura R. Brown  
Yvette Diaz  
America E. Luna  
Laura L. Acosta  
Maria N. Arias

- B. Deliberations on selection of Commission Recorder. (551.074 Personnel Matters)

Return to Open Session.

- C. Discussion and Action on Selection of Commission Recorder.

MOTION MADE TO TABLE ITEM 16C TO BE PLACED AT THE TOP OF THE NEXT CSC MEETING MADE BY COMMISSIONER RUCK AND SECONDED BY COMMISSIONER BRANNON AND UNANIMOUSLY PASSED.

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

THE MEETING ADJOURNED AT 8:15 P.M.

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ALI BOURESLAN, C.S.C. CHAIR

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LINDA BALL THOMAS, C.S.C. SECRETARY

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DATE APPROVED