

PUEBLO

CIVIL SERVICE COMMISSION MEETING
CITY COUNCIL CHAMBERS
SEPTEMBER 18, 2012
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, Police Chief Luis Velez, Fire Chief Chris Riley, HR Analyst Manual Alcala, Interim Civil Service Administrator Lynne Huskins, and Secretary Melissa Lillard.

Other Interested Parties: Police Sergeant Candidate David Woods, IBPO Union President Kenneth Rhodes, IBPO Union Vice President Kenneth Espinoza.

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 regular meeting dated Tuesday, August 7, 2012 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. Police Sergeant - (Recruitment required every year per Civil Service Rule 29) - The written examination was held on July 23, 2012. We received six appeals on five questions on the exam. All of the appeals were denied by the testing company. The eligible list for this position will be signed at this meeting.

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CONSENT AGENDA

STATUS REPORT OF CURRENT RECRUITMENTS

- b. Police Patrol Officer - (Recruitment due to anticipated October 2012 Police Academy and anticipated exhaustion of the current eligible list) – The written exam was held on July 30, 2012. There were 130 persons scheduled and 98 appeared to take the exam. All 98 persons passed the exam. The eligible list for this position will be signed at this meeting.
- c. Wastewater Data Technician- (Recruitment due to anticipated employee promotion) – The written exam was held on August 27, 2012. There were seven persons scheduled and five appeared to take the exam. Two persons passed the exam. The eligible list for this position will be signed at this meeting.
- d. WWTP Maintenance Mechanic - (Recruitment due to employee promotion) – We received two applications for this position and both were qualified. The Commission approved conducting T&E examinations on these applications. The eligible list for this position will be signed at this meeting.

COMMUNICATIONS

- 1. Ratify the Commission's letter to Christopher Obert regarding the placement of his name on the reemployment lists for Firefighter and Emergency Medical Officer.
- 2. Ratify the Commission's letter to Cliff Adams regarding the placement of his name on the reemployment list for Parking Enforcer.
- 3. Ratify the Commission's letter to James Martin regarding his appeal of the reading list for Police Sergeant.
- 4. Ratify the Commission's letter to Seth Shelton regarding the rejection of his objection to have his name returned to the Police Patrol Officer eligible list.
- 5. Ratify the Commission's letter to Matilda Ahkeah regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 6. Ratify the Commission's letter to Denise Encinias regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 7. Ratify the Commission's letter to Paula Hoffman regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 8. Ratify the Commission's letter to Randy Pace regarding the removal of his name from the Emergency Services Dispatcher eligibility list.
- 9. Ratify the Commission's letter to Audrey Smith regarding the removal of her name from the Emergency Services Dispatcher eligibility list.

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CONSENT AGENDA

COMMUNICATIONS

10. Ratify the Commission's letter to Michelle Crawford regarding the removal of her name from the Emergency Services Dispatcher eligibility list.

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. The Interim Civil Service Administrator submitted the eligible list for Police Sergeant.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Police Sergeant.

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

2. Police Chief Luis Velez submitted a request to schedule the Police Sergeant examination as soon as possible in compliance with Article 35.2 of the IBPO Collective Bargaining Agreement and to waive Civil Service Rule 21 (a) for all applicants with respect to the examination.

Mr. Jagger stated in relation to Chief Velez's request, the City Manager has submitted a request for a new Police Sergeant eligible list pursuant to Article 14, Section 3 of the IBPO Collective Bargaining Agreement. The Commission confirmed receipt of the City Manager's request.

Police Chief Luis Velez was present and wished to address the Commission. He stated that only one candidate out of the 43 who took the test passed. Chief Velez explained that his department currently has two vacant positions for Sergeant and there will be an additional vacancy due to a retirement at the end of this month. There are two other Sergeants that are currently on medical leave and may retire as soon as January. With these anticipated five vacancies, the current list leaves him below the rule of three and does not give him any options. If an exam is not given with two months, there is the prospect of not having a list for six months with potential openings within that time frame that will need to be filled. Chief Velez asked the Commission to hold an exam within the next two months. There will be no changes to the reading list. He stated he hopes the results will be different this time.

The Chief said there are a number of people affected by this decision including the officer who passed the test. He stated that officer is present and may wish to speak. Chief Velez said he has spoken to this officer and explained his position. The Chief has also spoken to a number of the candidates who did not pass the exam. He has had conversation with the Police Union, of which two representatives are present, and he has a letter of support from them to give the test after the two month required notification period. The letter from the Police Union was submitted to the Commission and marked as exhibit "A"

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REGULAR AGENDA

Ms. Bonner asked Chief Velez if the person who passed the test would automatically be given one of the vacant positions. Chief Velez answered that as he understands the rules, this candidate has several options. He can choose to take the new test and get a new score, or he can elect to keep the score that he received on this test. Mr. Jagger read Civil Service Rule 21 (b) in support of this statement which gives the existing eligible the right to keep his score and have it integrated onto the new list, or he can elect to reapply and retest.

For clarification of the request from the City Manager, Mr. Jagger stated the reason the City Manager has the right to ask for the new list is because three applicants are required and the City has the right to consider three people for this position. There is no guarantee when there is only one person certified that list will actually be used. In this instance, the City has exercised its right to ask for a new eligible list.

Mr. Jagger asked if anyone wanted to speak in favor of the request. Seeing none, Mr. Jagger asked if anyone wanted to speak in opposition of the request. Seeing none, Mr. Jagger said the Commission could proceed with action on the matter.

Commission Action: Ms. Bonner, seconded by Mr. Kennedy, moved to approve Chief Velez's request to schedule the Police Sergeant examination as soon as possible in compliance with Article 35.2 of the IBPO Collective Bargaining Agreement and to waive Civil Service Rule 21 (a) for all applicants with respect to the examination.

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

Based on this action, Chairman Archibeque instructed Mrs. Huskins to set the date for the Police Sergeant examination as soon as possible after the required 60 day notice. Sixty days from September 18, 2012 would be November 17, 2012.

3. The Interim Civil Service Administrator submitted the eligible list for Police Patrol Officer.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Police Patrol Officer.

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

4. The Interim Civil Service Administrator submitted the eligible list for WWTP Maintenance Mechanic.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for WWTP Maintenance Mechanic.

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

5. The Interim Civil Service Administrator submitted the eligible list for WW Data Technician.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for WW Data Technician.

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

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ADMINISTRATIVE ITEMS

1. Human Resources Director Marisa Walker gave the Commission a brief overview/update on the current city-wide hiring freeze. She explained that due to the extreme budget deficit the City is facing, several positions will be held vacant for a period of time. There are 75 positions that are currently frozen. The status of these positions may be updated in 2013, and Ms. Walker will keep the Commission posted on the progress of those. Mr. Archibeque asked for clarification that the lists for these positions will also be frozen as long as the actual positions are frozen. Ms. Walker said that is correct.
2. The next regular meeting of the Civil Service Commission was scheduled for October 11, 2012 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 their handouts

EXECUTIVE SESSION

1. Motion to convene into executive session at 5:54 p.m. for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) with respect to jurisdiction of the Commission and timeliness of appeals.

Commission Action: Ms. Bonner, seconded by Mr. Kennedy, moved to approve the motion to convene into executive session.

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

The executive session adjourned at 6:15 p.m. and the regular meeting reconvened. Having no further business to discuss, the Chairman adjourned the meeting.

ADJOURN – 6:16 p.m.


Chairman