

MINUTES

FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING, OCTOBER 13, 2011, 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: Gezelius, Kenneth – Chair
Bautista, Jesus H.
Karlsruher, Eileen
Mendez-Acosta, Belinda
Turner, Marcia
Viescas, Cora

MEMBERS: ABSENT: Pleters, Michael
Ramirez, Terry

The meeting convened at 6:01 p.m. with five Commissioners present and Chair Gezelius presiding. Chair Gezelius asked CSC Secretary Linda Thomas if there were any changes to agenda. Ms. Thomas stated there were no changes.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

September 1, 2011

**MOTION TO APPROVE CONSENT AGENDA MADE BY COMMISSIONER KARLSRUHER AND
SECONDED BY COMMISSIONER TURNER AND UNANIMOUSLY PASSED.**

REGULAR AGENDA

- 1.5 Discussion on Commissioner's Conflict of Interest – Per Request of Commissioner Bautista.

Discussion by Commissioner Bautista, CSC Assistant City Attorney John Batoon, Commissioner Mendez-Acosta. Further discussion by CSC Assistant City Attorney John Batoon, Commissioner Bautista, and Commissioner Mendez-Acosta. Public Speakers: Fernando Chacon, Jaime A. Arellano, Jr., David Ochoa, Lilia Fierro, and David Guzman. Further discussion by Commissioner Bautista, Chair Gezelius, CSC Sectary Linda Thomas, CSC Assistant City Attorney John Batoon and Commissioner Mendez-Acosta.

MOTION TO DELETE MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

2. Discussion and Action on Grievance Filed By:

Eduardo Velasquez – Sun Metro

Discussion by Appellant's Representative David Guzman, Chair Gezelius, Commissioner Bautista, Shift Supervisor Sun Metro, Kevin Bunce, Commissioner Viescas, CSC Assistant Attorney John Batoon, Appellant Eduardo Velasquez, HR Director Linda Thomas, and Ray Morales. Further discussion by Appellant's Representative David Guzman, Commissioner Karlsruhe, Shift Supervisor Sun Metro Kevin Bunce, Commissioners Turner, Karlsruhe, Viescas, Bautista, Turner, CSC Assistant City Attorney John Batoon, HR Director Linda Thomas, and City Manager Joyce Wilson.

MOTION TO TABLE TO NEXT CSC MEETING OF NOVEMBER 10, 2011 MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER TURNER WITH COMMISSIONER MENDEZ-ACOSTA ABSTAINING.

3. Discussion and Action on Approval of Hearing Officer's Reports and Recommendations:

A. Ricardo Marquez – Termination – Environmental Services

Discussion by Appellant's Representative Jaime Arellano, Jr., Director Environmental Services Ellen Smyth, Commissioners Bautista, and Mendez-Acosta. Further discussion by Appellant's Representative Jaime Arellano, Jr., and Commissioner Viescas.

FIRST MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION FOR THE TERMINATION NOT BE SUSTAINED WITH MODIFICATION TO REDUCE TO 30 DAY SUSPENSION INSTEAD OF 60 DAYS MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER MENDEZ-ACOSTA MOTION FAILS BY A VOTE OF 2 TO 3.

AYES: MENDEZ-ACOSTA, BAUTISTA
NAYES: TURNER, VIESCAS, KARLSRUHER

SECOND MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION FOR THE TERMINATION NOT BE SUSTAINED INSTEAD BE GIVEN 60 DAY SUSPENSION MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, VIESCAS, KARLSRUHER, BAUTISTA
NAYES: MENDEZ-ACOSTA

B. Ignacio Cabrales – Suspension – Sun Metro

Discussion by Appellant's Representative Jaime Arellano, Jr., Director Sun Metro Jay Banasiak, CSC Assistant City Attorney John Batoon, Commissioners Viescas and Bautista. Further discussion by Appellant's Jaime Arellano, Jr.

FIRST MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT THE TEN DAY SUSPENSION NOT BE SUSTAINED MADE BY COMMISSIONER BAUTISTA NO SECOND THE MOTION FAILED.

SECOND MOTION TO OVERTURN THE HEARING OFFICER'S RECOMMENDATION TO UPHOLD THE TEN DAY SUSPENSION MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A VOTE OF 3 TO 1 WITH 1 ABSTENTION.

AYES: TURNER, VIESCAS, KARLSRUHER

NAYES: BAUTISTA

ABSTAIN: MENDEZ-ACOSTA

4. Discussion and Action on Performance Evaluation Sub-Committee Reports and Recommendations:

A. George Pinal – Metropolitan Planning Organization

Discussion by Appellant's Representative David Ochoa, Commissioner Karlsruhe, CSC Assistant City Attorney John Batoon, Commissioner Bautista, Appellant George Pinal, Commissioner Mendez-Acosta, and HR Director Linda Thomas.

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

B. Alfredo Sarabia – International Bridges

Discussion by Chair Gezelius, Commissioner Viescas, CSC Assistant City Attorney John Batoon, Appellant Alfredo Sarabia, Commissioner Mendez-Acosta, Director of International Bridges Said Larbi-Cherif.

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

C. Rosa I. Talamantes – Financial Services

Discussion by Appellant's Representative David Ochoa, CSC Assistant City Attorney John Batoon, Commissioners Bautista, Turner, Director Financial Services Carmen Arrieta-Candeleria, Commissioner Mendez-Acosta, Appellant Rosa Talamantes, Comptroller Financial Services Mark Sutter and Commissioner Viescas.

FIRST MOTION TO TABLE ITEM TO NEXT CSC MEETING MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER MENDEZ-ACOSTA MOTION FAILS BY A VOTE OF 2 TO 3.

AYES: MENDEZ-ACOSTA, BAUTISTA

NAYES: TURNER, VIESCAS, KARLSRUHER

SECOND MOTION TO APPROVE SUB-COMMITTEE'S RECOMMENDATION TO DENY APPEAL MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A VOTE OF 3 TO 2.

AYES: TURNER, VIESCAS, KARLSRUHER

NAYES: MENDEZ-ACOSTA, BAUTISTA

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.1:

A. Villalba, Jr., Joseph – Assistant Municipal Clerk

MOTION TO DENY MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

B. Urquidi, Oscar R. – Utility Engineering Associate

Discussion by Appellant Oscar Urquidi, Commissioner Karlsruhe, HR Director Linda Thomas, Commissioner Mendez-Acosta and Senior HR Analyst Erica Salamanca.

MOTION TO DENY MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, MENDEZ-ACOSTA, VIESCAS, KARLSRUHER
NAYES: BAUTISTA

C. Shankles, Kelly – Water Conservation Technician

Discussion by Appellant Kelly Shankles, Chair Gezelius, HR Director Linda Thomas, Commissioner Mendez-Acosta and Senior HR Analyst Erica Salamanca.

MOTION TO DENY MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIESCAS AND UNANIMOUSLY PASSED.

D. Ternoir, Leonardo – Water Conservation Technician

MOTION TO DENY MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER TURNER AND UNANIMOUSLY PASSED.

E. Tonche, Patricia – Water Conservation Technician

Discussion by Appellant Patricia Tonche, Chair Gezelius, HR Director Linda Thomas, Senior HR Analyst Erica Salamanca, CSC Assistant Attorney John Batoon, and Commissioner Karlsruhe.

MOTION TO APPROVE MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER TURNER AND UNANIMOUSLY PASSED.

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

Executive session convened at 9:21 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 TO OPEN SESSION MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER BAUTISTA AND UNANIMOUSLY PASSED.

Reconvened to open session at 9:43 p.m.

6. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with CSC Rule 8.1.D.3:

A. Austin, Ernest A. – Certified Paramedic-Fire Trainee

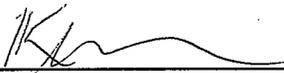
MOTION TO APPROVE MADE BY COMMISSIONER BAUTISTA AND SECONDED BY COMMISSIONER VIASCAS AND UNANIMOUSLY PASSED.

B. Robledo, Ruben – Certified Firefighter Trainee

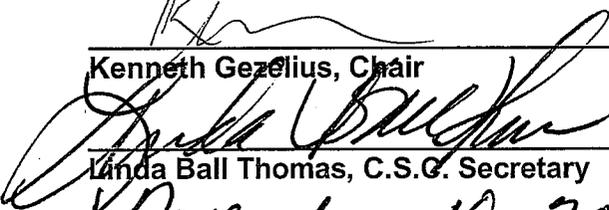
MOTION TO APPROVE MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

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

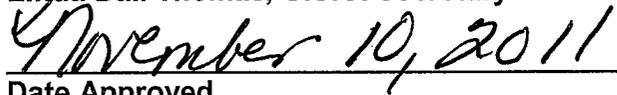
MEETING ADJOURNED AT 9:44 P.M.



Kenneth Gezelius, Chair



Linda Ball Thomas, C.S.C. Secretary



Date Approved