



**MUNICIPAL CIVIL SERVICE COMMISSION  
MINUTES**

**REGULAR MEETING  
Monday, December 8, 2014**

The Municipal Civil Service Commission convened in a regularly scheduled meeting on Monday, December 8, 2014 at the Waller Creek Building located at 625 East 10<sup>th</sup> Street, Room 104, in Austin, Texas.

**Vice-Chair Perez Wiseley called the Commission meeting to order at 9:00 a.m.**

**Commissioners in Attendance:**

Teresa Perez-Wiseley, Vice-Chair  
Pamela Lancaster  
Lynn Rubinett  
Kevin Russell

**Staff in Attendance:**

Mark Washington, HR Director  
Karen Sharp, HR Assistant Director  
Rebecca Kennedy, Municipal Civil Service Administrator  
Danny Villalpando, LAN Administrator  
Sylba Everett, Municipal Civil Service Coordinator  
Vera Labriola, Municipal Civil Service Coordinator

**1. CITIZENS COMMUNICATION: GENERAL**

- a. Carol Guthrie, American Federation of State, County, and Municipal Employees (AFSCME), commented on the process regarding interviewing witnesses once an investigation has been closed.

**2. APPROVAL OF MINUTES**

- a. The minutes of the November 10, 2014 regular meeting were approved on Commissioner Russell's motion, Commissioner Lancaster's second on a 4-0 vote.

**3. HEARING**

- a. Conduct a hearing on the appeal filed by Augustin Cancino regarding his disciplinary probation from the Austin Water Utility Department.

**The hearing was conducted on the appeal filed by Augustin Cancino regarding his disciplinary probation from the Austin Water Utility Department.**

- b. Deliberate in closed session, pursuant to 551.074 of the Texas Government Code (personnel exception), regarding the appeal of Augustin Cancino of his disciplinary probation from the Austin Water Utility Department.

**The Commission deliberated in closed session the appeal of Augustin Cancino regarding his disciplinary probation from the Austin Water Utility Department.**

- c. Possible action and decision regarding the appeal of Augustin Cancino of his disciplinary probation from the Austin Water Utility Department.

**The motion to grant Augustin Cancino's appeal and rescind the disciplinary probation issued by the Austin Water Utility based on a finding of no cause for a 12-month disciplinary probation and issue the lesser disciplinary action of a 6-month probation beginning on August 8, 2014 was approved on a Commissioner Rubinett's motion, Commissioner Lancaster's second on a 3-1 vote. Those members voting aye were: Commissioners Lancaster, Perez-Wiseley, and Rubinett. Those voting nay were Commissioner Russell.**

#### 4. NEW BUSINESS

- a. Discussion and possible action on combining the appeals filed by Michael Castillo regarding his demotion/disciplinary probation and discharge from the Austin Water Utility Department and extending the time limits for presenting evidence at the hearing, pursuant to MCS Rule 7.06.G.

**Discussion was held on combing the appeals filed by Michael Castillo regarding his demotion/disciplinary probation and discharge from the Austin Water Utility Department and extending the time limits for presenting evidence at the hearing.**

**The motion to combine the hearings and allow each party an additional 15 minutes for production of testimony was approved on Commissioner Lancaster's motion, Commissioner Russell's second, on a 3-1 vote. Those members voting aye were: Commissioners Lancaster, Perez-Wiseley, and Russell. Those voting nay were Commissioner Rubinett.**

- b. Commission discussion on hearing proceedings and process.

**Discussion was held on hearing proceedings and process. Commission made a request that the Commission Attorney, Steven Garrett, explore options for presenting the Commissioners with pre-hearing submissions prior to the hearing date and provide recommendations at the next Commission meeting.**

#### 5. OLD BUSINESS

- a. Discuss the status of the request for Council to approve a recommendation regarding compensation for the Municipal Civil Service Commissioners.

**Discussion was held on the request for Council to approve a recommendation regarding compensation for the Municipal Civil Service Commissioners.**

- b. Discussion and possible action on future meeting dates.**

**Discussion was held on future meeting dates.**

**The motion to cancel the May 25, 2015 Regular Meeting of the Municipal Civil Service Commission was approved on Commissioner Rubinett's motion, Commissioner Lancaster's second, on a 4-0 vote.**

**The motion to cancel the December 15, 2014 Special Called Meeting of the Municipal Civil Service Commission was approved on Commissioner Russell's motion, Commissioner Lancaster's second, on a 4-0 vote.**

## **5. FUTURE AGENDA ITEMS**

- a. Continue to include on future agendas an item to debrief the hearing proceedings and process.**
- b. Continue to include on future agendas an item to discuss an update on the request for Council to approve a recommendation regarding compensation for the Municipal Civil Service Commissioners.**

## **6. ADJOURNMENT**

**Vice-Chair Perez-Wiseley adjourned the meeting at 5:27 p.m. on Commissioner Rubinett's motion, Commissioner Russell's second, on a 4-0 vote.**