

MINUTES
AGENDA FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION
TO BE HELD AT 6:00 P.M., THURSDAY EVENING, NOVEMBER 9, 2006
TESTING/TRAINING ROOM, #2 CIVIC CENTER PLAZA – 3RD 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: Boureslan, Ali – Chair
 Brannon, Edith
 Gezelius, Ken
 Graham, Elijah
 Mosher, Fran
 Ruck, Lance
 Reynolds, Thurman
 Scott, Valerie

MEMBERS ABSENT: Schwartz, Elma

CONSENT AGENDA

The meeting convened at 6:00 p.m. with seven Commissioners and Chair Boureslan presiding. Chair Boureslan began the meeting by asking if there were any changes to the agenda. Carl Myers, Payroll & Records Supervisor, informed the Commissioners that tem 2, had been deleted. Chair Boureslan requested Item 7 be moved from the Consent Agenda to the Regular Agenda. Commissioner Gezelius requested Item 8 be moved from the Consent Agenda to the Regular Agenda.

MOTION TO APPROVED CONSENT AGENDA MADE BY COMMISISONER GEZELIUS AND SECOND BY COMMISSIONER BRANNON AND UNANIMOUSLY PASSED.

1. Discussion and Action on Approval of Minutes:

October 26, 2006

2. Discussion and Action on Approval of Contracts

Personal Services Contract with Sylvia Monsisvais to perform the duties of Special Promotions Coordinator from November 14, 2006 through November 13, 2007 for the Police Department.

ITEM 2 WAS DELETED

MOTION TO APPROVE ITEM 2 AS DELETED WAS MADE BY COMMISSIONER GEZELIUS AND SECOND BY COMMISSIONER MOSHER AND UNANIMOUSLY PASSED.

3. Notice of Promulgation of Eligible Lists:
 - A. Consumer Affairs Officer = Promulgated 10/27/06 (P-3) (O-4)
 - B. Fire Captain = Promulgated 09/22/06 (P-27)
 - C. Fleet Maintenance Technician = Promulgated 09/29/06 (P-5) (CR-1) (O-13)
 - D. Engineering Technician = Promulgated 09/25/06 (P-1) (CR-1) (O-5)
 - E. Project Compliance Specialist = Promulgated 10/13/06 (P-2) (O-7)
 - F. Document Center Specialist = Promulgated 09/15/06 (P-1) (CR-2) (O-53)
 - G. Public Information Specialist = Promulgated 10/16/06 (P-1) (O-6)
 - H. Planner = Promulgated 09/07/06 (P-4) (O-11)
 - I. Marketing & Cultural Tourism Development Manager = Promulgated 10/05/06 (P-2) (O-12)
 - J. Chief Coach Operator = Promulgated 10/06/06 (P-10)
 - K. Regional Library Branch Manager = Promulgated 10/13/06 (O-3)

4. Discussion and Action on request to have named placed on Transfer List:
 - A. Arrendondo, Blanca – General Service Worker – Airport
 - B. Cedeno, Jose – General Service Worker – Airport
 - C. Hernandez, Jaime – Fleet Maintenance Technician – Sun Metro
 - D. *Item Not Used*

5. Discussion and Action on request to have name placed on Reinstatement List:
 - A. Alvarez, Ernesto – Senior Office Assistant – Street
 - B. Campos, Guillermo – Airport Field Maintenance Worker - Airport

6. Discussion and Action on Request for Temporary Promotion:
 - A. Cisneros, Ruben – Police (Extension)
From: Police Officer
To: Police Sergeant

7. Discussion and Action on Approval of Hearing Officer's Invoice:

Borunda, Chris – Invoices 38450, 38451 and 38541 – Dated 10/16/2006 & 10/20/06

Chair Boureslan commented that the last bill appeared confusing in regards to the past due amounts listed on the invoices. Carl Myers reported that past due amounts had been cleared and the grand total of three current invoices was \$731.08.

MOTION TO APPROVE INVOICES FOR PAYMENT MADE BY COMMISISONER RUCK AND SECOND BY COMMISISONER MOSHER AND UNANIMOUSLY PASSED.

8. Discussion and Action on request to reset ending date of probationary period in accordance with Article VI, Section 6.9-1 of the C.S.C. Charter:

Ruby Gavilanes – Fire Fighter – Fire Department

Commissioner Gezelius commented that when a worker is on probationary status and gets sick or injured for a couple of weeks, we extend their probation. This appears that you want to go back and start from square one. Chief Marron replied that the employee would need to go through a complete orientation at the academy. The employees hire date was 10/31/05 and she has missed over 48 shifts. Once she is released by the doctor, we would like to have her on one year probation. We need this time to accurately judge her performance. Commissioner Gezelius inquired if this same consideration would be given to a male fire fighter. Chief Marron responded, yes.

MOTION TO APPROVE REQUEST TO RESET ENDING DATE OF PROBATIONARY PERIOD TO 12 MONTHS UPON DOCTOR'S RELEASE BY COMMISSIONER BRANNON AND SECOND BY COMMISSISONER GEZELIUS, AND UNANIMOUSLY PASSED.

9. Discussion and Action on request to assign pending appeal cases:

Randall Greene – Termination – Engineering Services

REGULAR AGENDA

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 8.1.d.1.:
- A. Owens, Robert L – Recreation Program Specialist
 - B. Barrera, Carlos Jr. – Recreation Program Specialist

Robert Owens explained he had a score of 87.5 before any points were added for veterans or seniority points. They are telling me I am disqualified because I do not have an Associate Degree, even though I currently have over 90 college credit hours. This could have been applied at El Paso Community College and been enough for an Associates Degree. Commissioner Gezelius inquired if Mr. Owens was currently filling the position on an interim basis. Mr. Owens stated that he had been doing the job for approximately 2 ½ months. Joe Rodriguez from the Parks Department reported that he was not working that particular job. Chair Boureslan questioned if Mr. Owens was working out of class or on a temporary promotion. Commissioner Graham questioned Mr. Rodriguez regarding Mr. Owens position and who served as his supervisor. Commissioner Graham made motion to approve. Lupe Cuellar, City Attorney, did interject that the Commission adopted a policy regarding educational requirements, and that candidates could not be considered if they did not meet the educational requirements. Until the policy is revisited and changes made, the education is required. Experience can not be substituted for education. Peter Fargo of Human Resources commented that Mr. Owens is not working out of class nor is he temporary promoted. Mr. Owens believes he is working out of class, but the department states that he is not. Chair Boureslan asked who was currently filling that position. Mr. Fargo reported that no one was currently in that position. Mr. Owens is merely doing his current position. Mr. Fargo further reported that Mr. Owens does not have any of the core classes associated with Recreation Management. Barry Russell, Assistant Director of Parks and Recreation, further explained exactly what the Department was looking for in the Recreation Program Specialist position. He further commented

that someone may have 200 to 300 college credit hours, but if they are not in the field of child psychology, development, physical education, coaching, or sports management, they would not really help the department move forward. We are trying to provide the best services to the community. Chair Boureslan inquired about Mr. Owens military service and asked him to explain what his 20 years worth of experience may have involved. Mr. Owens coached football, softball, and basketball teams as well as a bowling team. He stated that he also served as a substitute teacher for 9 years, working with children from the age of pre-teen through high school. Commissioner Brannon asked if job was posted and did other people apply that met the requirements. Peter Fargo replied that yes, he did have qualified applicants. Commissioner Brannon added that we have people who read the posting and qualified under the posting, and I now find it difficult to bend the rules for one person. Commissioner Graham states that since he has not 60, but 90 hours of college credit, he believes Mr. Owens should qualify. His military experience should qualify alone for his community involvement. His military and educational qualifications, along with his ability to convert his hours to an associate degree, he should be given a chance to qualify. Commissioner Graham also commented to Mr. Russell that if the Department was concerned about moving in the right direction, they should make sure they take care of their people. It is my opinion that the Civil Service should step in and give this man a chance to qualify and compete like everyone else. Mr. Russell stated that the department does take care of their people. Commissioner Mosher commented that the commission was bound by the rules. Commissioner Ruck questioned why we use employees on a provisional basis for months and then do not qualify them. It appears unfair. Mr. Fargo restated that Mr. Owens is not currently working that position.

MOTION TO APPROVE THE CANDIDATE FOR THE ELIGIBLE LIST MADE BY COMMISSIONER GRAHAM;

Ayes: Graham, Reynolds, Gezelius
Nays: Scott, Mosher, Ruck, Brannon

MOTION FAILED

MOTION TO DISQUALIFY MADE BY COMMISSIONER MOSHER AND SECOND BY COMMISSIONER BRANNON.

Ayes: Brannon, Scott, Mosher, Ruck
Nays: Graham, Reynolds, Gezelius

MOTION CARRIES.

Carlos Barrera commented that he failed to submit some critical information. The Analyst that worked with me said they did accept my degree. I was allowed to take the examination as long as I was able to present further information to you that I had previously not submitted with previous application. Chair Boureslan stated that to his knowledge, nothing could be submitted, once the application is submitted. Mr. Fargo spoke for analyst stating that she did not give credit for the degree, or credit for experience. He does not have the relevant education.

MOTION TO DENY MADE BY COMMISSIONER BRANNON AND SECOND BY COMMISSIONER GEZELIUS.

Ayes: Brannon, Scott, Mosher, Ruck, Reynolds, Gezelius
Nays: Graham

11. Discussion and Action on Hearing Officer's Report and Recommendation:

Rodríguez, Gerardo – Suspension – Sun Metro (04-SM-14BY)

MOTION TO APPROVE THE HEARING OFFICER'S RECOMMENDATION MADE BY COMMISSIONER RUCK AND SECOND BY COMMISSIONER MOSHER AND UNANIMOUSLY PASSED.

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

EXECUTIVE SESSION AT 6:37 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

12. 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

Munoz, Oscar	A.	Coach Operator Trainee
	B.	Licensed Coach Operator
	C.	Paratransit Coach Operator
	D.	Groundskeeper

RETURNED TO OPEN SESSION AT 6:47.

MOTION TO APPROVE APPEAL FOR POSITIONS A., B., C. & D. MADE BY COMMISSIONER BRANNON AND SECOND BY COMMISSIONER MOSHER, AND UNANIMOUSLY PASSED.

13. Discussion and Action on Hiring Hearing Officers

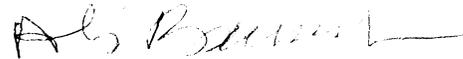
Chair Boureslan reminded everyone that Chris Brounda has resigned effective in December, so we need to get a Hearing Officer ready for the coming year. Commission Ruck advised that he would like to check with Bill Ellis and believe that he would do an excellent job and recommends a six month contract. Commissioner Gezelius confirmed that Mr. Ellis was interested in the position. Lupe Cuellar explained that Human Resources will contact Bill Ellis to determine if he is interested, and then the Commission can go ahead and direct that we draft a contract for the next agenda. Commissioner Brannon questioned if there were any established procedures for applying. Chair Boureslan reported that the Commission was in charge of hiring for this position. We are in charge of hiring. Commission Brannon felt we had an obligation to look at more than one candidate.

MOTION MADE TO PREPARE A SIX MONTH CONTRACT IF MR. ELLIS IS INTERESTED, FOR THE NEXT MEETING IN DECEMBER. SECOND BY COMMISSIONER GRAHAM

Ayes: Ruck, Scott, Gezelius, Graham, Mosher, Reynolds
Nays: Brannon

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

ADJOURNED AT 6:53 P.M.



ALI BOURES LAND, C.S.C. CHAIR



LINDA BALL THOMAS, C.S.C. SECRETARY

DATE APPROVED.