

MINUTES
AGENDA FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION
TO BE HELD AT 5:00 P.M., THURSDAY EVENING, JULY 12, 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: Ruck, Lance – Chair
 Boureslan, Ali
 Brannon, Edith
 Gezelius, Ken
 Mosher, Fran
 Reynolds, Elijah

MEMBERS ABSENT: Graham, Elijah
 Scott, Valerie

The meeting convened at 5:30 p.m. with four commissioners present and Chair Lance Ruck presiding. Chair Ruck asked Linda Thomas if there were any changes to the agenda. Commissioner Mosher requested that Items 3 and 4 be moved to the regular agenda. Commissioner Boureslan requested that Item 5.5d be moved to the regular agenda.

Commissioner Brannon joined the meeting at 5:40 p.m.

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

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

June 28, 2007

2. Notice of Promulgation of Eligible Lists:
 - A. Certified Firefighter Trainee – Promulgated 6/22/07 (O-50)
 - B. Coach Operator Trainee – Promulgated 7/2/07 (O-36) (CR – 2)
 - C. Construction Inspector Trainee – Promulgated 7/2/07 (P-4) (CR-4) (O-8)
 - D. Maintenance Mechanic – Promulgated 7/2/07 (P-7) (CR-2) (O-3)
 - E. Mechanical Inspector – Promulgated 7/2/07 (O-2) (P-1)
 - F. Plumbing Inspector – Promulgated 7/2/07 (P-2) (O-2)
 - G. Property & Disposition Specialist 6/6/07 (P-15)
 - H. Property & Evidence Supervisor 7/3/07 (O-3) (P-3)
 - I. Senior Planner – Promulgated 7/2/07 (P-4) (O-4)
 - J. Traffic Signs & Markings Worker – Promulgated 7/2/07 (P-13) (CR-1) (O-23)
 - K. Utility Engineer – Promulgated 7/2/07 (P-1)
 - L. Office Assistant – Promulgated 7/5/07 (O-18) (CR-1)

- 3. Discussion and Action on request to have name placed on Transfer List:

Celso Flores, Jr. – Facilities Maintenance Worker – Zoo

Commissioner Mosher voiced concern that there were no comments or reasons listed for requesting transfer. Commissioner Boureslan also expressed concern.

(Discussion)

MOTION TO APPROVE MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN, AND PASSED WITH A VOTE OF 3 TO 1.

Ayes: Boureslan, Gezelius, Reynolds

Nays: Mosher

- 4. Discussion and Action on request to have name placed on the Reinstatement List:

Diana Collazo – Senior Office Assistant – Financial Services

(Discussion)

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

- 5. Discussion and Action on request for extension of eligible List for additional six months:

Engineering Aide - Extended through January 17, 2008
 Shuttle Coach Operator - Extended through January 24, 2008

- 5.5 Discussion and Action on Recommendation to the City Council for Acceptance and Approval of Classification Actions:

	<u>TITLE</u>	<u>CODE</u>	<u>GRADE</u>
A. Proposed:	Airfield Maintenance Supervisor	18325	GS 53
B. Proposed:	Airport Operations Manager	14050	EX 5
C. Proposed:	Historic Preservation Officer	15100	PM 128
D. Proposed:	Microbiologist	13225	PM 124

Commissioner Boureslan commented that the backup information called for “education and experience”. Linda Thomas reported that was in error, and would be corrected.

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

D.1 Proposed:	Utility Construction Engineering Div. Mgr.	20100	EX 3
E. Proposed:	Senior Plans Examiner	17343	PM 124

REGULAR AGENDA

6. Discussion and Action on the termination, ~~with prejudice~~, of the Hearing Officer contract with Mr. Bruce Yetter.

(Discussion)

Linda Thomas also recommended that the contract with Mr. Yetter be terminated and that the pending cases be reassigned.

(Discussion)

MOTION TO APPROVE TERMINATION OF CONTRACT MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN, AND UNANIMOUSLY PASSED.

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

A. Jaime Arellano – Suspension – Sun Metro

Michele Daly, Assistant City Attorney advised that she would like the Commission to sustain the 4-day suspension. Mr. Arellano spoke on his behalf.

(Discussion)

MOTION TO MODIFY HEARING OFFICER REPORT FROM SETTING ASIDE 4-DAY SUSPENSION TO A SUSPENSION OF 2 DAYS MADE BY COMMISSIONER MOSHER AND SECOND BY COMMISSIONER GEZELIUS, AND PASSED 3 TO 2.

Ayes: Brannon, Gezelius, Mosher

Nays: Reynolds, Boureslan

B. Rafael Garza – Termination – Fire Department (*Previously Remanded*)

MOTION TO APPROVE RECOMMENDATION OF HEARING OFFICER MADE BY COMMISSIONER MOSHER AND SECOND BY COMMISSIONER BOURESLAN, AND PASSED, WITH COMMISSIONER BRANNON NOT VOTING.

8. Discussion and Action on request for a termination hearing:

Enrique Moralez – Coach Operator – Sun Metro

Chair Ruck question Mr. Batoon regarding jurisdiction. Mr. Batoon responded that this is termination based on 24-month rule, and not appealable.

(Discussion)

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER MOSHER, AND UNANIMOUSLY PASSED.

Executive Session at 6:30 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 FROM EXECUTIVE SESSION MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN, AND UNANIMOUSLY PASSED.

Open Session convened at 6:45 p.m.

MOTION TO TABLE ITEM #8 TILL 7/26/07 MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER MOSHER, 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 9, Section 1.c:

Hector Bonilla – Fleet Maintenance Technician

MOTION TO DENY MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER MOSHER, AND UNANIMOUSLY PASSED.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER MOSHER, AND UNANIMOUSLY PASSED.

Executive Session at 6:46 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

10. 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:

A. Sixto Pena – Traffic Signs & Markings Worker

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

B. Lorenzo Cordero – Coach Operator Trainee

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

C. Gilberto Rodriguez – Traffic Signs & Markings Worker

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

D. Humberto Muela – Utility Plant Technician

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

11. 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:

A. Humberto Muela – Utility Plant Technician

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

B. Edward M. Rubio – Traffic Signs & Markings Worker

MOTION TO APPROVE MADE BY COMMISSIONER MOSHER AND SECOND BY COMMISSIONER REYNOLDS, AND UNANIMOUSLY PASSED.

C. Guillermo Ocegueda – Solid Waste Truck Driver

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

12. Discussion and Action on Proposed Changes to Civil Service Rules: *(tabled from last meeting – beginning with Rule 6)*

(Discussion)

MOTION TO APPROVE RULE 15 THRU 25 WITH RECOMMENDED AND ADDITIONAL CHANGES MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER GEZELIUS, AND UNANIMOUSLY PASSED.

MOTION TO APPROVE RULE 27 THRU 30 WITH RECOMMENDED AND ADDITIONAL CHANGES MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER MOSHER, AND UNANIMOUSLY PASSED.

(Discussion)

MOTION TO KEEP RULE 26, CHANGING WORD PERMANENT TO REGULAR MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER REYNOLDS, AND UNANIMOUSLY PASSED.

Discussion of Rule 14 introduced by Elaine Hengen, proposing it be eliminated and changed to a policy pursuant to the Charter, section 6.12 – Standards of Efficiency. Ms. Hengen stated the language would need to be recrafted should we keep section 7 relating to appeals. Joyce Wilson suggested this item be skipped for now, and assured commissioners they would have the rewritten rule and the policy prior to the next meeting. Chair Ruck requested they get backup information prior to the start of the meeting. He further suggested that they need at least a few days.

(Discussion)

Commissioner Boureslan requested specific detail explaining why Rule 14 was in conflict with the Charter. Elaine Hengen responded that section 6.12 of the Charter states that the City Manger or by designation the Human Resources Director... shall establish policy for appropriate Standards of Efficiency for all positions in each class..... There is no basis for the Council or the Commission to have any authority to create standards of efficiency.

(Discussion)

John Batoon added that the only relevant section to Rule 14 is section 7 dealing with appeals. Joyce Wilson commented that all these policies were open and available to all employees on the web site, and when new policies are made, they are sent out electronically to all employees.

MOTION TO TABLE DISCUSSION OF RULE 14 TIL 7/26/07, MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER GEZELIUS, AND UNANIMOUSLY PASSED.

Discussion of Rule 13 introduced by Joyce Wilson.

(Discussion)

Commissioner Mosher brought up FEMLA regulations that should be noted in Rule 13, and the fact that accruals should continue during any time out on FEMLA.

MOTION TO APPROVE RULE 13 WITH CHANGES MADE BY COMMISSIONER BOURESLAN AND SECOND BY COMMISSIONER GEZELIUS, AND UNANIMOUSLY PASSED.

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

(LEAVING, 14 AND 6-12 YET TO DISCUSS)

MEETING ADJOURNED AT 8:30 P.M.



Lance Ruck, C.S.C. Chair



Linda Ball Thomas, C.S.C. Secretary



Date Approved