



# CIVIL SERVICE COMMISSION

City of Tucson

Minutes

## QUARTERLY MEETING

April 16, 2019

A quorum of the Civil Service Commission of the City of Tucson met on Tuesday, April 16, 2019, at 9:00AM for their regularly scheduled Quarterly Meeting. The meeting was held at City Hall, 255 W. Alameda, 1<sup>st</sup> Floor Conference Room in Tucson, AZ.

Present were Chairperson Diana Jimenez-Young, Commission Members Becky Montaña, Paul Fimbres, Thomas Palomares, and Carol West. Staff present: Donna Aversa, Legal Counsel; Ana Urquijo, Administrative Services Officer / HR Director; Elsa Quijada, HR Administrator; Gioia Sanderson, Principle Assistant City Attorney; Jacinta Figueroa, Sr. Assistant City Attorney; and Armida Saufley, Recording Secretary.

- The Civil Service Commission opened the quarterly meeting with roll call and call to the audience. Chairperson Jimenez-Young announced that on a Call to the Audience the Commission is unable to take any action and can only direct that the topic or issue be placed on the agenda for either the next quarterly meeting or the next scheduled business meeting and allowed the public to address the Commission.

Comments were made by Tony Archibald, President of the Tucson Police Officer's Association. A recording of this item is available from the Human Resources Department for two years from the date of this meeting.

- The Civil Service Commission was presented with the following Minutes for their review and/or modification:

Quarterly Meeting – February 8, 2019

Preliminary Hearing – William Peck, Information Technology Department,

February 15, 2019

Special Meeting – April 12, 2019

On a motion by Commissioner West, seconded by Commissioner Montaña, all minutes were approved as written. The vote was unanimous 5 to 0.

- Time was set aside to introduce and welcome Ms. Carol West who was recently appointed to fill the vacant Civil Service Commissioner seat. In addition, Commission legal counsel, Ms. Donna Aversa, also introduced herself to staff and spoke about appeal hearing procedural items. No further action was taken on this item.
- A proposal to review and discuss the definition of Just Cause in Civil Service Rule I, Section 3, was brought forth by Mr. Tony Archibald on behalf of the Tucson Police Officer's Association. Ms. Gioia Sanderson of the City Attorney's office addressed the Commission informing them that

the definition of Just Cause currently in the Civil Service Rules is the definition in the Tucson Code and is cited in case law specific to this Civil Service Commission in the Marv Davis LIVINGSTON case. Ms. Urquijo informed the Commission that this item would need further study and additional information would be provided at the next Quarterly Meeting.

- An election for the two year term of Chairperson and Vice Chairperson was conducted per Civil Service Rule II Section 1.

Commissioner West made a motion to elect Thomas Palomares as Chairperson; Commissioner Montaño seconded the motion and the motion passed by a vote of 5 to 0.

Commissioner Montaño made a motion to elect Diana Jimenez-Young as Vice Chairperson; Commissioner Fimbres seconded the motion and passed by a vote of 5 to 0.

- The Commission was presented with pending appeals to be scheduled. The first item considered was a request for continuance on the Luis Clark appeal hearing set for April 24, 2019. Appellant's representative requested a 60-day continuance to further prepare the case. The City objected to the continuance.

At 9:45 on a motion by Commissioner Fimbres, seconded by Commissioner Montaño, the Commission went into Executive Session for legal advice from Legal Counsel Donna Aversa pursuant to A.R.S. §38-431.03(A)(3). The Commission resumed the open meeting at 10:10 AM.

In open session, on a motion by Commissioner Fimbres, seconded by Commissioner Montaño and passed by a vote of 5 to 0, the Commission granted the continuance and scheduled the hearing for June 14, 2019.

Other hearings scheduled:

<u>May 20, 2019</u>	<u>9:00 AM</u>
Jamone Lane, Appeal of Termination / Tucson Police Department	
Scheduled with Commissioners Palomares, Montaño, Fimbres	

Having no further items to discuss, the meeting adjourned at 10:20 AM



07/16/19

Chair Thomas Palomares  
Civil Service Commission

Date