

COUNTY OF EL PASO



CIVIL SERVICE COMMISSION

**SPECIAL MEETING MINUTES
12:00 P.M., THURSDAY, JULY 11, 2013
COMMISSIONER'S COURTROOM, ROOM 303
500 E. SAN ANTONIO
EL PASO, TEXAS 79901**

Selena N. Solis, Chair

Grace D. Munoz, Commissioner

Carlos Gomez, Commissioner

OPEN MEETING

The meeting was called to order at 12:12 p.m. Staff present were Kevin McCary from the County Attorney's Office, Elsie West & Estela Salgado, from the Human Resources Department. A quorum was established with Chair Solis and Commissioner Munoz members present.

PUBLIC COMMENT

NO PUBLIC COMMENT

APPROVED - CONSENT AGENDA

JULY 11, 2013

MOTION #1 (ITEM #1)

CONSENT AGENDA

APPROVE THE MINUTES OF THE REGULARLY SCHEDULED CIVIL SERVICE COMMISSION MEETING OF JUNE 4, 2013.

--Betsy C. Keller, Human Resources

On this day, on motion of Commissioner Munoz, seconded by Chair Solis, it is the order of the Commission to approve Consent Agenda Item #1 of the Civil Service Commission Meeting Minutes of June 4, 2013.

VOTE: YES- Solis, Munoz

ABSENT: Gomez

REGULAR AGENDA

**APPROVED – TO MOVE AUGUST 6, 2013 CIVIL SERVICE MEETING
TO A LATER DATE**

JULY 11, 2013

MOTION #2 (ITEM #2)

DISCUSS AND TAKE APPROPRIATE ACTION TO CHANGE THE AUGUST 6, 2013
CIVIL SERVICE MEETING TO A LATER DATE.

-- Grace Munoz, Civil Service Commissioner

On this day, on motion of Chair Solis, seconded by Commissioner Munoz, it is the order of the
Commission to change the August 6, 2013 Civil Service Meeting to a later date.

VOTE: YES- Solis, Munoz

ABSENT: Gomez

**FROM THIS POINT FORWARD, COMMISSIONER, CARLOS GOMEZ
WAS PRESENT**

On this day, HR staff announced that the Civil Service Commission would go into executive
session as requested by the Commission for legal advice pursuant to Government Code §551.071
at 12:33 p.m. on jurisdictional Item pertaining to Myra Ponce. The Court would reconvene to
take official action.

On this day the Civil Service Commission came back into regular open session at 12:49 p.m.

JULY 11, 2013

MOTION #3 (ITEM #3)

**DENIED – MOTION TO ENFORCE THE CIVIL SERVICE COMMISSION
JUNE 4, 2013 ORDER TO RE-OPEN MATTER ON
MYRA PONCE’S RE-INSTATEMENT**

DISCUSS AND TAKE APPROPRIATE ACTION, INCLUDING A CONSIDERATION OF JURISDICTION, REGARDING MYRA PONCE'S MOTION TO ENFORCE THE CIVIL SERVICE COMMISSION'S JUNE 4, 2013 ORDER AND/OR RE-OPEN THE MATTER FOR FURTHER CONSIDERATION.

-- Myra Ponce, Deputy Constable - Alyssa Perez, Cleat Attorney

On this day, on motion of Chair Solis, seconded by Commissioner Gomez, it is the order of the Commission to DENY the grievant's request pertaining to the Commission's ruling of June 4, 2013, due to the fact that the Commission does not have the legal authority to enforce the reinstatement of Myra Ponce, Deputy Constable, Constable Pct. #6. Furthermore, the Commission finds that Ms. Ponce has exhausted all administrative procedures with the Civil Service Commission as this body does not provide legal advice and proper remedy would be through the channels of State/and or District Court.

VOTE: YES- Solis, Gomez, Munoz

NO: NONE

GRIEVANCES

***EXECUTIVE SESSION: PURSUANT TO TEXAS GOVERNMENT CODE
§551.071 & §551.074***

On this day, HR staff announced that the Civil Service Commission would remain in open session at 12:20 p.m. pertaining to Items # 4, #5, #7, and #8.

DIMISS WITHOUT PREDUJICE – GRIEVANCE ON BERTHA SANDRA RODRIGUEZ

JULY 11, 2013

MOTION #4 # 6 (ITEM #4 & 7)

TAKE APPROPRIATE ACTION ON A GRIEVANCE FILED/DATED MAY 9, 2013 BY BERTHA SANDRA RODRIGUEZ, OFFICE SPECIALIST, INTERMEDIATE, PERTAINING TO RULE 7.09 (A) (B), (C) & (D).

-- (Bertha Sandra Rodriguez, County Clerk's Office) (Delia Briones, County Clerk, – Ruben Duarte, County Attorney's Office)

FIRST MOTION:

On this day, on motion of Chair Solis, seconded by Commissioner Munoz, it is the order of the Commission to table grievance filed/dated May 9, 2013 by Bertha Sandra Rodriguez, Office Specialist, Intermediate, pertaining to Rule 7.09 (A) (B), (C) & (D), until the end of the meeting, due to the fact that the Commission requested more information from Ruben Duarte, County Attorney's Office.

VOTE: YES- Solis, Munoz

NO: NONE

SECOND MOTION:

On this day, on motion of Chair Solis, seconded by Commissioner Munoz, it is the order of the Commission to DISMISS GRIEVANCE WITHOUT PREJUDICE filed/dated May 9, 2013 by Bertha Sandra Rodriguez, Office Specialist, Intermediate, pertaining to Rule 7.09 (A) (B), (C) & (D).

VOTE: YES- Solis, Munoz, Gomez

NO: NONE

POSTPONED FOR AUGUST – GRIEVANCE ON ALFREDO NAVA

JULY 11, 2013

MOTION #5 (ITEM #8)

TAKE APPROPRIATE ACTION ON A GRIEVANCE FILED/DATED JUNE 11, 2013, BY ALFREDO NAVA, DEPUTY CONSTABLE, PERTAINING TO TERMINATION & RULES 2.51, 2.53, 2.55 (a) (b), 6.00, 6.01, 6.02, 6.05, 6.08, 6.09 (a) and (e).

--(Alfredo Nava, Constable Pct. #6 – Jim Jopling, Cleat Attorney) (Javier I. Garcia, Constable Pct. #6 - Amy Monsivais, County Attorney's Office)

On this day, on motion of Chair Solis, seconded by Commissioner Munoz, it is the order of the Commission to grant continuance on a grievance filed/dated June 11, 2013, by Alfredo Nava, Deputy Constable, pertaining to Termination & Rules 2.51, 2.53, 2.55 (a) (b), 6.00, 6.01, 6.02, 6.05, 6.08, 6.09 (a) and (e), as requested by Jim Jopling, Cleat Attorney, and agreed by County Attorney's Office. The grievance will be scheduled to a later date in August.

VOTE: YES- Solis, Munoz

NO: NONE

GRIEVANCES

***EXECUTIVE SESSION: PURSUANT TO TEXAS GOVERNMENT CODE
§551.071 & §551.074***

On this day, HR staff announced that the Civil Service Commission would remain in Executive Session at 1:20 p.m. pertaining to Items # #6 on grievance filed by Yolanda Uranga.

On this day, HR staff announced that the Civil Service Commission would remain in Executive Session pursuant to Texas Government Code §551.071 & §551.074 at 1:49 p.m. for legal advice.

On this day the Civil Service Commission reconvened into open session at 2:13 p.m.

**APPROVED – COUNTY’S PLEA ON JURISDICTION ON
GRIEVANCE PERTAINING TO YOLANDA URANGA**

JULY 11, 2013

MOTION #7 (ITEM #9)

TAKE APPROPRIATE ACTION ON A GRIEVANCE FILED/DATED JUNE 17, 2013, BY YOLANDA URANGA, COUNSELOR, PERTAINING TO TERMINATION - RULES 5.00, 5.01, 5.02, 5.08, 6.03, & 6.04.

-- (Yolanda Uranga, Mental Health Support Services) (Rita Ruelas, MHSS Director - Amy Monsivais, County Attorney’s Office)

On this day, on motion of Chair Solis, and seconded by Commissioner Gomez, it is the order of the Commission to GRANT the County’s plea to the jurisdiction on a grievance filed/dated June 17, 2013 by Yolanda Uranga, Counselor, pertaining to Termination – Rules 5.00, 5.01, 5.02, 5.08, 6.03, & 6.04, due to the fact that the Commission does not have jurisdiction to hear this case. The Commission informed both parties that Ms. Uranga is afforded the proper opportunity to grieve in front of the proper body. Manny Romero, County Attorney’s Office, will contact Roger Martinez, Juvenile Chief Officer, and will inform Mr. Quinonez in a timely fashion as to the outcome.

VOTE: YES- Solis, Munoz

NO: NONE

MEETING ADJOURNED

JULY 11, 2013

MOTION #8 (ITEM #8)

On this day, there being no further business to discuss, Commissioner Munoz moved to adjourn the meeting at 2: 15 p.m. seconded by Commissioner Gomez.

VOTE: YES - Solis, Gomez, Munoz

NO: NONE

EXAMINED AND APPROVED THIS 8TH DAY IN AUGUST 2013



ACTING CHAIR



ESTELA SALGADO, RECORDING SECRETARY