

**FINAL - MINUTES
OF THE NEW BRAUNFELS CIVIL SERVICE COMMISSION
REGULAR MEETING OF THURSDAY, JANUARY 4, 2024**

1. CALL TO ORDER

2. ROLL CALL

The following Commissioners were present:

Chairperson Paul Ericksen

Vice-Chairperson Heidi Aleman

Commissioner Andrew Hamilton

3. PRESENTATIONS

None

4. APPROVAL OF MINUTES

A) Approval of minutes from November 27, 2023 meeting.

Commissioner Hamilton made a motion to approve the item.

Vice-Chairperson Aleman seconded the motion, which passed.

5. COMMUNICATIONS

This time is for citizens to address the Civil Service Commission on issues and items of concerns not on this agenda. There will be no action at this time.

6. DISCUSSION AND ACTION

A) Election of Officers for year 2024 in accordance with Chapter 143 Section 143.006.

The Commissioners voted to keep their current appointed position as:

Chairperson Paul Ericksen

Vice-Chairperson Heidi Aleman

Commissioner - Andrew Hamilton

B) Discuss and consider report from Civil Service Director regarding Promotional Examination Procedure, Section 143.032 (3) of the Local Rules.

Civil Service Director, Becca Miears presented the item and briefly discussed two incidents that occurred at the Fire Engineer promotional examination conducted on December 8, 2023; that she was not present for. The Director referred to Chapter 143, Section 143.32 (3) of the Local Rules. The first incident involved a candidate

who did not have the proper identification at the time of check in and was not permitted to sit for the exam. The second incident involved a candidate who asked one of the HR staff members present after taking the exam if their education points could be added, even though they had not yet submitted proof of the degree. The HR staff member allowed the candidate to submit the proof before the end of the day and added the applicable points to the raw score. Civil Service Director Becca Miers explained to the Commission that she upheld the decisions that were made in her absence and is asking the Commission to uphold her decision as well.

Chairperson Ericksen asked if anyone would like to address these issues.

None of the attendees spoke to the first item, but Firefighter Andrew Almanzar did speak to the second incident regarding the education points. He explained to the Commission that he had concerns with the acceptance of the candidate's proof of degree after the promotional exam was conducted. He explained that it has been the practice of Fire Department that documentation for education points be submitted in advance of a promotional or entrance exam. He further explained that this practice ensures transparency and accountability on the part of the candidate.

Firefighter William Damron also spoke to the Commission and explained that he earned the degree over the summer, but had not received a copy of the degree or transcripts until after the exam registration period. He further explained that he did receive the proper documentation before the test date, but did not submit it. However, he did ask the HR staff member if he could still submit the documentation.

Chairperson Ericksen announced that the Commission would be retiring into Executive Session to discuss these items at 3:10 pm.

The Commission reconvened into open session at 3:58 pm. Chairperson Ericksen announced no action was taken during Executive Session.

Vice-Chairperson Aleman made a motion in agreement with the Civil Service Director's recommendation to uphold the decisions that were made regarding the first incident that occurred. Commissioner Hamilton seconded the motion, which passed.

Vice-Chairperson Aleman made a motion in agreement with the Civil Service Director's recommendation to uphold the decisions that were made in regarding the second incident that occurred. Commissioner Hamilton seconded the motion, which passed.

C) Discuss and consider appeals by four (4) Firefighter of the following questions 17, 37, 44, and 71 from the Fire Engineer Promotional Examination conducted on December 8, 2023.

Human Resources Generalist presented the item and also announced that the Firefighter Aaron Jacobsen was not in attendance to present his appeal of question number 17. Therefore, she called on Firefighter Andrew Almanzar to present his appeal of questions number 37 and 71.

Firefighter Andrew Almanzar presented his appeal of question number 37 and explained to the Commission that he did not believe the question was clear and that there is more than one correct answer.

Commissioner Hamilton asked if anyone would like to speak regarding this question.

Firefighter Oscar Reyna and Chief Lozono both clarify with Firefighter Andrew Almanzar the reason for his appeal of this question. Andrew Almanzar again explained he believed the question was not clear.

Vice-Chairperson Aleman made a motion to sustain the question. Commissioner Hamilton seconded the motion, which passed. Question number 37 is sustained.

Andrew Almanzar presented his question of number 71 and explained to the Commission that he believed this question was not clear and did not pertain to the rank position that he was testing for.

Commissioner Hamilton made a motion to eliminate the question. Vice-Chairperson Aleman seconded the motion, which passed.

Firefighter Oscar Reyna asked the Commission; if they had any questions or needed additional information regarding question number 71.

Chairperson Ericksen answered; the Commission did not have any

questions, but allowed Firefighter Reyna to speak in regards to question number 71.

Firefighter Reyna explained to the Commission that he believed the question and the answer is clear and the study material supports this.

Chairperson Ericksen stated the Commission's vote stands as is, to eliminate question number 71.

City Attorney Val Acevedo advised the Commission that the ruling can be rescinded and the question can be revisited.

Chairperson Ericksen asked to hear the next question.

Lori Stidham asked for Firefighters Scott Rife and Wade Duncan to present their appeals of questions number 44. Firefighter Wade Duncan announced that Scott Rife was not in attendance, but came forward to present his appeal of the same question. Firefighter Duncan explained to the Commission the explanation in the question is not correct.

Chief Lozano explained that the answer is correct and is supported by the study material. However the explanation that is given in the question was not correct. Chief Lozano recommended the question remain as is.

Firefighter Duncan stated to the Commission that he was wrong either way and did not answer the question correctly.

Chairperson Ericksen asked if anyone would like to speak. There were no other comments given.

Vice-Chairperson Aleman made a motion to sustain the question. Commissioner Hamilton seconded the motion, which passed. Question number 44 is sustained.

Commissioner asked again about question number 17 and if any others had appealed it. Lori Stidham answered the Firefighter who appealed this question was not present for the meeting and no others had appealed it. Therefore, question number 17 will remain as is.

Chief Lozano asked the Commission if question number 71 can be rescinded and revisit the question.

Commissioner Hamilton made a motion to rescind the vote of

eliminated question number 71 and to revisit it. Vice-Chairperson seconded the motion, which passed.

Chief Lozano asked if anyone would like to speak regarding question number 71.

Firefighter Reyna explained to the Commission why he believed this question is valid. Chief Lozano further explained his thoughts as well to recommend this question be sustained.

Vice-Chairperson Aleman asked Firefighter Andrew Almanzar again why he appealed this question; he again explained that the question was not clear and did not pertain to the rank position. Firefighters Eduardo Barillas and William Damron both speak and agree that they believe question number 71 to be a valid question.

Commissioner Hamilton made a motion to sustain question number 71. Vice-Chairperson Aleman seconded the motion, which passed. Question number 71 is sustained.

D) Discuss and consider approval and certification of the eligibility list for Fire Engineer from the promotional examination conducted on December 8, 2023 depending on the outcome of items 6 C.

HR Generalist Lori Stidham presented the item.

Vice-Chairperson Aleman made a motion to approve this item. Commissioner Hamilton seconded the motion, which was approved.

7. EXECUTIVE SESSION

The Commission shall retire into an Executive Session on any agenda item as provided under Chapter 551.071 (Consultation with attorney) of the Texas Government Code and/or Section 143.053(d) of the Texas Local Government Code, as applicable.

RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

8. ADJOURNMENT

Meeting adjourned at 4:26 pm.

Date Approved: _____

Commission Member

Commission Member

Attest:

Lori Stidham Human Resources Generalist