



## COUNTY OF EL PASO

CIVIL SERVICE COMMISSION  
500 E. SAN ANTONIO, RM. 302  
EL PASO, TEXAS 79901  
(915) 546-2218  
FAX (915) 546-8126

### MINUTES OF OCTOBER 6, 2009

COMMISSIONERS PRESENT: PAULA MITCHELL, CHAIRPERSON  
TRINI MUNOZ, COMMISSIONER  
CAROL GARCIA, COMMISSIONER

OTHERS PRESENT: LIZA REYES, HUMAN RESOURCES  
ESTELA SALGADO, HUMAN RESOURCES  
CHRISTINA SANCHEZ, COUNTY ATTORNEY'S OFFICE  
BETSY KELLER, HUMAN RESOURCES DIRECTOR

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The El Paso County Civil Service Commission met in Commissioners' Court Room and was called to order at 3:01 p.m. by Estela Salgado, Employment Civil Service/Specialist.

### CONSENT AGENDA

ITEM #1  
MOTION #1 APPROVED.

Discuss and take appropriate action on minutes of the Civil Service Commission for the regularly scheduled meetings of September 1, 2009 and special meeting of September 17, 2009. (Betsy C. Keller, Human Resources Director).

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner, to approve the minutes of the Civil Service Commission regularly scheduled meetings of September 1, 2009 and special meeting of September 17, 2009 as submitted by Betsy C. Keller, Human Resources Director.

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

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**ITEM #2**

**MOTION #1 APPROVED.**

Discuss and take appropriate action on the requests from employees listed in the back up to be recipients of donated vacation leave. (Betsy C. Keller, Human Resources Director).

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner, to approve the request from employees listed in the back up to be recipients of donated vacation leave as submitted by Betsy C. Keller, Human Resources Director.

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

**REGULAR AGENDA**

**ITEM #3**

Discuss and take appropriate action on current grievances scheduled October 6<sup>th</sup> as listed in back-up and schedule a special meeting if necessary and review the current Docket Management Policy in place. (Betsy C. Keller, Human Resources Director).

**ACTION:** Actions were taken on Items #13, #14, #15, #16, and #17 on an individual basis. Items #13 and #16 were scheduled for the regularly scheduled meeting of November 3<sup>rd</sup>. Item #15 was scheduled for a special meeting of October 26<sup>th</sup> at 2:00 p.m. Items #14 and #17 would be heard today.

**ITEM #4**

**MOTION #9 APPROVED.**

Discuss and take appropriate action to create a list of nominees to be submitted to Commissioners' Court to form the El Paso County Ethics Commission as recommended by the El Paso County Civil Service Commission. (Dr. Paula Mitchell, Chairperson).

**ACTION: FIRST MOTION:**

It was moved by Carol Garcia, Commissioner and seconded by Paula Mitchell, Chairperson to accept David Nemir as additional nominee to be submitted to Commissioners' Court to form the El Paso County Ethics Commission as recommended by the El Paso County Civil Service Commission. Trini Munoz, Commissioner recused.

VOTE: YES - Mitchell, Garcia

MOTION CARRIED.

**MOTION #10**

**ACTION: SECOND MOTION:**

It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia Commissioner to accept Susanna Visconti as additional nominee to be submitted to Commissioners' Court to form the El Paso County Code Ethics Commission as recommended by the El Paso County Civil Service Commission.

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

**ITEM #5**

**MOTION #2 ACCEPT CHANGES TO RULE 7.23.**

Discuss and take appropriate action on change to Civil Service Rule 7.23 regarding delivery of grievance documents, exhibits and witness lists. (Betsy C. Keller, Human Resources Director)

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner to accept changes made and reviewed by the Human Resources and County Attorney's Office on Rule 7.23 of the Civil Service Rules and Regulations Book as follows:

**CURRENT RULE**

**7.23**

At least seven (7) days prior to the date set for the hearing, all parties shall furnish each other and the El Paso County Civil Service Commission with the names of the witnesses to be called, a summary of their expected testimony, and a copy of each document, record, or exhibit to be introduced at the hearing. Each party is responsible for notifying the witness(es) and requesting the presence of its own witness(es). A party cannot rely on the other party's witness list as a guarantee that a witness will be present.

**ADDED:**

*The copy of each document, record, or exhibit provided by the department must be picked up by the grievant or designated party once he/she is notified that the documents are ready for pick up by the Human Resources Department. If a grievant has an e-mail address, the grievant has the option of having the documents e-mailed to them at the e-mail address they provide to the Human Resources Department. If the Human Resources Department is unable to e-mail the documents due to the electronic file size or if the grievant is unable to receive the documents via e-mail, the Human Resources Department shall notify the grievant and the grievant or their designated party must pick up the documents from the Human Resources Department.*

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

ITEM #6

**MOTION #3 APPROVED.**

Discuss and take appropriate action on the newly created job description of **Parking Garage Manager for the Facilities Management Department.** (Elsie West, Personnel Manager)

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner to approve the newly created job description of Parking Garage Manager for the Facilities Management Department as presented by Betsy C. Keller, Human Resources Director.

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

ITEM #7

**MOTION #4 APPROVED.**

Discuss and take appropriate action on the newly created job description of **Construction Project Manager for the Road & Bridge Department.** (Elsie West, Personnel Manager)

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner to approve the newly created job description of Construction Project Manager for the Road and Bridge Department as presented by Betsy C. Keller, Human Resources Director.

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

GRIEVANCES

**EXECUTIVE SESSION: PURSUANT TO TEXAS GOVERNMENT CODE § 551.074**

On this day, the Civil Service Commission discussed items #8, #10, and #11 in open session due to postponement of grievances.

On this day, the Commission announced that the Civil Service Commission would recess into executive session to discuss Item#14 pursuant to Texas Government Code § 551.071 regarding recusal of Civil Service Commissioner.

On this day, the Commission announced that the Civil Service Commission would recess into executive session to discuss Item#14 pursuant to Texas Government Code § 551.074 at 4:38 p.m.

On this day, the Commission went into closed deliberations at 6:32 p.m. The Commission would reconvene to take official action.

The Civil Service Commission entered into Open Session at 6:45 p.m.

On this day, the Commission announced that the Civil Service Commission would recess into executive session to discuss Item#17 pursuant to Texas Government Code § 551.074 at 6:50 p.m.

On this day, the Commission went into closed deliberations at 7:30 p.m. The Commission would reconvene to take official action.

The Civil Service Commission entered into Open Session at 7:47 p.m.

ITEM #13  
MOTION #5 POSTPONED.

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Take appropriate action on a grievance filed/dated July 10, 2009, regarding Laura Aranda, Collections Specialist, County Clerk's Office, pertaining to **Termination, and Rule 7.09 (A-D)**. (Delia Briones, County Clerk – Manuel Romero, Sr. Trial Attorney) (Postponed from 09/01/09)

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner, to postpone a grievance filed/dated July 10, 2009, regarding Laura Aranda, Collections Specialist, County Clerk's Office, pertaining to Termination, and Rule 7.09 (A-D) as requested by Laura Aranda, Collections Specialist, County Clerk's Office, and agreed by the County Attorney's Office. The grievance will be heard on November 3, 2009 at 3:00 p.m. For the record this is the second request by Ms. Aranda.

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

ITEM #14

**MOTION #6 APPROVED WITHDRAWAL OF CONTINUANCE & GRIEVANCE TO BE HEARD TODAY. GRIEVANCE DENIED AND SUSPENSION UPHELD.**

Take appropriate action on a grievance filed/dated August 20, 2009, regarding Jack E. Alayyan, Community Development Manager, Planning & Development's Office, pertaining to **Suspension, and Rule 7.09 (A-D)**. (Robert Rivera, Public Works/R&B – Jo Ann Bernal, First Assistant County Attorney)

**ACTION:** **FIRST MOTION:**  
It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner, to withdraw the continuance requested by County Attorney's Office on a grievance filed/dated August 20, 2009, regarding Jack E. Alayyan, Community Development Manager, Planning & Development's Office, pertaining to **Suspension, and Rule 7.09 (A-D)**.

VOTE: YES - Munoz, Mitchell, Garcia

No - None

MOTION CARRIED.

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MOTION # 11

ACTION: SECOND MOTION:

It was moved by Trini Munoz, Commissioner and seconded by Paula Mitchell, Chairperson, to uphold the (5) five days suspension and deny the grievance filed/dated August 20, 2009, regarding Jack E. Alayyan, Community Development Manager, Planning & Development's Office, pertaining to Suspension, and Rule 7.09 (A-D).

VOTE: YES - Munoz, Mitchell

No - Garcia

MOTION CARRIED.

ITEM #15

Take appropriate action on a grievance filed/dated July 30, 2009, regarding Diana Calamia, Project Coordinator, District Clerk's Office, pertaining to **Termination, Section II – 2.51, 2.52, Section IV 4.29, 4.30, 4.31, 4.37, 4.32.** (Gilbert Sanchez, District Clerk – Naomi Gonzalez, Sr. Trial Attorney)

MOTION #7

ACTION: POSTPONED:

It was moved by Carol Garcia, Commissioner and seconded by Paula Mitchell, Chairperson, to postpone a grievance filed/dated July 30, 2009, regarding Diana Calamia, Project Coordinator, District Clerk's Office, pertaining to **Termination, Section II – 2.51, 2.52, Section IV 4.29, 4.30, 4.31, 4.37, 4.32.** The grievance was scheduled to be heard at a special meeting of October 26, 2009 at 2:00 p.m.

VOTE: YES - Mitchell, Garcia

NO - Munoz

MOTION CARRIED.

ITEM #16

MOTION #8 POSTPONED.

Take appropriate action on a grievance filed/dated July 16, 2009, regarding German Avila, Deputy Constable, Constable Pct. #1, pertaining to **Demotion & Hostile Environment.** (Robert White, Constable Pct. #1 – Janet Monteros, Sr. Trial Attorney – Jim Jopling, Cleat Attorney)

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner, to postpone a grievance filed/dated July 16, 2009, regarding German Avila, Deputy Constable, Constable Pct. #1, pertaining to Demotion & Hostile Environment. The grievance will be heard on November 3, 2009 at 3:00 p.m.

VOTE: YES - Mitchell, Garcia, Munoz

No - None

MOTION CARRIED.

ITEM#17  
**MOTION #12**

Take appropriate action on a grievance filed/dated August 27, 2009, regarding Jazmine Zubia, Office Specialist, Intermediate, County Clerk's Office pertaining to **Suspension- 5 Days & Disciplinary Report**. (Delia Briones, County Clerk – Janet Monteros, Sr. Trial Attorney - Clara L. Buckland, Representative)

**ACTION:** It was moved by Trini Munoz, Commissioner and seconded by Carol Garcia, Commissioner to uphold the grievance and deny the suspension and recommend back pay for grievance filed/dated August 27, 2009, regarding Jazmine Zubia, Office Specialist, Intermediate, County Clerk's Office pertaining to **Suspension- 5 Days & Disciplinary Report**.

VOTE: YES – Mitchell, Garcia, Munoz

No - None

MOTION CARRIED.



MEETING ADJOURNED

On this day, there being no further business to discuss, Commissioner, Trini Munoz and seconded by Carol Garcia, Commissioner, moved to adjourn the meeting, at 7:50 p.m.

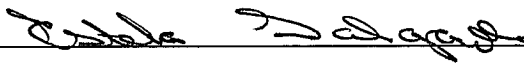
VOTE: YES - Garcia, Munoz, Mitchell

MOTION CARRIED.



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PAULA MITCHELL, CHAIRPERSON



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ESTELA SALGADO, RECORDING SECRETARY

cc: Anthony Cobos, County Judge