



**CIVIL SERVICE COMMISSION MEETING
CITY COUNCIL CHAMBERS
DECEMBER 11, 2012
5:30 P.M.**

MINUTES

CALL TO ORDER

Commissioner Sharon Bonner called the Civil Service Commission Meeting to order.

ROLL CALL

Commission Members Present: Guy Kennedy, Sharon Bonner

Commission Members Absent: Dan Archibeque

Administrative and Civil Service Staff Members Present: Counsel for the Commission Robert Jagger, Police Chief Luis Velez, Employee Benefits/Loss Control Manager Dave Anderson, HR Analyst Shelly Carrillo, and Interim Civil Service Administrator Lynne Huskins.

Other Interested Parties: None.

AMENDMENTS TO AGENDA

Ms. Bonner 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, November 13, 2012 as distributed.

Roll Call -- Ayes: 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 due to request from City Manager for new eligible list) – The written examination was held on November 29, 2012. Fifty three persons were scheduled, and 48 persons took the exam. The testing company is currently in the process of scoring the answer sheets.

**CIVIL SERVICE COMMISSION MEETING
DECEMBER 11, 2012
PAGE TWO**

CONSENT AGENDA

COMMUNICATIONS

1. Ratify the Commission's letter to Michelle Herrera regarding the rejection of her objection regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
2. Ratify the Commission's letter to Brandi Camp regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
3. Ratify the Commission's letter to Shae Vigil 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: Kennedy and Bonner. Motion carried unanimously.

REGULAR AGENDA

There were no Regular Agenda Items.

ADMINISTRATIVE ITEMS

1. Police Chief Luis Velez was present and addressed the Commission in order to obtain clarification regarding the elimination of an expired list for entry level police officers. Chief Velez stated he finds the situation confusing due to the fact there are currently two lists for Police Patrol Officer. One of the lists expired in 2012, and the other one is active until either August or September 2013. Chief Velez went on to say that in the past, he has always dealt with one list at any given point in time under Civil Service Rules. He understands that there may be some applicable rules or regulations that will force the Police Department to take people off of the expired list before they have an opportunity to look at the people on this current, active list. Chief Velez expressed his concerns that the people on the expired list were persons they did not have the opportunity to get to because of their position on the list or that were passed over during the process. Now, there is a brand new list with people that have achieved a much higher total score. He felt these persons on this active list would be the "cream of the crop". He asked for clarification as to which list they can use. Chief Velez said he would like to use the active list, and would like to dispense with the expired list.

Mr. Jagger attempted to clarify the situation for Chief Velez being that he may not be familiar with the nuances of the City Codes. He cited Sec. 6-8-5(e) of the Pueblo Municipal Code which states: During the time a vacancy is held open, the eligible list pertaining to such vacancy shall remain frozen and no new eligible list shall be established until action is taken on such vacancy. This means the eligible list pertaining to any vacancies that are created during the life of an eligible list have to be filled from that list. Any new vacancies that occur subsequent to that list have to be filled from the next list. He explained this is the only consistent way to construe that language in the ordinance. Mr. Jagger asked Mrs. Huskins how many people remain on the list and was informed that there are 58 names remaining.

Chief Velez said he perceived that individuals on the expired list understood that there would be a new test given, and they had the opportunity to retest, and in fact, 11 individuals from the expired list did exactly that and are on the current, active list. He stated this seems like an archaic rule; why

**CIVIL SERVICE COMMISSION MEETING
DECEMBER 11, 2012
PAGE THREE**

would he have to take people off of a list when vacancies occurred at that time and yet the list expires. From his point of view, that does not seem right.

Mr. Jagger said that persons on the first list would have been smart to take the new test and get on the next list because then they would be eligible for the new vacancies. To clarify this for the Commission, Mr. Jagger explained candidates have a right to reapply under Rule 21 and have their name incorporated into the new list, but that only applies in those circumstances where the new eligible list is to be certified before the former list expires. So that reapplication provision under Rule 21 (b) is inapplicable in this instance. With respect to Chief Velez's observation that the rule needs to be changed, Mr. Jagger said that could be addressed in an ordinance amendment. Currently, it is required that the list be frozen with respect to such vacancies that occur during its life. Until such time as the ordinance is amended, the Commission and the City still have to adhere to that provision.

Chief Velez said he understands that rules have to be followed. They will look at the individuals on the expired list, go through the interview process, and do the backgrounds on them. He asked the Commission if they want to keep the process like this in the future. When he compares the scores on the old list and new list, he felt the candidates on the new list tested much higher, and as a manager, he would prefer being able to choose from the candidates who received higher test scores as they appear to be more competent. Chief Velez would like just having just one active list to deal with at a time and that would clear any confusion in the future.

Mr. Jagger explained that he believes the ordinance was created regarding promotional positions when the City was under the rule of one to assure that there would be no freezing of positions to get around the appointment of the person in position number one on the eligible list. The Commission can initiate rule changes; this however is an ordinance that would have to be done in conjunction with rule changes. The process for this would have to start with the City Manager. Mr. Jagger felt there will probably be a number of issues that would have to be addressed in considering the rule change. If it is limited to any entry level position, there would be a much better chance of getting acceptance, but again that could be a discussion that is initiated with the City Manager.

Chief Velez thanked the Commission for their time. He stated this discussion certainly brought him clarification. He stated they will move forward with the individuals from the expired list and try to get some great candidates.

2. The next regular meeting of the Civil Service Commission was scheduled for January 8, 2013 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 October, 2012.

ADJOURN – 5:43 p.m.


Chairman