

MINUTES

**FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION
TO BE HELD AT 6:00 P.M., THURSDAY EVENING, OCTOBER 12, 2023,
MAIN CONFERENCE ROOM, 300 NORTH CAMPBELL – 2ND FLOOR**

Members of the public are encouraged to participate virtually by calling:

Teleconference phone number: 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 848 586 987#

**The following members of the Civil Service Commission will be present via video conference:
Commissioner Irene Morales**

A quorum of five Commissioners must be present and participate in the meeting.

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: Luis Yanez-Chair
Leticia Arreola
Luis Sandoval
Victor Vazquez, Jr.
Holly Wright

Members Absent: Hala Abdel-Jaber
Irene Morales

Meeting convened at 6:17 p.m. with four commissioners present and Chair Yanez presiding. Chair Yanez asked if there were any changes to the Agenda, CSC Recorder Holguin states no changes.

CONSENT AGENDA

1. Approval of Minutes:

May 11, 2023 Civil Service Commission Meeting

2. Notation: Order Dismissing Appeal

Mitchell Beck-El Paso Water Department-Termination

MOTION MADE BY COMMISSIONER VAZQUEZ AND SECONDED BY COMMISSIONER WRIGHT TO APPROVE CONSENT AGENDA; MOTION PASSED UNANIMOUSLY.

REGULAR AGENDACITY CLERK DEPT
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3. Notification on renewal of the Service Agreement for Hearing Officer Patricia Palafox (September 15, 2023 to September 14, 2024) (Mary Wiggins, Chief Human Resources Officer)

Discussion by Mary Wiggins Chief Human Resources Officer.

Commission notified of renewal of Service Agreement for Hearing Officer Patricia Palafox

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

Alexandra Rodriguez-Animal Services-Termination-Patricia Palafox

Discussion by CSC Legal Advisor Sergio Estrada, Chair Yanez, Commissioners Wright, Vazquez, Arreola, Sandoval, Assistant City Attorney Carlos GomezBaca, AFSCME Local 59 Representative David Guzman, and Chief Human Resources Officer Mary Wiggins.

1st MOTION MADE BY COMMISSIONER WRIGHT AND SECONDED BY COMMISSIONER SANDOVAL TO UPHOLD HEARING OFFICER'S RECOMMENDATION THAT THE TERMINATION OF ALEXANDRA RODRIGUEZ BE SUSTAINED; MOTION FAILS BY A VOTE OF 1 TO 3.

AYES: WRIGHT

NAYES: SANDOVAL, VAZQUEZ, ARREOLA

2ND MOTION MADE BY COMMISSIONER VAZQUEZ AND SECONDED BY COMMISSIONER ARREOLA TO REMAND THE MATTER OF THE TERMINATION OF ALEXANDRA RODRIGUEZ TO HEARING OFFICER PATRICIA PALAFOX FOR THE DEVELOPMENT OF ADDITIONAL FACTS AND FINDINGS ON THE ISSUE OF REASONABLE SUSPICION AS APPLIED IN THIS CASE AND TO ALLOW ALEXANDRA RODRIGUEZ TO PRESENT ONE ADDITIONAL WITNESS, THE COMMISSION ORDERS THAT THE REMAND HEARING NOT EXCEED TWO HOURS; MOTION PASSED UNANIMOUSLY.

Recess at 7:25 p.m.

Returned from recess 7:33 p.m.

5. Discussion and Action on Amending Ordinance 8065 Civil Service Rule 8; Section 8 Formal Counseling (Submitted by AFSCME Local 59 David Guzman and HR Staff)

Discussion by AFSCME Local 59 Representative David Guzman and Chief Human Resources Officer Mary Wiggins.

MOTION MADE BY COMMISSIONER VAZQUEZ AND SECONDED BY COMMISSIONER ARREOLA TO APPROVE AMENDING ORDINANCE 8065 CIVIL SERVICE RULE 8; SECTION 8 FORMAL COUNSELING AS FOLLOWS; MOTION PASSED UNANIMOUSLY.

Formal Counseling is not within the type of disciplinary action specified in Section 6.13-2 of the Charter which may be appealed to the Civil Service Commission. A formal counseling is issued by the Department Head and considered a written counseling to address employee workplace conduct. **Formal Counseling must be issued within 120 calendar days from the date Human Resources is made**

aware of the occurrence of the incident giving rise to the formal counseling. Formal Counselings issued beyond the 120 calendar days will not be considered timely and will not be placed in employee's file. Employees receiving a formal counseling shall have the right to place responses to the formal counseling into their personnel files which shall remain in the file so long as the formal counseling to which the response relates remains in the file.

6. Discussion and Action on Grievance Appeals submitted by Patriza Hightower (Department of Public Health):

- A. Grievance Against Monica Ontiveros-Fire Department
- B. Grievance Against Miguel Torres-Fire Department
- C. Grievance Against Melissa Hawthorne-Department of Public Health
- D. Grievance Against Randy Heredia-Fire Department

CITY CLERK DEPT
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Discussion by CSC Legal Advisor Sergio Estrada, Commissioners Vazquez, Sandoval, Chief Human Resources Officer Mary Wiggins, Appellant Patriza Hightower, Friend of Patriza Hightower Robert Sandoval, Senior City Attorney Kristen Hamilton Karam, Interim Director of Public Health Dr. Hector Ocaranza.

MOTION MADE BY COMMISSIONER VAZQUEZ AND SECONDED BY COMMISSIONER WRIGHT TO TABLE ITEMS FOR 60 DAYS FOR STATUS UPDATE FROM DEPARTMENT DIRECTORS FOR MEETING TO BE HELD ON DECEMBER 14, 2023; MOTION PASSED UNANIMOUSLY.

EXECUTIVE SESSION

The Civil Service Commission may retire into Executive Session pursuant to Civil Service Commission Rule 1, Section 10 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 MADE BY COMMISSIONER VAZQUEZ AND SECONDED BY COMMISSIONER WRIGHT TO ADJOURN; MOTION PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 8:04 P.M.

Luis Yanez, Chair

Holly Wright, C.S.C. Secretary

Date Approved