

MINUTES

FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING, AUGUST 13, 2009, 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: Pleters, Michael – Chair
 Boureslan, Ali
 Chacon, Fernando
 Karlsruher, Eileen
 Medina, Larry
 Sustaita, Jessie
 Turner, Marcia
 Viescas, Cora

MEMBERS ABSENT: None

The meeting convened at 6:07 p.m. with seven Commissioners present and Chair Pleters presiding. Chair Pleters asked CSC Secretary Linda Thomas if there were any changes to Agenda. Ms. Thomas stated that Item 2B on Consent Agenda be withdrawn.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:
 July 9, 2009
2. Discussion and Action on Approval of Classification Actions:

<u>Title</u>	<u>Code</u>	<u>Grade</u>
A. Proposed: History Museum Assistant Curator	15255	PM 122
B. Proposed: Sustainability Program Manager	17725	EX 5
C. Proposed: History Museum Curator	15245	PM 124

MOTION TO APPROVE CONSENT AGENDA WITH CHANGES TO WITHDRAW ITEM 2B MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

REGULAR AGENDA

- 2.5 Discussion and Action on Repeal of CSC Policy on Written Reprimands adopted July 10, 1986.

Discussion by Commissioner Boureslan.

MOTION TO REPEAL THE POLICY EFFECTIVE ON THE ADOPTION OF RULE 15 BY CITY COUNCIL MADE BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER SUSTAITA AND UNANIMOUSLY PASSED.

3. Discussion and Action on Performance Evaluation Sub-Committee Report and Recommendation:

Magdalena Lujan – Mass Transit/Lift

MOTION TO APPROVE SUB-COMMITTEE'S RECOMMENDATION MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER TURNER AND UNANIMOUSLY PASSED.

4. Discussion and Action Miscellaneous Appeal-Outside Employment Revocation

Raul Ruiz, Jr. - Fire Department

Discussion by President El Paso Association of Firefighters Joe Tellez, Appellant Raul Ruiz, Commissioners Boureslan, Medina, Chacon, HR Fire Department Monica Puga, Assistant City Attorney John Batoon, City Manager Joyce Wilson. Further discussion by Commissioners Medina, Viescas, Boureslan, Karlsruhe, Chacon, VP Local 51 George Nieto, HR Monica Puga, and Chair Pleters.

MOTION TO DENY APPEAL OF OUTSIDE EMPLOYMENT REVOCATION MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A VOTE OF 5 TO 2.

AYES: TURNER, CHACON, BOURESLAN, KARLSRUHER, VIESCAS
NAYES: SUSTAITA, MEDINA

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

Executive session convened at 6:40 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 RETURN FROM EXECUTIVE SESSION MADE BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

Reconvened to open session at 6:50 p.m.

5. Discussion and Action on Approval of Hearing Officer's Report and Recommendation:

Maria Rangel – Suspension – International Bridges (TABLED FROM 7/9/09 MEETING)

Discussion by AFSCME Bill Arballo, Assistant City Attorney Audrey Hare, Assistant City Attorney John Batoon, and Commissioners Boureslan, Chacon. Further discussion by Assistant City Attorney Audrey Hare, Assistant City Attorney John Batoon, and AFSCME Bill Arballo.

FIRST MOTION TO REMAND TO HEARING OFFICER FOR CLARIFICATION OF WORD STUPID CAN BE PROVED DIRECTED TO THE PERSON MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER SUSTAITA VOTE WAS TIED WITH ONE ABSTENTION.

AYES: SUSTAITA, MEDINA, CHACON
NAYES: TURNER, KARLSRUHER, VIASCAS
ABSTAIN: BOURESLAN
CHAIR PLETTERS BROKE THE TIE, VOTING NAY

SECOND MOTION TO ACCEPT HEARING OFFICER'S RECOMMENDATION THAT THE 4-DAY SUSPENSION BE MITIGATED TO A 3-DAY SUSPENSION MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIASCAS MOTION FAILED BY A VOTE OF 3 TO 4.

AYES: TURNER, KARLSRUHER, VIASCAS
NAYES: SUSTAITA, MEDINA, CHACON, BOURESLAN

THIRD MOTION TO MODIFY AND TO ASSESS A WRITTEN REPRIMAND MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER MEDINA AND PASSED BY A VOTE OF 5 TO 2.

AYES: TURNER, SUSTAITA, MEDINA, CHACON, BOURESLAN
NAYES: KARLSRUHER, VIASCAS

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

Executive session convened at 7:05 p.m.

MOTION TO RETURN FROM EXECUTIVE SESSION MADE BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.

Reconvened to open session at 7:32 p.m.

- 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.d.2:

Lewis, Henry – Animal Services Attendant

MOTION TO APPROVE MADE BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER SUSTAITA AND UNANIMOUSLY PASSED.

- 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 15 Section 5:

Cervantes, Alfredo III – Animal Services Attendant

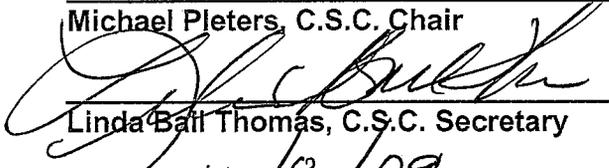
MOTION TO APPROVE MADE BY COMMISSIONER BOURESLAN AND SECONDED BY COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.

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

MEETING ADJOURNED AT 7:33 P.M.



Michael Pleters, C.S.C. Chair



Linda Ball Thomas, C.S.C. Secretary

10/8/09

Date Approved