

Regular Meeting

July 12, 2013

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Call to Order

A Regular Meeting of the Personnel Advisory Board of the City of Coolidge was held in the Council Chambers, 911 S. Arizona Boulevard, Coolidge, Arizona. Chairman Tom Frost called the meeting to order at 12:01 p.m. Those present were Board members Mike Henry, Dr. Williams "Bill" Perry, Ray Vasquez, Tom Frost, Shalee Ziegler, Alvin Brent Kempton and Vicki Williams. Also present were Human Resource Analyst Rachel A Duran, and City Attorney Denis Fitzgibbons.

Approval of Minutes

Motion was made by member Ray Vasquez to approve the May 20, 2013 minutes. **Second** was made by member Dr. Williams "Bill" Perry and passed unanimously.

Report by the City Attorney

Chairman Tom Frost entertained approval of today's agenda with revision by removing the City Attorney report as there is no update. **Motion** was made by member Shalee Ziegler to approve agenda with revision by removing the City Attorney report as there is no update. **Second** was made by member Ray Vasquez and passed unanimously.

BUSINESS

To hear and decide the appeal of Steven Sandoval regarding his dismissal from employment with the City of Coolidge.

Chairman Tom Frost informed the audience of the open meeting requested by Mr. Sandoval. **MOTION** was made by member Shalee Ziegler to hear and decide the appeal of Steven Sandoval regarding his dismissal from employment with the City of Coolidge in an open meeting. **SECOND** was made by member Mike Henry and passed unanimously. The following witnesses were sworn in by Chairman Tom Frost: Public Works Director Susanna Struble, Sanitation Worker Paul Daniels, Sanitation Worker Gary Honea, Superintendent of Waste Operations Oscar Palacios and ex-employee Steven Sandoval. Chairman Tom Frost asked to hold comments for the City Manager until the end of the hearing. All members agreed. City Attorney Denis Fitzgibbons representing the City of

Coolidge Public Works Director Susanna Struble began his "Opening Statement" as to the decision of Steven Sandoval's termination. Attorney Francis G. Fanning representing ex-employee Steven Sandoval began his "Opening Statement" referring to the "Notice of intent to Terminate" the due process and not sufficient grounds for termination. City attorney Fitzgibbons called the first witness Oscar Palacios; referred to Steven's responsibilities, duties, and training for his job requirements. Attorney Fanning cross examined Mr. Palacios; referred to the decision to terminate Mr. Sandoval, call out procedures, Sandoval duties, 30 day DL suspension and job description. **There was much discussion.** City Attorney Fitzgibbons then called Susanna Struble as the second witness; referred to supervisory style, referred to Mr. Sandoval various trainings, CDL requirement notices and job duties/responsibilities. Ms. Struble also discussed the loss in the Solid Waste Budget and re-organization. Attorney Fanning cross examined Ms. Struble; referred to the Administrative Leave requested by Mr. Sandoval, the 90 to 30 day driver license suspension, the CDL deadline notice and call out procedures. **There was much discussion.** Attorney Fanning called up the third witness Gary Honea; referred to the call out incident on 03/10/2013. City Attorney Fitzgibbons, cross examine; referring to Mr. Sandoval's opportunity to earn comp time for the call out. **No further discussion for this witness.** Attorney Fanning called up the fourth witness Paul Daniels; referred to the call out on 3/10/2013 and procedures taken that day. City Attorney Fitzgibbons cross examined; referring to Mr. Sandoval not responding to the call out. **There was discussion.** Attorney Fanning called up the fifth and final witness Mr. Sandoval; referred to Mr. Sandoval year of

service, job responsibilities, CDL requirements, Mr. Sandoval DUI, Call out list, leave request, driving privileges. Mr. Sandoval wanted his job back. City Attorney Fitzgibbons crossed examined; referred to his work hour requirements, Job description, and acknowledgement, CDL notices, asked why Mr. Sandoval did not respond to the call out on 3/10/2013? **There was much discussion.** City Attorney Fitzgibbons began his "Closing Argument" by thanking the board for their service and the importance of their position as Personnel Advisory Board members. {Should he have his job? Steven made his decisions. He was aware of the 30 days DL suspension. Mr. Sandoval does not sit one person with similar issues under the same supervisor. Mr. Palacios hated this decision but Steven couldn't do his job}. **Request to deny his appeal.** Attorney Fanning also began his "Closing Argument" by thanking the board. {Issues on training...foot dragging. CDL was not the reason of termination, that leave would have been the same impact. Disciplinary process is it a good cause to terminate him. He would not be terminated for the call out, per Susanna. No written policy; a general policy for safety reasons. Good employee and hard working, Oscar was in a Rock and Hard place the supervisor wanted to fire him and he didn't want too... The administrative leave was discussed with City Manager.} **This was a bad decision that needs to be reversed.** City Attorney Fitzgibbons mentioned the impact to the City; this decision needed to be made and referred to Chapter 5 page 86 of the Personnel Policy and Procedures Handbook. "City followed rules". **There was much discussion.** Chairman Tom Frost entertained a motion to support the City's decision to terminate Mr. Sandoval and all board members concurred with his decision. **Motion** was made by member Shaylee Ziegler to

support the City's decision to terminate Mr. Sandoval. **Second** was made by Vicki Williams and passed unanimously.

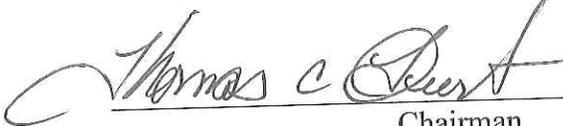
EXECUTIVE SESSION

No Executive Session was requested.

The City of Coolidge Personnel Advisory Board may go into executive session to hear and decide the appeal of Steven Sandoval regarding his dismissal from employment with the City of Coolidge pursuant to A.R.S. §38-431.03 (A) (1).

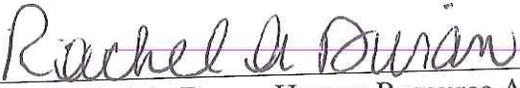
ADJORNMENT

MOTION was made by member Alvin Brent Kempton to adjourn the meeting at 4.45 p.m. **SECOND** was made by Ray Vasquez and passed unanimously.



Chairman

I, Rachel A. Duran, Human Resource Analyst of the City of Coolidge, Pinal County, Arizona, do hereby certify that the above is a true and correct copy of the minutes of the Regular Meeting of the Personal Advisory Board held on July 12, 2013. I further certify the meeting was duly called and held and that a quorum was present.



Rachel A. Duran, Human Resource Analyst