



**MUNICIPAL CIVIL SERVICE COMMISSION  
MINUTES**

**REGULAR MEETING  
Monday, October 28, 2019**

The Municipal Civil Service Commission convened in a regularly scheduled meeting on Monday, October 28, 2019 at the Waller Creek Building located at 625 East 10<sup>th</sup> Street, Room 104, in Austin, Texas.

**Chair Lancaster called the Commission meeting to order at 9:05 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 and Acting MCS Administrator  
April Shaw, Municipal Civil Service Coordinator  
Matthew Chustz, Municipal Civil Service Coordinator  
Danny Villalpando, IT Network Administrator, Sr.

**1. CITIZENS COMMUNICATION: GENERAL**

**None.**

**2. APPROVAL OF MINUTES**

- a. Approve the minutes from the Municipal Civil Service Commission regular meetings on September 23, 2019.

**The minutes from the September 23, 2019 regular meeting were approved on Chair Lancaster's motion, Commissioner Eisenbrey's second on a 4-0 vote.**

**4. OLD 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 motion to not conduct an investigation and to ask the City Council to audit and consider investigating all decisions by the Commission in which the affected employee was discharged or denied a promotion, and the Commission granted their appeal, was made on Chair Lancaster's motion, Commissioner Eisenbrey's second on a vote of 4-0.**

- 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 Public Works Department hiring processes.**

- c. Discussion regarding the ineligible appeal brought forward by Carol Guthrie during Citizens Communication at the September 9, 2019 Municipal Civil Service Commission Meeting.

**Discussion was held regarding the ineligible appeal brought forward by Carol Guthrie during Citizens Communication at the September 9, 2019 Municipal Civil Service Commission Meeting.**

- d. Discussion regarding potential edits to the Municipal Civil Service Rules.

**Discussion was held regarding potential edits to the Municipal Civil Service Rules. The Commission requested this item be placed the next meeting agenda.**

- e. Discussion and possible action on future meeting dates, times, and locations.

**Discussion was held regarding future meetings dates, times, and locations.**

### 3. HEARING

- a. Conduct a hearing on the appeal filed by Kirby Roberson regarding their Discharge from the Watershed Protection Department.

**Kirby Roberson failed to appear before the Commission. No hearing was conducted on the appeal filed by Kirby Roberson regarding their Discharge from the Watershed Protection Department.**

- b. Deliberate in open session or closed session, pursuant to 551.074 of the Texas Government Code (personnel exception), on the appeal filed by Kirby Roberson regarding their Discharge from the Watershed Protection Department.

**No deliberations were held.**

- c. Possible action and decision on the appeal filed by Kirby Roberson regarding their Discharge from the Watershed Protection Department.

**No decision was rendered in this matter and the appeal is considered withdrawn. The motion to consider the appeal filed by Kirby Roberson as withdrawn was approved on Chair Lancaster's motion, Commission Eisenbrey's second on a vote of 4-0.**

**5. EXECUTIVE SESSION**

**The Municipal Civil Service Commission went into Executive Session, Pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel.**

- 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).
- 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).
- c. Discuss legal issues related to item 4.c., discussion regarding the ineligible appeal brought forward by Carol Guthrie during Citizens Communication at the September 9, 2019 Municipal Civil Service Commission Meeting. (Private consultation with legal counsel – Section 551.071 of the Government Code).

**Chair Lancaster reconvened the Municipal Civil Service Commission Meeting at 10:17 a.m.**

**6. FUTURE AGENDA ITEMS**

**The Commission requested an item for discussion and possible action regarding updates to the Texas Open Meetings Act and implications to the Municipal Civil Service Commission Meetings.**

**The Commission requested a briefing from staff, followed by discussion and possible action regarding interpretation of the Municipal Civil Service Rules related to the Commissioners receiving hearing submissions prior to the hearing.**

**The Commission requested an item for discussion and possible action regarding a recommendation to Council requesting Council audit and investigate all decisions made by the Municipal Civil Service Commission where a Denial of Promotion or Discharge were granted or modified.**

**The Commission requested an item for discussion and possible action regarding the letter determining cause for attendance issues on the Municipal Civil Service Commission.**

**ADJOURNMENT**

**Chair Lancaster adjourned the meeting at 10:30 a.m.**