

CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER, CITY HALL
December 13, 2010

A meeting of the **Personnel Board**, City of Peoria, Arizona was convened at 8401 W. Monroe Street in open and public session at 5:32 p.m.

Members Present: Mark Hughes, Gene Sweeney and Thomas Campbell.

Members Absent: Dennis Cheney, Alternate.

Board Attorney Present: Fredda Bisman, Attorney-at-Law

Staff Present: Cheryl Boswell, Assistant City Attorney; Wanda Nelson, City Clerk and Natalie Gilstrap, Executive Assistant.

Others Present: None.

Audience: Approximately ten members of the public were present.

CONSENT – New Business:

Motion was made by Board Member Sweeney, seconded by Board Member Campbell, to approve the Consent Agenda. Upon vote, the motion carried unanimously 3 to 0.

1C DISPOSITION OF ABSENCE:

Approved/Excused absences from the August 31, 2009 and February 1, 2010 Personnel Board meeting.

2C MINUTES:

Approved the minutes of the August 31, 2009 and February 1, 2010 Personnel Board meetings.

3C Authorization to Hold an Executive Session Pursuant to A.R.S. § 38-431.03.A.3:

Authorized the holding of an Executive Session for the purpose of discussion or consultation with legal counsel for legal advice pertaining to the dismissal appeal of Lydia Gutierrez-Moreno (Appeal No. 10-4).

NEW BUSINESS:

4R ELECTION OF OFFICERS

Motion was made by Board Member Campbell, seconded by Board Member Sweeney, to elect Mark Hughes as Chairman. Upon vote, the motion carried unanimously 3 to 0.

Motion was made by Board Member Campbell, seconded by Chairman Hughes, to elect Gene Sweeney as Vice Chairman. Upon vote, the motion carried unanimously 3 to 0.

5R LYDIA GUTIERREZ-MORENO DISMISSAL APPEAL

Personnel Board Appeal Number 10-4 was heard in Open Session. Ms. Cheryl Boswell, Assistant City Attorney was present and represented the Respondent, the City of Peoria. Ms. Gutierrez-Moreno was not represented or present.

Ms. Boswell presented arguments in favor of accepting the Hearing Officer's Recommended Decision upholding the City of Peoria's termination of Ms. Gutierrez-Moreno and responded to questions from the Board. In response to Board questions the Clerk confirmed that the Appellant had been provided written notice of this Personnel Board meeting.

Motion was made by Vice Chairman Sweeney, seconded by Board Member Campbell, to affirm the Hearing Officer's Recommended Decision and deny the grievance filed by Ms. Lydia Gutierrez-Moreno.

Adjournment:

Being no further business to come before the Personnel Board, the meeting was duly adjourned 5:50 p.m.

Mark Hughes, Chairman

Secretary