

**MONDAY, NOVEMBER 2, 2009  
EL PASO COUNTY SHERIFF'S OFFICE – CIVIL SERVICE COMMISSION  
MET IN REGULAR SESSION  
AT 1:36 P.M.**

**WITH THE FOLLOWING MEMBERS PRESENT:**

**COMMISSIONER MIKE GARCIA-CHAIR  
COMMISSIONER GENE FINKE  
COMMISSIONER JESUS M. OLIVAS**

**SHERIFF'S DEPARTMENT  
DISTRICT ATTORNEY'S OFFICE  
COUNTY COMMISSIONER'S COURT**

**OTHERS PRESENT:**

**RICHARD D. WILES, EL PASO COUNTY SHERIFF'S OFFICE  
WILLIAM ELLIS, EL PASO COUNTY SHERIFF'S OFFICE  
MARILYN MUNGERSON, COUNTY ATTORNEY'S OFFICE  
MELISSA CARRILLO, HUMAN RESOURCES DEPARTMENT  
MARGIE MORALES, HUMAN RESOURCES DEPARTMENT  
JIM JOPLING, CLEAT  
MILES MCNEIL, CLEAT  
JOSE MARRUFO, EL PASO SHERIFF'S OFFICER ASSOCIATION, INC.**

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**MEETING CALLED TO ORDER**

**NOVEMBER 2, 2009**

**ITEM #1**

On this day, the El Paso Sheriff's Office (EPSO) Civil Service meeting was called to order at 1:36 pm by Commissioner Mike Garcia, Chair.

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**QUORUM ESTABLISHED**

**NOVEMBER 2, 2009**

**ITEM #2**

On this day, it was established that a quorum had been reached with the following members being present: Commissioner Jesus M. Olivas, Commissioner Mike Garcia, Chair.

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**PUBLIC COMMENTS**

**NOVEMBER 2, 2009**

**ITEM #3**

No public comments.

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**APPROVED MINUTES FOR THE REGULAR MEETING OF OCTOBER 5, 2009 AND THE  
SPECIAL MEETING ON OCTOBER 8, 2009.**

**NOVEMBER 2, 2009**

**ITEM #4 – MOTION # 1**

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Chair Mike Garcia, the Commission approved the minutes for the Regular meeting held October 5, 2009 and the Special meeting on October 8, 2009.

**YES:**  
**Commissioner Jesus M. Olivas,**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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(Mr. Gene Finke arrived at 1:38 pm.)

**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING MR. RAUL D. RAMIREZ'S  
REQUEST FOR POOLED LEAVE.**

**NOVEMBER 2, 2009**

**ITEM #5 – MOTION #2**

On this day, on motion of Commissioner Gene Finke, seconded by Jesus M. Olivas, the Commission approved the request for pooled leave.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**NOTIFY THE COMMISSION OF THE SHERIFF'S RESPONSE TO A GRIEVANCE HE  
RECEIVED BY ALICIA B. CARLOS ON OCTOBER 1, 2009.**

**NOVEMBER 2, 2009**

**ITEM #6 – NO ACTION**

On this day the Commissioner's agreed to take "no action".

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**NOTIFY THE COMMISSION OF THE SHERIFF'S 2<sup>ND</sup> RESPONSE TO A GREIVANCE HE  
RECEIVED BY THE MAINTENANCE TECHNICIANS ON SEPTEMBER 25, 2009.**

**NOVEMBER 2, 2009**

**ITEM #7 – NO ACTION**

On this day the Commissioner's agreed to take "no action".

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7  
THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION  
RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM #8 – MOTION # 3**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed to table this item until the Sheriff and Bill Ellis arrived.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING A MOTION OF CONTINUANCE THAT WAS FILED ON BEHALF OF SGT. DOMINGUEZ REGARDING THE SPECIAL MEETING THAT WAS PREVIOUSLY SCHEDULE FOR OCTOBER 28, 2009.**

**NOVEMBER 2, 2009**

**ITEM # 9 - MOTION # 4**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed to postpone until next meeting in December.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**(Sheriff and Bill Ellis arrived 1:42)**  
**Began Caucus at 1:42**  
**Reopened at 1:50**

**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM #8 – MOTION #5**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed to re-open Item #8 at this time.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM #8 – MOTION #6**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed to accept all other changes from Chapter 7.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 7**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed to accept all other changes from Chapter 8.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 8**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed that Section 9.1.01 remain in its current state with no changes being made to it.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 9**

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed on Section 9.1.03 (I) with the word "established" being removed from the sentence.

**YES:**

**Commissioner Jesus M. Olivas,  
Commissioner Gene Finke  
Commissioner Mike Garcia**

**NO:**

**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 10**

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed on Section 9.1.03 (O) with the sentence being changed to read: *Absent just cause failure to obey a summons to appear before any court or the Civil Service Commission.*

**YES:**

**Commissioner Jesus M. Olivas,  
Commissioner Gene Finke  
Commissioner Mike Garcia**

**NO:**

**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 11**

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed that Section 9.1.03 (P) remain in its current state with no changes being made to it.

**YES:**

**Commissioner Jesus M. Olivas,  
Commissioner Gene Finke  
Commissioner Mike Garcia**

**NO:**

**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 12**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed to accept all changes from 9.2.03, 9.2.04 and 9.2.05 with the exception that the "as provided in the disciplinary matrix" phrases be removed.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 13**

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed on Section 9.2.06 (A) with the sentence being changed to read: *When an employee is arrested, charged or indicted for a felony or misdemeanor involving an act of violence or moral turpitude, the employee shall be placed on Administrative Leave without pay pending the disposition of the criminal charge.*

**YES:**  
**Commissioner Jesus M. Olivas,**  
**Commissioner Gene Finke**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 14**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed that Section 9.2.14 remain in its current state with no changes being made to it.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO CHAPTER 7 THROUGH 9 OF THE EL PASO SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**

**NOVEMBER 2, 2009**

**ITEM # 8 - MOTION # 15**

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to approve all other changes in chapter 9 that were not specifically addressed.

**YES:**  
**Commissioner Jesus M. Olivas,**  
**Commissioner Gene Finke**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**NOVEMBER 2, 2009**

**ITEM # 10 - MOTION # 16**

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus M. Olivas, the Commission agreed to adjourn the meeting at 2:31 pm.

**YES:**  
**Commissioner Gene Finke,**  
**Commissioner Jesus M. Olivas**  
**Commissioner Mike Garcia**

**NO:**  
**None**

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**EXAMINED AND APPROVED DECEMBER 7, 2009**

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**COMMISSIONER MIKE GARCIA, CHAIR**