



**MUNICIPAL CIVIL SERVICE COMMISSION
MINUTES**

**REGULAR MEETING
Monday, September 9, 2019**

The Municipal Civil Service Commission convened in a regularly scheduled meeting on Monday, September 9, 2019 at the Waller Creek Building located at 625 East 10th Street, Room 104, in Austin, Texas.

Chair Lancaster called the Commission meeting to order at 9:03 a.m.

Commissioners in Attendance:

Pamela Lancaster, Chair
Melissa Rogers, Vice-Chair
Rebecca Eisenbrey
Teresa Perez-Wiseley

Commissioners Absent:

Lottie A. Dailey

Staff in Attendance:

Sylba Everett, Chief Administrative Officer & Acting Municipal Civil Service Administrator
April Shaw, Municipal Civil Service Coordinator
Matthew Chustz, Municipal Civil Service Coordinator
Danny Villalpando, IT Network Administrator, Sr.

1. CITIZENS COMMUNICATION: GENERAL

Carol Guthrie addressed the Commission regarding an appeal that was deemed ineligible.

2. APPROVAL OF MINUTES

- a. Approve the minutes from the Municipal Civil Service Commission regular meetings on August 26, 2019.

The minutes from the August 26, 2019 regular meeting were approved on Chair Lancaster's motion, Commissioner Perez-Wiseley's second on a 4-0 vote.

3. HEARING

- a. Conduct a hearing on the appeal filed by Daniel Cadena regarding their Demotion and Disciplinary Probation from the Austin Water Utility.

The hearing was conducted on the appeal filed by Daniel Cadena regarding their Demotion and Disciplinary Probation from the Austin Water Utility.

- b. Deliberate in open session or closed session, pursuant to 551.074 of the Texas Government Code (personnel exception), on the appeal filed by Daniel Cadena regarding their Demotion and Disciplinary Probation from the Austin Water Utility.

Chair Lancaster recessed the Municipal Civil Service Commission meeting to go into closed session at 4:26 p.m.

The Commission deliberated in closed session on the appeal filed by Daniel Cadena regarding their Demotion and Disciplinary Probation from the Austin Water Utility.

Closed session ended and Chair Lancaster called the Municipal Civil Service Commission meeting back to order at 5:30 p.m.

- c. Possible action and decision on the appeal filed by Daniel Cadena regarding their Demotion and Disciplinary Probation from the Austin Water Utility.

The motion to grant Daniel Cadena's appeal and restore him to his position; to not award any back pay or lost benefits; and to issue a Probation for a period of one year from the date he is restored to his position, was approved on Vice-Chair Rogers' motion, Commissioner Perez-Wiseley's second, on a vote of 3-1. Those members voting aye were: Vice-Chair Rogers, Commissioner Eisenbrey, and Commissioner Perez-Wiseley. Those voting nay were: Chair Lancaster.

4. NEW BUSINESS

- a. Discussion and possible action on establishing an investigation process for the Municipal Civil Service Commission.

Discussion was held regarding establishing an investigation process for the Municipal Civil Service Commission. The Commission requested this item be placed on a future agenda.

- b. Discussion and possible action regarding the initiation of a Municipal Civil Service Commission investigation into Public Works Department hiring processes.

Discussion was held regarding the initiation of a Municipal Civil Service Commission investigation into the Public Works Department hiring processes. The Commission requested this item be placed on a future agenda.

- c. Discussion regarding changes to the Municipal Civil Service Rules.

Discussion was held regarding changes to the Municipal Civil Service Rules. The Commission requested this item be placed on a future agenda.

- d. Discussion and possible action on future meetings, dates, times, and locations.

Discussion was held regarding future meeting dates, times, and locations. The motion to cancel the October 14, 2019 Municipal Civil Service Commission meeting was approved on Commissioner Rogers' motion, Commissioner Eisenbrey's second on a vote of 4-0.

5. EXECUTIVE SESSION

- a.** Discuss legal issues related to item 4.a., discussion and possible action on establishing an investigation process for the Municipal Civil Service Commission. (Private consultation with legal counsel – Section 551.071 of the Government Code).

This item was postponed.

- b.** Discuss legal issues related to item 4.b., discussion and possible action regarding the initiation of a Municipal Civil Service Commission investigation into Public Works Department hiring processes. (Private consultation with legal counsel – Section 551.071 of the Government Code).

This item was postponed.

6. FUTURE AGENDA ITEMS

Commissioner Perez-Wiseley requested an item regarding receiving the electronic hearing materials in advance of the hearings.

Chair Lancaster requested an item to discuss the ineligible appeal brought forward by Carol Guthrie at the September 9, 2019 Municipal Civil Service Commission meeting during Citizen Communication.

The Commission requested items 4a, 4b, 4c, 4d, 5a, and 5b be placed on a future agenda.

ADJOURNMENT

Chair Lancaster adjourned the meeting at 6:08 p.m.