

**MINUTES
OF THE NEW BRAUNFELS CIVIL SERVICE COMMISSION
MEETING OF JUNE 22, 2022**

1. CALL TO ORDER:

The Civil Service Commission of the City of New Braunfels, Texas, convened on June 22, 2022, in the 1845 Executive Conference Room in the City of New Braunfels City Hall Building.

2. ROLL CALL:

Commissioners present were: Chairperson Paul Ericksen, Vice-Chairperson Brian Martinez and Commissioner Heidi Aleman.

City Staff and others present were: Becca Mears, Human Resource/Civil Service Director; Lindsey Cox, Human Resources/Civil Service Assistant Director; Lori Stidham, Human Resources/Civil Service Specialist; Val Acevedo, City Attorney; Nathan Brown, Assistant City Attorney; Keith Lane, Police Chief; Joe Vargas, Assistant Police Michael Penshorn, Police Captain; James Bell, Police Lieutenant; Stephen Hanna, Police Lieutenant; Joseph Robles, Police Lieutenant; Joe Tovar, Police Sergeant; Michael Burton, Police Officer; Justin Sowell, Police Officer and Derek Woelfel, Police Officer.

The meeting was called to order by Chairperson Ericksen at 9:02 a.m. in the 1845 Executive Conference Room in the City of New Braunfels City Hall Building.

3. PRESENTATIONS: None

4. APPROVAL OF MINUTES:

A. April 29, 2022.

Commissioner Aleman made motion to approve; Vice-Chairperson seconded the motion, which was unanimously approved.

5. COMMUNICATIONS:

A. CITIZENS - None

6. DISCUSSION AND ACTION ITEMS:

A. DISCUSS AND CONSIDER CALLING FOR A FIREFIGHTER ENTRANCE EXAMINATION TO FILL A VACANCY AND/OR CREATE AN ELIGIBILITY LIST.

Civil Service Specialist Lori Stidham presented and discussed the item.

Vice-Chairperson Martinez made motion to approve; Commissioner Aleman seconded the motion, which was unanimously approved.

B. DISCUSS AND CONSIDER REPORT FROM THE CIVIL SERVICE DIRECTOR REGARDING GRIEVANCES FILED BY EIGHT (8) POLICE OFFICERS OF THE ONLINE POLICIES SECTION (QUESTIONS 51 THROUGH 75) FROM THE POLICE DETECTIVE PROMOTIONAL EXAMINATION CONDUCTED ON JUNE 6, 2022.

Chairperson Ericksen announced that the Commission would be retiring into Executive Session at 9:05 am.

The Civil Service Commission reconvened in open session at 9:51 am. Chairperson Ericksen announced no action was taken in closed session.

Chairperson Ericksen asked for each grievant to speak.

Police Officer Derek Woelfel asked if he could speak on the item if he did not file a grievance.

Civil Service Director Becca Miears answered that anyone can speak on the item.

Police Officer Derek Woelfel spoke to the Commission and stated that none of the Officers that filed a grievance attended the meeting and that should be taken into consideration when making their decision. However, he believes that the Officers that had the prior knowledge of the online policies did have an unfair advantage and should hold themselves to a higher standard. He further explained he has taken the Detective's exam several times and knew that not all policies were not included. He stated he doesn't think the test should be thrown out, because it would give others more time to study.

Chairperson Ericksen asked if anyone else would like to speak; no others spoke on this item.

City Attorney Val Acevedo advised to the Commission that it is the will of the Commission to go back into Executive Session or make a motion at this time.

Chairperson Ericksen announced that the Commission would be retiring back into Executive Session at 9:55 am.

The Civil Service Commission reconvened in open session at 10:47 am. Chairperson Ericksen announced no action was taken in closed session.

Vice-Chairperson Martinez made a motion to eliminate questions 51 through 75 from the Police Detective Promotional examination; Commissioner Aleman seconded the motion, which was unanimously approved.

Chairperson Ericksen asked the Civil Service Director to prepare an order for the Commission to sign and provide copies to the Police Chief and to the Officers who filed an appeal.

C. DISCUSS AND CONSIDER AN APPEAL BY ONE (1) POLICE OFFICER OF QUESTION NUMBER 95 FROM THE POLICE DETECTIVE PROMOTIONAL EXAMINATION CONDUCTED ON JUNE 6, 2022.

Civil Service Specialist Lori Stidham asked Officer Woelfel to present his appeal to the Commission.

Officer Woelfel presented his appeal of question number 95 by explaining to the Commission he believed the question was a "loaded" question. Officer Woelfel provided copies to the Commission of the Transportation code and explained that lists three different offenses where an Officer is not allowed to make an arrest; which include speeding, use of wireless communication device, and open container.

Chairperson Ericksen asked for other comments; no others commented on this item.

Vice-Chairperson Martinez made a motion to eliminate questions number 95; Commissioner Aleman seconded the motion, which was unanimously approved.

D. DISCUSS AND CONSIDER APPROVAL AND CERTIFICATION OF THE ELIGIBILITY LIST FOR POLICE DETECTIVE FROM THE POLICE DETECTIVE PROMOTIONAL EXAMINATION CONDUCTED ON JUNE 6, 2022 DEPENDING ON OUTCOME OF ITEMS 6B AND C.

This item will be placed on the next agenda for approval after the exams are re-graded.

7. EXECUTIVE SESSION- The Commission may retire to an Executive Session on any agenda item as provided under Chapter 551.074 (personnel matters) and 551.071 (consultation with attorney concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct) of the Texas Government Code and/or Section 143.053(d) of the Texas Local Government Code, as applicable.

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

9. ADJOURNMENT: Meeting adjourned at 10:53 a.m.

Date Approved: _____

Commission Member

Commission Member

Commission Member

Attest:

Lori Stidham Civil Service Specialist