



**TAKE NOTICE THAT A REGULAR MEETING
OF THE CIVIL SERVICE COMMISSION
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 9:00 AM ON
FRIDAY, AUGUST 20, 2021**

If during the course of the meeting, the Civil Service Commission should determine that a closed or executive session of the commission is required, then such closed or executive session or meeting is authorized by Section 551.071 to 551.084 of the Texas Government Code. Notice of closed or executive session will be given after the commencement of the meeting covered by this notice.

Should any final action, decision or vote be required in the opinion of the Civil Service Commission with regard to any item discussed during the closed meeting, then such final action, decision or vote shall be made during the open meeting covered by this notice upon the reconvening of the public meeting pursuant to Section 551.102 Government Code V.T.C.S.

In compliance with Section 551.041 et seq. of the Texas Government Code V.T.C.S. (Open Meetings Act), notice is hereby given that the Civil Service Commission will meet at the time and place indicated to consider and act upon the following:

1. CALL TO ORDER:

A) Roll call and possible action on the excusing of any absent member.

2. PUBLIC TESTIMONY: *(Ordinance No. O-2019-45). A person intending on addressing the governing body may speak at a scheduled meeting of the governing body following registration with the presiding clerk and prior to the scheduled meeting. A registered speaker may speak only on items on the agenda and may not exceed 1.5 minutes when addressing the board regarding an agenda item. A registered speaker may not donate time to another speaker. A sign-in form for public testimony shall be promulgated by the presiding clerk and be made available at the city clerk's office. A person may sign up for public testimony beginning at the time the agenda is posted for the meeting. A person may not sign up later than one hour before the posted meeting is scheduled to begin. No registered speaker may be allowed to speak regarding an item once the public testimony portion of the agenda has ended.*

3. REGULAR AGENDA - OPEN SESSION:

A) Approval of minutes for Friday, July 16, 2021 Special Called Meeting.

AGENDA REGULAR MEETING

August 20, 2021

B) Consideration and action to extend the deadline for the disciplinary hearing of Deputy Chief Eloy Salazar of the Pharr Fire Department and set a new date for the hearing, pursuant to Section 143.053(b)Tex. Loc. Gov't Code.

C) Conduct a disciplinary hearing on the disciplinary appeal filed by Lt. Krystle Guerra of the Pharr Fire Department pursuant to Section 143.053(b) Tex. Loc. Gov't Code and the Pharr Civil Service Commission Rules.

4. ADMINISTRATIVE REPORTS.

5. CIVIL SERVICE DIRECTORS REPORTS.

6. CIVIL SERVICE COMMENTS.

7. LEGAL:

A) Consultation with legal counsel, pursuant to section 551.071, Texas Government Code, to provide advice and counsel in connection with the Civil Service Commissions' duties, obligations, privileges under Chapter 143, Texas Gov't Code and the rules and regulations adopted thereunder.

8. CLOSED SESSION: *In accordance with Chapter 551 of the Texas Gov't. Code, the Civil Service Board of Commissioners hereby gives notice that it may meet in closed session to discuss the items listed on the public portion of the meeting agenda, in accordance with the following below:*

A) Deliberation regarding the disciplinary appeal filed by Lt. Krystle Guerra pursuant to 143.053(d) Tex. Loc. Gov't Code and Pharr CSC Rule 40(P).

B) Consideration and action and render a decision on the disciplinary appeal filed by Lt. Krystle Guerra of the Pharr Fire Department pursuant to Section 143.053(b) Tex. Loc. Gov't Code and the Pharr Civil Service Commission Rules. (

Pursuant to Section 551.071, the Commission may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the Commission may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

AGENDA REGULAR MEETING
August 20, 2021

Pursuant to Section 551.076, the Commission may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the Commission may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

9. RECONVENE into open session and consider action, if necessary, on any item(s) discussed in closed session.

10. ADJOURNMENT.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/402-4100 ext. 1007 or FAX 956/702-5313 or E-mail imelda.barrera@pharr-tx.gov for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the Civil Service Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at www.pharr-tx.gov. This Notice was posted on the 16th day of August 2021 at 5:30pm and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

WITNESS MY HAND AND SEAL, this 16th day of August 2021



Imelda Barrera
IMELDA BARRERA, TRMC
ASSISTANT CITY CLERK



Pharr

Human Resources



CIVIL SERVICE COMMISSION MINUTES

A Special Called Meeting of the Civil Service Commission was held Friday, July 16, 2021. Chairperson Dolores Rodriguez called the meeting to order at 1:30 pm, at the Commissioners' Room located at 118 South Cage Blvd., 2nd Floor, Pharr, Texas.

MEMBERS PRESENT: Dolores Rodriguez, Chairperson
Mario Lizcano, Vice-Chairperson
Vittorio Puente, Board Member

STAFF PRESENT: Anali Alanis, Civil Service / Asst. City Manager
Imelda Barrera, Asst. City Clerk
Lenny Perez, Fire Chief
Rebecca Hayward, CS Attorney

ITEM 1 CALL MEETING TO ORDER

Chairperson Rodriguez called the meeting to order.

**ITEM 1(a) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF
ANY ABSENT MEMBER OF THE CIVIL SERVICE COMMISSION**

Roll call established a quorum.

ITEM 2 PUBLIC TESTIMONY (Ordinance no. O-2019-45)

Chairperson Rodriguez introduced the item.

**ITEM 3(a) CONSIDERATION AND ACTION, IF ANY, ON APPROVAL OF MINUTES FOR MAY
18, 2021, SPECIAL CALLED MEETING AND JUNE 29, 2021, REGULAR CALLED
MEETING.**

Chairperson Rodriguez introduced the item.

Vice-Chairperson Lizcano moved to approve minutes as submitted. Board Member Puente seconded the motion and when put to a vote, it carried unanimously.

**ITEM 3(b) CONSIDERATION AND POSSIBLE ACTION, IF ANY, ON APPEAL BY FIREFIGHTER
JANELLE DORIA OF THE ENGINEER PROMOTIONAL EXAM ADMINISTERED
ON JUNE 22, 2021.**

Chairperson Rodriguez Introduced the item.

Vice-Chairperson Lizcano moved to deny appeal. Board Member Puente seconded the motion and when put to a vote, it carried unanimously.

**CIVIL SERVICE COMMISSION
FRIDAY, JULY 16, 2021**

ITEM 3(c) CONSIDERATION AND ACTION, IF ANY, ON APPROVING THE ELIGIBILITY LIST RESULTING FROM THE ENGINEER PROMOTIONAL EXAMINATION SUBJECT TO POSSIBLE RECALCULATION.

No Action.

ITEM 4 ADMINISTRATIVE REPORTS (PD and FD)

None

ITEM 5 CIVIL SERVICE DIRECTORS REPORT

None

ITEM 6 CIVIL SERVICE COMMISSION COMMENTS

None

ITEM 7 CLOSED SESSION: In accordance with Chapter 551 of the Texas Gov't. Code, the Civil Service Board of Commissioners hereby gives notice that it may meet in executive session to discuss the items listed on the public portion of the meeting agenda, including items 3 in accordance with the following below:

Pursuant to Section 551.071, the Commission may convene in a closed, non-public meeting with its attorney and discuss any matters related to legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the Commission may convene in a closed, non-public meeting to discuss any matters related to appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee. The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the Commission may convene in a closed, non-public meeting to discuss any matters on the deployment, or specific occasions for implementation, of security personnel or devices. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the Commission may convene in a closed, non-public meeting to discuss any matters involving an investigation and may exclude a witness from hearing during the examination of another witness in the investigation. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

The time being 1:32 am/pm, Chairperson Rodriguez stated the commission would be entering a closed session.

**ITEM 8 RECONVENE INTO OPEN SESSION, AND CONSIDER ACTION, IF NECESSARY,
ON ANY ITEM(S) DISCUSSED IN EXECUTIVE SESSION**

The time being 1:46 am/pm, Chairperson stated the commission would be resuming the open meeting.

ITEM 9 ADJOURNMENT

There being no further business to come before, Vice-Chairperson Lizcano moved to adjourn. It was seconded by Board Member Puente and when put to a vote the motion carried unanimously. Meeting adjourned at 1:47 pm.

Chairperson Dolores Rodriguez

Vice-Chairperson Mario Lizcano

Board Member Vittorio Puente



AGENDA MEMORANDUM



BOARD: Civil Service Commission

AGENDA ITEM #: 3.B.

DATE SUBMITTED: August 13, 2021

MEETING DATE: August 20, 2021

FROM: Beatriz Fuentes, HR Coordinator

DEPARTMENT: HR

DIRECTOR: Anali Alanis

Agenda Item: Consideration and action to extend the deadline for the disciplinary hearing of Deputy Chief Eloy Salazar of the Pharr Fire Department and set a new date for the hearing, pursuant to Section 143.053(b)Tex. Loc. Gov't Code.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Consideration and action to extend the deadline for the disciplinary hearing of Deputy Chief Eloy Salazar of the Pharr Fire Department and set a new date for the hearing, pursuant to Section 143.053(b)Tex. Loc. Gov't Code.

Fiscal Consideration:

Staff Recommendation: Consideration and action to extend the deadline for the disciplinary hearing

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Beatriz Fuentes
Anali Alanis

Created/Initiated - 8/13/2021
Final Approval - 8/16/2021



AGENDA MEMORANDUM



BOARD: Civil Service Commission

AGENDA ITEM #: 3.C.

DATE SUBMITTED: August 13, 2021

MEETING DATE: August 20, 2021

FROM: Beatriz Fuentes, HR Coordinator

DEPARTMENT: HR

DIRECTOR: Anali Alanis

Agenda Item: Conduct a disciplinary hearing on the disciplinary appeal filed by Lt. Krystle Guerra of the Pharr Fire Department pursuant to Section 143.053(b) Tex. Loc. Gov't Code and the Pharr Civil Service Commission Rules.

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Beatriz Fuentes

Created/Initiated - 8/13/2021

Anali Alanis

Final Approval - 8/16/2021

July 28, 2021

To whom it may concern:

I, Lt. Krystle Guerra, am formally requesting a hearing before the Pharr Fire and Police Civil Service Commission, as per Texas Local Government Code 143.010 and 143.052, to appeal the disciplinary action brought against me on July 21, 2021. In accordance with Section 143.053 of the code, the Commission shall hold a hearing and render a decision in writing not later than the 30th day after the date of receiving the notice of appeal, unless otherwise agreed by the employee and commission. I respectfully request that you provide me with some proposed dates on which the hearing could be held. Please contact me or my attorney/representative for the purpose of selecting a date.

My attorney is:

Ronald G. Hole
Hole & Alvarez, L.L.P.
Water Tower Centre
612 W. Nolana, Suite 370
McAllen, Texas 78504
E-mail: Ron@HoleAlvarez.com
Office: (956) 631-2891

The basis for this appeal and this request is a result of the five (5) day suspension issued to me by Fire Chief Leonardo Perez on July 21, 2021. In calling for this hearing, I hereby deny the truth of the charges as made, and I further state that the recommended action does not, or would not, fit the alleged offenses. I request that the proposed discipline be suspended pending the resolution of the appeal requested.

Lt. Krystle Guerra

RECEIVED
JUL 30 2021
HR DEPT. - BF



AGENDA MEMORANDUM



BOARD: Civil Service Commission

AGENDA ITEM #: 8.A.

DATE SUBMITTED: August 13, 2021

MEETING DATE: August 20, 2021

FROM: Beatriz Fuentes, HR Coordinator

DEPARTMENT: HR

DIRECTOR: Anali Alanis

Agenda Item: Deliberation regarding the disciplinary appeal filed by Lt. Krystle Guerra pursuant to 143.053(d) Tex. Loc. Gov't Code and Pharr CSC Rule 40(P).

Classification: Closed Session

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Beatriz Fuentes

Anali Alanis

Created/Initiated - 8/13/2021

Final Approval - 8/16/2021