

MINUTES

AGENDA FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING, SEPTEMBER 13, 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
Chacon, Fernando
Gezelius, Ken
Mosher, Fran
Reynolds, Thurman
Scott, Valerie

MEMBERS ABSENT: Brannon, Edith

The meeting convened at 6:03 p.m. with 6 Commissioners present and Chair Lance Ruck presiding. Chair Ruck first took the opportunity to thank Commissioner Mosher for her service to the Commission and wish her well in the future. Commissioner Ruck presented an appreciation plaque to Commissioner Mosher. Commissioner Ruck called for any changes to the agenda from Ms. Thomas. Ms. Thomas requested that Item #2 on the agenda be marked for notation rather than approval. Ms. Thomas requested that Item #5 be moved to the top of the agenda. Ms. Thomas requested that Item #4 be moved to the end of the agenda after Item #7. Commissioner Boureslan requested that Item #1A – Minutes be moved to the regular agenda.

MOTION TO APPROVE THE CONSENT AGENDA MADE BY COMMISSISONER BOURES LAN AND SECOND BY COMMISSIONER REYNOLDS AND UNANIMOUSLY APPROVED.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

A. August 23, 2007

Commissioner Boureslan noted discrepancy on page 8 of the minutes, stating that he had abstained during the vote on Item 9C, 9F & 9G. CSC Recorder, Ms. Brown will make corrections.

MOTION TO APPROVE ITEM 1A-MINUTES WITH CORRECTIONS MADE BY COMMISSISONER GEZELIUS AND SECOND BY COMMISSIONER MOSHER AND UNANIMOUSLY APPROVED.

B. September 5, 2007 (Special Meeting)

2. Notation on Approval of Classification Actions:

Chair Ruck commented that this item was specifically addressing concerns from Commissioner Brannon mentioned, and felt she would want to comment on her return. Chair Ruck confirmed with Ms. Thomas that this was an ongoing process, of which she replied "yes, that is correct".

REGULAR AGENDA

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

A. Castillo, Hector – Suspension – Street Department (*previously remanded*)

Commissioner Mosher requested that the Commission move to Executive Session.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSONER MOSHER AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY APPROVED.

Executive Session convened at 6:12 p.m.

MOTION TO RECONVENE OPEN SESSION MADE BY COMMISSONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY APPROVED.

Open Session reconvened at 6:26 p.m.

Hearing Officer Ellis spoke regarding 30 day requirement of filing an appeal.

(Discussion)

MOTION TO REJECT THE HEARING OFFICER'S RECOMMENDATION BASED UPON THE MERITS OF THIS CASE AND DISMISS THE APPEAL BASED UPON THE UNTIMELY FILING OF THE APPEAL MADE BY COMMISSONER MOSHER AND SECOND BY COMMISSIONER GEZELIUS AND PASSED WITH ONE OPPOSITION BY COMMISSIONER CHACON.

(Discussion)

B. Rios, Abraham – Suspension – Environmental Services

MOTION TO APPROVE MADE BY COMMISSONER MOSHER AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY APPROVED.

C, Murga, Rudy – Suspension – EPWU

MOTION TO APPROVE MADE BY COMMISISONER MOSHER AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY APPROVED.

D. Vargas, Raul – Suspension – Sun Metro

MOTION TO APPROVE MADE BY COMMISISONER GEZELIUS AND SECOND BY COMMISSIONER MOSHER AND UNANIMOUSLY APPROVED.

4. Discussion and Action on Equivalency Guidelines.

Chair Ruck advised of Ms. Wilson's memorandum requesting a two month delay for Departments to review guidelines. There are currently two proposals on the table.

(Discussion)

MOTION TO TABLE FOR 60 DAYS MADE BY COMMISISONER BOURESLAN AND SECOND BY COMMISSIONER GEZELIUS.

Commissioner Ruck further commented that all employees should be asked for their input in this issue.

Commissioner Boureslan amended his motions to:

MOTION TO TABLE FOR 60 DAYS PROVIDING TIME FOR THE CITY TO CONSULT WITH AND INCLUDE ALL EMPLOYEES IN THE EQUIVALENCY GUIDELINES PROCESS MADE BY COMMISISONER BOURESLAN AND SECOND BY COMMISSIONER REYNOLDS AND UNANIMOUSLY APPROVED

Chair Ruck further commented that the City should provide all employees with the current proposals and request their comments and their own proposals.

5. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with applicable provisions of the current collective bargaining agreement between the City and Local 51 I.F.F.:

- A. Octavio Acosta
- B. Juan Acuna
- C. Jesus Aguilar
- D. Jesus Anchondo
- E. David Beltran
- F. Richard Carpio
- G. Gabriel Chavira

H. Pedro Fabela
I. Lance A. Facio
J. Raymundo Flores
K. Russell Franco
L. Eduardo Gomez
M. Gerardo Heras
N. John David Hilverding
O. Greg Komassa
P. Isaac Licerio
Q. Jerry Robert Lyles
R. Jodie Matejcek
S. Ricardo Medina
T. Jose Angel Munoz
U. Rene Ochoa
V. Michael Olivas
W. Eduardo Orozco
X. Ramon Orozco
Y. Cassandra Pendergrass
Z. Larry C. Perez, Jr.
AA. Fidel Portillo
BB. Justin Michael Ramirez
CC. Jesus Ramos
DD. Jesus E. Robles
EE. Alfredo Rosales
FF. Jesus Raymundo Salmeron
GG. Esau Y. Villegas

Chair Ruck requested that Chief Maron come to the podium to answer some questions. Chair Ruck confirmed with Chief Maron that all of the listed people were currently firefighters. They all failed the Fire Suppression Technician test approximately 6 to 7 months ago. Chief Maron confirmed this information and also that the Fire Department was still under the collective bargaining agreement from 2002. Chief Maron stated that he and the Department were in favor of these appellants to be approved to take the exam.

MOTION TO APPROVE ITEM 5 MADE BY COMMISISONER BOURESLAN AND SECOND BY COMMISSIONER CHACON AND UNANIMOUSLY APPROVED.

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, Section 1.d.1:

A. David Ochoa – Parks Superintendent

Employee, David Ochoa spoke regarding this ongoing matter.

(Discussion)

MOTION TO DENY MADE BY COMMISISONER GEZELIUS AND SECOND BY COMMISSIONER SCOTT AND PASSED WITH COMMISSIONER CHACON IN OPPOSITION.

B. Victor Flores – Parks Superintendent

MOTION TO DELETE MADE BY COMMISISONER MOSHER AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY APPROVED.

C. George Flores – Parks Superintendent

MOTION TO DELETE MADE BY COMMISISONER GEZELIUS AND SECOND BY COMMISSIONER MOSHER AND UNANIMOUSLY APPROVED.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISISONER MOSHER AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY APPROVED.

Executive Session convened at 7:18 p.m.

MOTION TO RECONVENE OPEN SESSION MADE BY COMMISISONER BOURESLAN AND SECOND BY COMMISSIONER GEZELIUS AND UNANIMOUSLY APPROVED

Open Session reconvened at 7:36 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

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, Section 1.d.2:

A. Victor Mergil – General Service Worker

MOTION TO APPROVED MADE BY COMMISISONER BOURESLAN AND SECOND BY COMMISSIONER REYNOLDS AND PASSED WITH ONE OPPOSITION BY COMMISSIONER GEZELIUS.

B. Victor M. Beard – Facilities Maintenance Worker

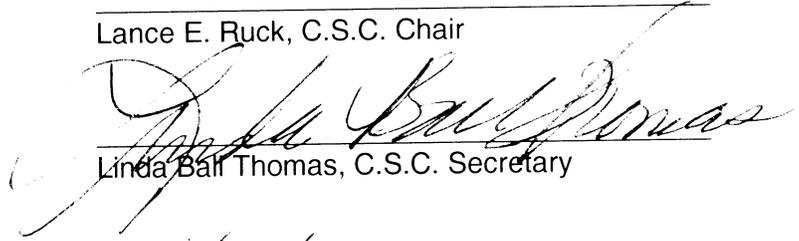
MOTION TO APPROVED MADE BY COMMISISONER BOURESLAN AND SECOND BY COMMISSIONER MOSHER AND UNANIMOUSLY APPROVED.

MOTION TO ADJOURN MADE BY COMMISSONER GEZELIUS AND SECOND BY COMMISSIONER BOURESLAN AND UNANIMOUSLY APPROVED

Meeting Adjourned at 7:40 p.m.



Lance E. Ruck, C.S.C. Chair



Linda Ball Thomas, C.S.C. Secretary

9/13/07

Date Approved