

MINUTES

FOR THE REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT 6:00 P.M., THURSDAY EVENING FEBRUARY 12, 2026 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: 1-646-647-1558

Conference ID: 289 710 845 123 6

The following members of the Civil Service Commission will be present via video conference:

[NONE]

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

All matters listed under the Consent Agenda below will be considered routine by the Commission 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 before the time the Commission votes on the motion to adopt the Consent Agenda.

Members Present:

- District 1: Michael Bester
- District 2- Chairman Victor Vazquez
- District 3- JD Cotham
- District 4- Woodrow Bare
- District 6- Carlos Gonzalez
- District 7- Vice Chairman Homero Lucero
- District 8- Larry John Porras

Members Absent: None

The meeting convened at 6:00 PM with seven commissioners present and Chairman Victor Vazquez presiding. Chairman Vazquez asked if there were any changes made to the Agenda, and CSC Admin Support Specialist, Symone Menchaca stated "No Changes".

CONSENT AGENDA

1. Approval of Minutes:
January 8, 2026, Civil Service Commission Meeting
2. Notation:
Schedule of the 2026 Civil Service Commission Monthly Meetings
3. Notation:
Assignment of Hearing Officer to Disciplinary Appeals
 - Samantha Sapien – Zoo Department – 3 Day Suspension

- Rosa Montes – Parks & Rec – Termination
- Fernando Martinez- EPPD/ Code Enforcement Bureau- Termination

MOTION TO APPROVE THE CONSENT AGENDA MADE BY COMMISSIONER CARLOS GONZALEZ AND SECONDED BY WOODROW BARE TO APPROVE THE CONSENT AGENDA; MOTION PASSED UNANIMOUSLY.

REGULAR AGENDA

4. Discussion and Action on the Annual Election of Civil Service Commission Chair

MOTION MADE BY COMMISSIONER CARLOS GONZALEZ AND SECONDED BY COMMISSIONER L. JOHN PORRAS TO NOMINATE HOMERO LUCERO AS CHAIRMAN TO THE CIVIL SERVICE COMMISSION. HOMERO LUCERO ACCEPTS DESIGNATION; MOTION PASSED UNANIMOUSLY.

5. Discussion and Action on the Annual Election of Civil Service Commission Vice-Chair

MOTION MADE BY COMMISSIONER VICTOR VAZQUEZ AND SECONDED BY JEFFREY COTHAM TO NOMINATE WOODROW BARE AS VICE CHAIRMAN TO THE CIVIL SERVICE COMMISSION. WOODROW BARE ACCEPTS DESIGNATION; MOTION PASSED UNANIMOUSLY.

6. PowerPoint Presentation on the Civil Service Commission Role and Responsibilities, the City of El Paso Code of Conduct and the Virtual Attendance Policy (Presented by Assistant City Attorney, Roberto Aguinaga)

NO ACTION TAKEN.

7. Discussion and Action on Hearing Officer's Report and Recommendation:
Diego Arias- El Paso Museum and Cultural Affairs Dept- 3 Day Suspension
In accordance with the Civil Service Commission, Ordinance 8065 Rules and Regulations – Rule 8, Suspension, Reduction, Discharge. Section 1, Subsection (F) Is incompetent or negligent in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent, or responsible manner; (N) Refusal to follow the lawful order of a superior or supervisor; and (P) For just cause.

Patricia Palafox, the hearing officer for the case, opens the discussion by outlining the events that occurred at the museum on the day of the water leak. She describes the incident involving a leaking humidifier and the actions taken by museum employees, including Diego Arias, the appellant, who is appealing a three-day suspension. Palafox explains that the case concerns Arias's alleged insubordination in failing to follow protocols delegated to him by his supervisor. She further notes that, according to the museum's disaster plan, employees are expected to work together to address emergencies and resolve issues as they arise.

In this situation, Arias had been asked to assist with cleaning up water from the leaking humidifier. However, after taking what he believed were the necessary steps to ensure human safety, he returned to his desk and requested a work transfer rather than continuing to assist with the cleanup as instructed.

Following discussion among the commissioners regarding the appropriate actions employees should take during emergencies—including when employees are expected to help rescue artwork and the protective clothing required when dealing with both contaminated and non-contaminated water—it was noted that the museum's employee handbook states that all employees are expected to assist in removing and recovering artwork at risk of damage during an emergency, provided that doing so does not place them in danger.

The managing director, Ben Fyffe, spoke next. He explained that employees are responsible for protecting, preserving, and helping share the artwork entrusted to the museum.

The next speaker was the appellant, Diego Arias. He stated that he does not contest his actions; rather, he is contesting the way he was treated by his supervisor and their reaction to his decision not to assist in the manner they expected. Arias went on to describe the efforts he made to assist with the cleanup and claimed that his supervisor was not aware of those efforts, as the supervisor arrived at work an hour after Arias had already begun addressing the situation. According to Arias, the supervisor assumed that he was unwilling to help the group and approached him without full knowledge of the actions he had already taken.

The next individual to speak was the City Attorney assigned to represent the City in the case, Matthew Marquez. He argued that all other museum employees followed the directions of the action plan supervisor and worked together to assist with the cleanup, while Arias prioritized his own plans rather than following the coordinated response established for the group. Marquez did note that supervisors and staff at the museum described Arias as a good employee; however, he stated that Arias chose to make independent decisions that day that did not align with the directions given to the group.

A motion was then brought forward by Commissioner Vazquez to reduce the suspension from three days to one day. The motion was seconded by Commissioner Gonzalez, but the vote failed with four votes against and two in favor.

A new motion was then introduced to sustain the hearing officer's recommendation and uphold the three-day suspension. The motion was made by Commissioner Cotham and seconded by Commissioner Bester. The motion passed with a vote of four in favor and two opposed.

MOTION MADE BY COMMISSIONER JEFFREY COTHAM AND SECONDED BY COMMISSIONER MICHAEL BESTER TO ACCEPT THE HEARING OFFICERS RECOMMENDATION TO SUSATIN THE SUSPENSION OF THE APPELLANT, MICHAEL BELTRAN; MOTION PASSED WITH A 4 TO 2 VOTE.

EXECUTIVE SESSION

The Civil Service Commission may retire into Executive Session according 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 an open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.074 PERSONNEL MATTERS

MEETING ADJOURNED AT 7:28 P.M.



Civil Service Commission Chair

for



Mary Wiggins, Secretary to the Civil Service Commission



Date Approved