

MINUTES
FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT
6:00 P.M., THURSDAY EVENING, NOVEMBER 13, 2008, 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: Boureslan, Ali – Chair
 Brannon, Edith
 Chacon, Fernando
 Graham, Elijah
 Karlsruher, Eileen
 Medina, Larry M.
 Pleters, Michael
 Sustaita, Jessie
 Viescas, Cora

MEMBERS ABSENT: None

The meeting convened at 6:00 p.m. with eight Commissioners present and Chair Boureslan presiding. Chair Boureslan asked CSC Secretary Linda Thomas if there were any changes to the Agenda. Ms. Thomas asked that Item 7 A-E, Item 11 (3), and Item 12A (3) be deleted. Chair Boureslan asked Commissioners of any changes Commissioner Pleters requested Item 5, Commissioner Viescas requested Item 3, and Chair Boureslan requested Items 4 and 6 be moved to Regular Agenda. Early departure: Larry Medina at 8:21 p.m.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

October 9, 2008

2. Notation - Suspension Appeal.

Joseph Mitotes – Fire Department

3. Notation - Hearing Officer's Report.

Maria Del Rosario Rangel – Suspension – International Bridges

Comments by Commissioner Graham to staff Assistant City Attorney Michele Daly, Assistant City Attorney Lupe Cuellar. Further comments by Chair Boureslan, Commissioners Chacon, Pleters, Brannon, and Medina.

MOTION TO DELETE ITEM 3 MADE BY COMMISSIONER MEDINA AND SECONDED BY COMMISSIONER PLETERS AND UNANIMOUSLY PASSED.

4. Notation Letter to CSC Chair Boureslan submitted by Bill Arballo, AFSCME Local 59 on behalf of Rosendo Huerta.

Comments by Bill Arballo, AFSCME Local 59

MOTION TO DELETE ITEM 4 MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.

5. Notation CSC Rule 21 – Ex Parte Communications submitted by Joseph Rochefort.

Chair Boureslan excuses himself from this item. Acting Vice-Chair Brannon presides. Comments by Joseph Rochefort, Commissioners Medina, Chacon, Pleters, and City Attorney Elaine Hengen.

MOTION TO DELETE ITEM 5 MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER SUSTAITA AND UNANIMOUSLY PASSED. NOTATION BY VICE-CHAIR BRANNON THAT CHAIR BOURESLAN DID NOT PARTICIPATE OR VOTE.

6. Notation Sun Metro Failure to Comply submitted by Joseph Rochefort.

Comments by Chair Boureslan and Joseph Rochefort.

MOTION TO DELETE ITEM 6 MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER VIASCAS AND UNANIMOUSLY PASSED.

MOTION TO APPROVE CONSENT AGENDA WITH CHANGES MADE BY COMMISSIONER SUSTAITA AND SECONDED BY COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.

REGULAR AGENDA

7. Discussion and Action on Grievances filed by:

- A. Carlos J. DeAnda – Fire Department
- B. Ulrike Kirby – Fire Department
- C. Sylvia Medina – Fire Department
- D. Raul Muro – Fire Department
- E. Raul Ponce – Fire Department

ITEM 7 A-E DELETED

- 7.25 Discussion and Action on Qualification of Applicants based on additional experience gained during Recruitment Process.

Discussion by Commissioner Brannon, HR Director Linda Thomas, Chair Boureslan, Commissioners Viascas and Pleters.

MOTION FOR CITY TO DRAFT CHANGE TO RULE 8, SECTION 1.G MADE BY COMMISSIONER PLETERS AND SECONDED BY COMMISSIONER VIASCAS AND UNANIMOUSLY PASSED.

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

Jimmy L. Tate – Suspension – Sun Metro

Discussion by Chair Boureslan, Appellant's Representative Jaime Arellano, Jr., Commissioners Viescas and Brannon.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT THE 5-DAY SUSPENSION BE MITIGATED TO A 3-DAY SUSPENSION AND HE BE MADE WHOLE TO THE EXTENT OF 2-DAYS MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

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

Hector A. Camacho – Fire Department

Discussion by Chair Boureslan.

MOTION TO APPROVE SUB-COMMITTEE'S RECOMMENDATION TO DENY APPEAL MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER VIESCAS 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 8, Section 1.d.1:

A. Molina, Lorena – Utility Laboratory Technician

Discussion by Appellant Lorena Molina, Commissioners Brannon and Viescas, HR Director Linda Thomas, and Chair Boureslan.

MOTION TO DENY MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY A SPLIT VOTE OF 5 TO 3.

AYES: BRANNON, MEDINA, PLETTERS, KARLSRUHER, VIESCAS

NAYES: SUSTAITA, GRAHAM, CHACON

B. Riley, Robert – Civil Engineer

Discussion by Appellant Robert Riley, Chair Boureslan, Commissioners Medina, Graham, Karlsruhe, Brannon, HR Manager Peter Fargo, and HR Director Linda Thomas.

MOTION TO DENY MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER GRAHAM AND SECONDED BY COMMISSIONER PLETTERS AND UNANIMOUSLY PASSED.

Executive session convened at 7:34 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 PLETTERS AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED. NOTATION BY CHAIR BOURESLAN TO EXCUSE COMMISSIONER MEDINA FROM MEETING.

Reconvened to open session at 8:21p.m.

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.2

A. Avila, Kenny – Animal Control Attendant

MOTION TO APPROVE MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER PLETTERS AND UNANIMOUSLY PASSED. COMMISSIONER MEDINA NOT PRESENT FOR THE VOTE.

B. Davis, O'Dell E. – Coach Operator Trainee

MOTION TO APPROVE MADE BY COMMISSIONER VIASCAS AND SECONDED BY COMMISSIONER GRAHAM AND PASSED BY A SPLIT VOTE OF 4 TO 3.

AYES: SUSTAITA, GRAHAM, CHACON, VIASCAS

NAYES: BRANNON, PLETTERS, KARLSRUHER

NOT PRESENT FOR THE VOTE: COMMISSIONER MEDINA

C. Hernandez, Marco – Utility Plant Technician

MOTION TO APPROVE MADE BY COMMISSIONER SUSTAITA AND SECONDED BY COMMISSIONER GRAHAM AND PASSED BY A VOTE OF 6 TO 1.

AYES: BRANNON, SUSTAITA, GRAHAM, CHACON, KARLSRUHER, VIASCAS

NAYES: PLETTERS

NOT PRESENT FOR THE VOTE: COMMISSIONER MEDINA

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 8.1.d.3

Zambrano, Roberto 1) Animal Control Shift Supervisor
2) Animal Services Officer
3) Cashier

MOTION TO APPROVE ITEM 11 (1) AND (2) MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED. ITEM 11 (3) WAS DELETED. COMMISSIONER MEDINA NOT PRESENT FOR THE VOTE.

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 8.1.f

- A. Huerta, Rosendo – 1) Animal Control Shift Supervisor
- 2) Animal Services Officer
- 3) Cashier

MOTION TO APPROVE ITEM 12 A (1) AND (2) MADE BY COMMISSIONER SUSTAITA AND SECONDED BY COMMISSIONER CHACON AND PASSED BY A VOTE OF 6 TO 1. ITEM 12 A (3) DELETED.

AYES: SUSTAITA, GRAHAM, CHACON, PLETTERS, KARLSRUHER, VIASCAS
NAYES: BRANNON

NOT PRESENT FOR THE VOTE: COMMISSIONER MEDINA

- B. Rivera, Cynthia – 1) Cashier
- 2) Office Assistant
- 3) Police Records Specialist
- 4) Public Safety Call Taker
- 5) Transit Customer Service Representative

MOTION TO APPROVE MADE BY COMMISSIONER SUSTAITA AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED. COMMISSIONER MEDINA NOT PRESENT TO VOTE.

- C. Suarez, Armando – Solid Waste Truck Driver

MOTION TO DENY MADE BY COMMISSIONER PLETTERS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY SPLIT VOTE OF 5 TO 2.

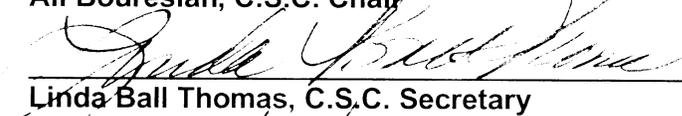
AYES: BRANNON, GRAHAM, PLETTERS, KARLSRUHER, VIASCAS
NAYES: SUSTAITA, CHACON.
NOT PRESENT FOR THE VOTE: COMMISSIONER MEDINA

MOTION TO ADJOURN MADE BY COMMISSIONER BRANNON AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

MEETING ADJOURNED AT 8:24 P.M.



Ali Boureslan, C.S.C. Chair



Linda Ball Thomas, C.S.C. Secretary

12/11/08

Date Approved