

**MONDAY, DECEMBER 7, 2009
EL PASO COUNTY SHERIFF'S OFFICE – CIVIL SERVICE COMMISSION
MET IN REGULAR SESSION
AT 1:40 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
HOLLY LYTLE, COUNTY ATTORNEY'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.**

MEETING CALLED TO ORDER

DECEMBER 7, 2009

ITEM #1

On this day, the El Paso Sheriff's Office (EPSO) Civil Service meeting was called to order at 1:40 pm by Commissioner Mike Garcia, Chair.

QUORUM ESTABLISHED

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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 Gene Finke, and Commissioner Mike Garcia, Chair.

PUBLIC COMMENTS

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ITEM #3

On this day Melissa M. Carrillo mentioned that the 2 appointments by Mr. Jaime Esparza and Sheriff Richard D. Wiles, are set to expire on Feb. 25, 2010, and advised the Commission that letters will be sent requesting updated appointee information.

APPROVED THE MINUTES FOR THE REGULAR MEETING OF NOVEMBER 2, 2009.

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ITEM #4 – MOTION # 1

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission approved the minutes for the Regular meeting held November 2, 2009.

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

NO:
None

(Mr. Jim Jopling arrived at 1:44 pm.)

**NOTIFY THE COMMISSION REGARDING THE APPEAL OF LETTER OF SUSPENSION
FOR FLOOR CONTROL OFFICER RONNITA COVINGTON.**

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ITEM #5 – NO ACTION

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

**NOTIFY THE COMMISSION REGARDING THE APPEAL OF LETTER OF TERMINATION
FOR DETENTION OFFICER ALICIA CARLOS.**

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ITEM #6 – NO ACTION

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

**NOTIFY THE COMMISSION REGARDING THE APPEAL OF LETTER OF SUSPENSION
FOR DEPUTY LARRY AGUIRRE.**

DECEMBER 7, 2009

ITEM #7 – NO ACTION

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

**NOTIFY THE COMMISSION REGARDING THE APPEAL OF LETTER OF TERMINATION
FOR DETENTION OFFICER FRANCISCO GIL.**

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ITEM #8 – NO ACTION

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

DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE MEETING FOR JANUARY 2010.

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ITEM # 14 - MOTION # 2

(This item was taken out of order to discuss.) On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed that the January meeting would be on January 11, 2010.

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

NO:
None

NOTIFY THE COMMISSION OF A GRIEVANCE FILED BY DEPUTY ROBERT VALLEJO.

DECEMBER 7, 2009

ITEM #9 – MOTION # 3

(Holly Lytle arrived at 1:46 pm.)
(Sheriff arrived at 1:50 p.m.)

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to hear this item during the January 11, 2010 meeting.

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

NO:
None

NOTIFY THE COMMISSION OF A GREIVANCE FILED BY CIVILIAN LAURA R. BROWN.

DECEMBER 7, 2009

ITEM # 10 - MOTION # 4

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to hear this item during the February 1, 2010.

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

NO:
None

DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE APPROPRIATE PROCEDURES FOR THE COMMISSION TO FOLLOW WHEN HEARING A GREIVANCE FILED BY AN EMPLOYEE.

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ITEM #11 – MOTION # 5

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to adopt the County Grievance procedures temporarily for Item #9 and Item #10. They further agreed to use evidence procedures on all administrative hearings.

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

NO:
None

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 SCHEDULED FOR OCTOBER 28, 2009.

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ITEM #12 – NO ACTION

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

DISCUSS AND TAKE APPROPRIATE ACTION REGARDING LIVE STREAMING VIDEO OF THE SHERIFF'S OFFICE CIVIL SERVICE COMMISSION MEETINGS.

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ITEM # 13 - MOTION # 6

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to have their meetings streamed live with the exception that logistics of the room may hinder this at times. Further, at an employee's request the video can be turned off.

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

NO:
None

DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE REVISED PHYSICAL FITNESS ASSESSMENT STANDARDS THAT ARE USED AS PART OF THE HIRING CRITERIA FOR A DETENTION OFFICER, PEACE OFFICER, LATERAL TRANSFER AND RESERVE DEPUTY.

DECEMBER 7, 2009

ITEM # 15 - MOTION # 7

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to revise the Physical Fitness Assessment standards to those recommended today and agree that they will be used as part of the hiring criteria for Detention Officer, Peace Officer, Lateral Transfer and Reserve Deputy.

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

NO:
None

DISCUSS AND TAKE APPROPRIATE ACTION REGARDING A CHANGE IN THE JOB DESCRIPTION FOR THE ANIMAL CONTROL OFFICER PERTAINING TO THE DRIVER'S LICENSE REQUIREMENT.

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ITEM # 16- MOTION # 8

On this day, on motion of Commissioner Gene Finke, seconded by Commissioner Jesus Olivas, the Commission agreed to change to the driver's license requirement from Class "A" to "C".

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

NO:
None

DISCUSS AND TAKE APPROPRIATE ACTION ON REVISING THE JOB DESCRIPTION FOR LIEUTENANT DEPUTY SHERIFF.

DECEMBER 7, 2009

ITEM # 17 - MOTION # 9

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed on the revision of the job description for a Deputy Lieutenant by removing the "Detention Bureau" as part of a potential assignment. This was in response to a past grievance.

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

NO:
None

DISCUSS AND TAKE APPROPRIATE ACTION CONCERNING CHANGES TO THE LIST OF EXEMPT EMPLOYEES IN SECTION 2.5.01 OF THE EL PASO COUNTY SHERIFF'S OFFICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.

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ITEM # 18 - MOTION # 10

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to include the Clerk being assigned to the Executive Administrative officer on the list of exempt employees due to the security of information that is discussed amongst the Administration.

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

NO:
None

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ITEM # 19 - MOTION # 11

On this day, on motion of Commissioner Jesus M. Olivas, seconded by Commissioner Gene Finke, the Commission agreed to adjourn the meeting at 2:23 pm.

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

NO:
None

EXAMINED AND APPROVED JANUARY 11, 2009

COMMISSIONER MIKE GARCIA, CHAIR