

# PUEBLO

## CIVIL SERVICE COMMISSION MEETING CITY COUNCIL CHAMBERS

MAY 12, 2011

5:30 P.M.

### MINUTES

#### CALL TO ORDER

Chairman Dan Archibeque called the Civil Service Commission Meeting to order.

#### ROLL CALL

**Commission Members Present:** Dan Archibeque, Guy Kennedy, Sharon Bonner

**Administrative and Civil Service Staff Members Present:** Counsel for the Commission Robert Jagger, Human Resources Director Marisa Walker, HR Analyst Manuel Alcala, Civil Service Clerk Typist Maria Hughes and Secretary Lynne Huskins.

**Other Interested Parties:** Fire Chief Chris Riley, Traffic Control Utility Worker II Applicant Jonathon Martinez, Sr. Signal Technician Jason Arndt.

#### AMENDMENTS TO AGENDA

Mr. Archibeque asked if there were any amendments to the agenda. None were voiced

#### READING AND APPROVAL OF MINUTES

Mr. Kennedy seconded by Ms. Bonner moved to dispense with the reading and approve the minutes of the Civil Service Commission Retreat dated Thursday, April 14, 2011, the regular meeting dated Thursday, April 14, 2011, and the special meeting dated Wednesday, April 20, 2011 as distributed.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

### CONSENT AGENDA

#### STATUS REPORT OF CURRENT RECRUITMENTS

The Commission received and filed the following status report on current recruitments:

- a. Fire Captain (Recruitment required every year per Civil Service Rule 29) The written exam is scheduled for May 24, 2011.
- b. Wastewater Treatment Plant Laboratory Supervisor (Recruitment due to employee retirement) – The written exam was given April 28, 2011. Nine persons were scheduled, and seven appeared to take the exam. Two candidates passed the exam on five failed. The eligibility list will be signed at this meeting.

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**CONSENT AGENDA**

- c. Civil Engineer/Drainage (New position in 2011 budget) – External recruitment ended on March 20, 2011. T&E examinations were conducted on the eight qualified applications for this position. The eligibility list will be signed at this meeting.
- d. Program Coordinator-Forestry (New position in 2011 budget) – Internal recruitment ended on April 3, 2011. A T&E examination was conducted on the one qualified application for this position. The eligibility list will be signed at this meeting.
- e. Traffic Control Utility Worker II (New position in 2011 budget) – External recruitment for this position ended on May 1, 2011. We received 29 applications and eleven of those were approved. The deadline for appeals of the rejected applications is May 13, 2011.
- f. Parking Enforcer (Recruitment due to replacement of staff) – External recruitment ended on April 24, 2011. We received 93 applications and 21 of those were approved. The written examination is scheduled for May 17, 2011.
- g. Park Caretaker, Senior (New position in 2011 budget) – Internal recruitment ended on May 1, 2011. We received three applications, and all were accepted. The Civil Service Administrator will be requesting permission to conduct T&E examinations on the qualified applications.
- h. Business Systems Analyst (Recruitment due to employee retirement) – Internal recruitment began on May 4, 2011 and ends on May 15, 2011. As of the date of this agenda, we had received one application for this position.
- i. Parks Senior Mechanic/Welder (New position in 2011 budget] - Internal recruitment began on May 4, 2011 and ends on May 15, 2011. As of the date of this agenda, we had received one application for this position.

**COMMUNICATIONS**

- 1. Ratify the Commission's letter to Deanna Marcen regarding the fact that the Commission does not have jurisdiction to proceed on her appeal.
- 2. Ratify the Commission's letter to LaVette Maxwell regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 3. Ratify the Commission's letter to Delores Rohrbacher regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 4. Ratify the Commission's letter to Elisa Steigerwalt regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 5. Ratify the Commission's letter to Tonda Tucker regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 6. Ratify the Commission's letter to Jessica Caffey regarding the removal of her name from the Emergency Services Dispatcher eligibility list.

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#### COMMUNICATIONS

7. Ratify the Commission's letter to Megan Derichsweiler regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
8. Ratify the Commission's letter to Christine Hansel regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
9. Ratify the Commission's letter to Amanda Laughlin regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
10. Ratify the Commission's letter to Amy Martinez regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
11. Ratify the Commission's letter to Shaina Rippetoe regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
12. Ratify the Commission's letter to Denise Rowe regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
13. Ratify the Commission's letter to Corey Shilling regarding the removal of his name from the Emergency Services Dispatcher eligibility list.
14. Ratify the Commission's letter to Heather Shrum regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
15. Ratify the Commission's letter to Local IAFF President Chad Thomas regarding the acceptance of his request to begin the application process for Emergency Medical Officer and Fire Engineer in mid December, 2011.
16. Ratify the Commission's letter to Adam Beeson regarding the removal of his name from the Police Patrol Officer eligibility list.
17. Ratify the Commission's letter to Melanie Stalker regarding the removal of her name from the Police Patrol Officer eligibility list.
18. Ratify the Commission's letter to Paul Armijo regarding the rejection of his objection to allow him to take the Parking Enforcer examination.
19. Ratify the Commission's letter to Rosalind Roybal regarding the rejection of her objection to allow her to take the HR Analyst examination.
20. Ratify the Commission's letter to Linda McIntire regarding the removal of her name from the Clerk Typist eligibility list.
21. Ratify the Commission's letter to Dianemarie Otto regarding the removal of her name from the Clerk Typist eligibility list.
22. Ratify the Commission's letter to Karen Taylor regarding the removal of her name from the Clerk Typist eligibility list.

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**CONSENT AGENDA**

**COMMUNICATIONS**

23. Ratify the Commission's letter to Marie Watson regarding the removal of her name from the Clerk Typist eligibility list.
24. Ratify the Commission's letter to Crystal LaDuke regarding the rejection of her objection to allow her to take the Parking Enforcer examination.

Commission Action: Mr. Kennedy seconded by Ms. Bonner, moved to approve all items on the Consent Agenda.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

**REGULAR AGENDA**

1. On behalf of the Civil Service Administrator, the Secretary submitted the eligible list for Civil Engineer/Drainage.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Civil Engineer/Drainage.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

2. On behalf of the Civil Service Administrator, the Secretary submitted the eligible list for Program Coordinator-Forestry.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Program Coordinator-Forestry.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

3. On behalf of the Civil Service Administrator, the Secretary submitted the eligible list for Wastewater Treatment Plant Laboratory Supervisor.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Wastewater Treatment Plant Laboratory Supervisor.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

4. On behalf of the Civil Service Administrator, the Secretary requested permission to conduct T&E evaluations on the approved applications for Park Caretaker, Senior.

Commission Action: Ms. Bonner, seconded by Mr. Kennedy, moved to approve the request and permit the Civil Service Administrator to conduct T&E evaluations on the approved applications for Park Caretaker, Senior.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

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**REGULAR AGENDA**

5. Review of Jonathan Martinez's appeal regarding his objection to the rejection to allow him to take the Traffic Control Utility Worker II examination. Mrs. Huskins invited Mr. Martinez to approach the Commission and give an overview of his objection. Mr. Jagger advised Mr. Martinez that he could present his arguments to the Commission and was allowed to call any witnesses to substantiate his objection. Mr. Jagger then advised the Commission on the scope of their authority to allow or disallow Mr. Martinez's objection. After Mr. Martinez was sworn in, he stated he had been employed by the City of Pueblo as a temporary employee since 2003. He said he gets along well with all of his co-workers and knows the job well. He stated that since the incident he has started a family and feels that the birth of his son changed his life. He said he just wants a shot at getting an interview.

Mr. Archibeque asked Mr. Martinez to explain the circumstances surrounding his conviction. Mr. Martinez stated the incident occurred in Walsenburg, and involved an altercation with several individuals outside of a local bar. He said he tried to avoid the situation by getting into his truck and leaving, but one of the individuals threw a beer bottle at his vehicle. He exited his vehicle and the encounter escalated from there. He had a gun drawn on him and he did what he had to do to protect himself. He realizes what he did was wrong, and he is still being punished for it.

Mr. Archibeque asked what position he currently holds with the City. Mr. Martinez stated he is a temporary Utility Worker in the Traffic Maintenance Department. Mr. Archibeque asked how his current position is related to the position he is applying for. Mr. Martinez said it is basically the same position, but he is just a temporary employee right now. Mr. Archibeque asked if Mr. Martinez had any other information he wished the Commission to consider. Mr. Martinez responded by saying that he has done his time for the incident and is still being punished for it. He feels that it is unfair for him to continue to be punished for this one incident for the rest of his life. He further stated he would really just appreciate the opportunity to get an interview.

Mr. Archibeque asked Mr. Martinez how long he had been in a temporary position, and if the position was seasonal or year round. Mr. Martinez responded he had been with the City since 2003. He said he is laid off each year after accumulating 1300 hours, but he is always brought back at the beginning of the next year. Mr. Archibeque asked if Mr. Martinez has been employed in the same position for all of those eight years, and Mr. Martinez said that was the case. Mr. Archibeque asked if interviews are conducted for temporary employees every year before they return to work. Mr. Martinez said "no".

Mr. Archibeque asked Ms. Walker if background checks are performed on temporary employees. Ms. Walker deferred the question to Mr. Alcalá. Mr. Alcalá responded that several departments do ask that background checks be conducted on their temporary employees, but he could not say if that was the case with Mr. Martinez.

Mr. Archibeque asked Mr. Martinez if he were to be appointed to the Traffic Control Utility Worker II permanent position would Pepper Whitlef be his manager. Mr. Martinez said she would. Mr. Archibeque asked if Ms. Whitlef was aware of Mr. Martinez's appeal and he was told that she was. Mr. Archibeque asked if Mr. Martinez got any feedback from Ms. Whitlef regarding this because he did not see a letter of support from her, and wanted to know if there was a reason for that. Mr. Martinez said he had no idea. He said she is fully aware of what is going on and he believes she is in support of his objection because if she wasn't, he would not have been brought back all these years. The Commission also reviewed Mr. Martinez's previous objection for the Utility Worker position and supporting documentation regarding same.

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**REGULAR AGENDA**

Mr. Martinez then stated that he had brought a witness to attest to his capabilities and character. Jason Arndt, Sr. Signal Technician, approached the Commission and was sworn in by Mr. Jagger. He stated he appreciated the opportunity to speak on Mr. Martinez's behalf. He has worked with Mr. Martinez for nine months, and neither he nor any of his co-workers has ever felt threatened by him. He further stated that Mr. Martinez has gained the required experience to perform the position. On a personal note, Mr. Arndt stated that he resides in Colorado Springs and Mr. Martinez has actually opened his home to him when Mr. Arndt has been on-call for emergencies and needed a place to stay locally. He added that Mr. Martinez is a very family-oriented man and that he has never seen him become upset with anyone. Mr. Archibeque asked if Mr. Arndt was Mr. Martinez's manager. Mr. Arndt explained that he is not his direct manager, but is the senior employee in the building. Mr. Arndt wished to address the absence of a letter of support from Ms. Whitlef. Mr. Arndt said it was his understanding that Ms. Whitlef was instructed to remain out of this situation because her involvement in the interview process for this position could possibly create a conflict of interest. He further stated that Ms. Whitlef would really like to see Mr. Martinez get an interview.

At this time, Mr. Jagger advised the Commission of their options. The Commission could set the matter for hearing, they could take the matter under advisement and return with a decision at the next meeting, or they could approve or deny the appeal at this time. He also elaborated on the Commission's scope of authority as far as rulings concerning different types of convictions.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve Mr. Martinez's objection and allow him to take the Traffic Control Utility Worker II examination.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

Mrs. Huskins informed Mr. Martinez that he would be receiving correspondence from the Commission regarding a future examination date for the position.

**ADMINISTRATIVE ITEMS**

1. The next regular meeting of the Civil Service Commission was scheduled for June 14, 2011 at 5:30 p.m. The meeting will be held in the interim City Council Chambers, 301 W. "B" Street.

**INFORMATIONAL ITEMS**

1. The Commission received the status report for April 2011.
2. The Commission received their handouts.

**ADJOURN – 5:53 p.m.**

  
Chairman