

## PUBLIC NOTICE

### Civil Service Commission Meeting

The Civil Service Commission has scheduled a meeting on **Monday, October 11, 2021** at **6:30 pm**, at City Hall, 308 W. San Antonio Street, Lockhart, Texas:

#### Agenda

1. Discussion and/or action regarding approval of Commission minutes of September 20, 2021. 2-3
2. Discussion and/or action regarding ordering the Civil Service Director to conduct an election of the proposed alternate promotional system in the Lockhart Police Department; open to all sworn police officers in the Lockhart Police Department. 4-14
3. Director's Report.
  - Fire Engineer Exam will be held November 2, 2021.
4. Adjournment.

*If, during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Lockhart Firefighters' and Police Officers' Civil Service Commission will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D to consider one or more matters pursuant to the following:*

*Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this chapter.*

*Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.*

*Section 551.073. To deliberate a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.*

*Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.*

*Section 551.076. To deliberate the deployment, or specific occasions for implementation, of security personnel or devices.*

*Section 551.086. To deliberate vote or take final action on any competitive matters relating to public power utilities.*

*Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.*

*Section 551.088. To deliberate a test item or information related to a test item if the governmental body believes that the test item may be included in a test the governmental body administers to individuals who seek to obtain or renew a license or certificate that is necessary to engage in an activity.*

*After discussion of any matters in executive session, any final action or vote taken will be in public by the Lockhart Firefighters' and Police Officers' Civil Service Commission.*

Posted on the City Hall Public Notice Board located at the rear of 308 W. San Antonio Street, Lockhart, Texas on this the 7<sup>th</sup> day of **October 2021**, at 8:15am.

**CITY OF LOCKHART-  
FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION**

**Civil Service Commission Meeting            Monday, September 20, 2021    6:30 P.M.**

**Commissioners present:**

Chairman Worlanda Neal (absent)  
Commissioner Yolanda Strey  
Commissioner Ray Sanders

**Staff present:**

Randy Jenkins, Fire Chief  
Julie Bowermon, Civil Service Director

**Chairman Neal** called the meeting of the Civil Service Commission to order on this date at 6:30 p.m.

**Agenda**

- 1. Discussion and/or action regarding approval Commission minutes of December 14, 2020 (tabled on February 22, 2021).**

Commissioner Strey requested corrections to the Civil Service Commission minutes of December 14, 2020. There were none.

Commissioner Sanders made a motion to approve Civil Service Minutes of December 14, 2020. Commissioner Strey seconded. The motion carried by a vote of 2-0 (Chairman Neal was not present).

- 2. Discussion and/or action regarding approval Commission minutes of February 22, 2021.**

Commissioner Strey requested corrections to the Civil Service Commission minutes of February 22, 2021. There were none.

Commissioner Sanders made a motion to approve Civil Service Minutes of February 22, 2021. Commissioner Strey seconded. The motion carried by a vote of 2-0 (Chairman Neal was not present).

- 3. Discussion and/or action regarding approval of opening the current Fire Engineer Exam (date to be determined) to all Fire Firefighters in the Lockhart Fire Department to ensure a competitive exam – for this exam and this exam only.**

Ms. Bowermon stated that a Fire Engineer has recently resigned. The promotional exam is first opened to firefighters with 2 years of service. The Fire Department currently has no firefighters with 2 years. The next step is to open the promotional exam to all firefighters. This would open the exam to approximately 6 firefighters. With having 6 firefighters eligible, both she and Fire Chief Jenkins feel at least 3 will compete in the exam so there is no reason to ask that the "rule of three" be waived.

Commissioner Sanders asked if there was any specialized training for the position of Fire Engineer. Chief Jenkins stated no, but once promoted if the

employee has not already completed the state driver operator certification, they would be required to do so.

Commissioner Sanders made a motion to approve opening the current Fire Engineer Exam (date to be determined) to all Fire Firefighters in the Lockhart Fire Department to ensure a competitive exam – for this exam and this exam only. Commissioner Strey seconded. The motion carried by a vote of 2-0 (Chairman Neal was not present).

**4. Director's Report.**

- Police Department alternate promotional system is anticipated to be presented at the next Commission meeting.

**5. Adjournment.**

Commissioner Strey made a motion to adjourn the meeting. Commissioner Sanders seconded. The motion carried by a vote of 2-0 (Chairman Neal was not present). The meeting was adjourned at 6:55pm.

**PASSED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2021.**

Signed:

\_\_\_\_\_  
Worlanda Neal, Chairman

\_\_\_\_\_  
Yolanda Strey, Commissioner

\_\_\_\_\_  
Ray Sanders, Commissioner

ATTEST:

\_\_\_\_\_  
Julie Bowermon, Civil Service Director

**CITY OF LOCKHART  
FIRE FIGHTERS' AND POLICE OFFICERS'  
CIVIL SERVICE COMMISSION  
AGENDA ITEM**

**Commission Meeting Date:** October 11, 2021

**Department:** Civil Service

**Department Head:** Julie Bowermon

**Signature:**



**CAPTION**

Discussion and/or action regarding ordering the Civil Service Director to conduct an election of the proposed alternate promotional system in the Lockhart Police Department; open to all sworn police officers in the Lockhart Police Department.

**SUMMARY OF ITEM**

Civil Service allows for police officers to elect an alternate promotional system for the promotional positions inside the police department (the alternate system will NOT apply to entry level positions). The alternate promotional system can have different requirements, qualifications, and grading processes than what is in the Local Rules and Chapter 143.

Police Chief Pedraza has submitted a proposed alternate promotional system to Civil Service Director Bowermon and requested that an election be held. Once the Commission orders the election, arrangements can be made to hold the election. After the election is held, the Commission must meet within 30 days of the election to canvass the votes. Then the proposed alternate promotional system would be implemented.

**STAFF RECOMMENDATIONS**

Staff recommends Commission order the election.

**Texas Local Government Code, Chapter 143.035**

**Sec. 143.035. ALTERNATE PROMOTIONAL SYSTEM IN POLICE**

**DEPARTMENT.** (a) This section does not apply to a municipality that has adopted The Fire and Police Employee Relations Act (Article 5154c-1, Vernon's Texas Civil Statutes).

(b) On the recommendation of the head of the police department and a majority vote of the sworn police officers in the department, the commission may adopt an alternate promotional system to select persons to occupy nonentry level positions other than positions that are filled by appointment by the department head. The promotional system must comply with the requirements prescribed by this section.

(c) The commission shall order the director to conduct an election and to submit the revised promotional system either to all sworn police officers within the rank immediately below the classification for which the promotional examination is to be administered or to all sworn police officers in the department.

(d) The director shall hold the election on or after the 30th day after the date notice of the election is posted at the department. The election shall be conducted throughout each regular work shift at an accessible location within the department during a 24-hour period.

(e) The ballot shall contain the specific amendment to the promotional procedure. Each sworn police officer shall be given the opportunity to vote by secret ballot "for" or "against" the amendment.

(f) The revised promotional system must be approved by a majority vote of the sworn police officers voting. A defeated promotional system amendment may not be placed on a ballot for a vote by the sworn police officers for at least 12 months after the date the prior election was held, but this provision does not apply if the head of the department recommends a different proposal to the commission.

(g) The commission shall canvass the votes within 30 days after the date the election is held. An appeal alleging election irregularity must be filed with the commission within five working days after the date the election closes. If approved by the sworn police officers, the promotional system amendment becomes effective after all election disputes have been ruled on and the election votes have been canvassed by the commission.

(h) At any time after an alternate promotional system has been adopted under this section and has been in effect for at least 180 days, the department head may petition the commission to terminate the alternate system, and the commission shall terminate the alternate system.

(i) At any time after an alternate promotional system has been adopted under this section and has been in effect for at least 180 days, a petition signed by at least 35 percent of the sworn police officers may be submitted to the commission asking that the alternate promotional system be reconsidered. If a petition is submitted, the commission shall, within 60 days after the date the petition is filed, hold an election as prescribed by this section. If a majority of those voting vote to terminate, the commission shall terminate the alternate promotional system.

(j) If the alternate system is terminated, an additional list may not be created under the alternate system.

(k) A promotional list may not be created if an election under this section is pending. An existing eligibility list, whether created under the system prescribed by this chapter or created under an alternate system adopted under this section, may not be terminated before or extended beyond its expiration date. A person promoted under an alternate system has the same rights and the same status as a person promoted under this chapter even if the alternate system is later terminated.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 1018, Sec. 1, eff. Aug. 30, 1993.

## ALTERNATE PROMOTIONAL SYSTEM IN POLICE DEPARTMENT

The Alternate Promotional System shall consist of a promotional process involving three phases for each classification: a Written Exam (30pts), a Chief's Interview (20 pts), and an Assessment Center (50 pts).

(A) **Promotional Examination Procedure:**

Section 032 of the Rules and Regulations of the Firefighters' and Police Officers' Civil Service Commission (Lockhart, Texas), remains in effect, unless otherwise addressed herein.

(B) **Eligibility Requirements:** The following outlines promotional eligibility requirements:

(1) **Rank of Sergeant:**

The promotional examination for the rank of Sergeant is open to all police officers that have a minimum of five (5) years full time combined law enforcement experience as of the day prior to the date of examination. A minimum of eighteen continuous months of service must be completed with the Lockhart Police Department prior to the exam date. For the purposes of this section acceptable *law enforcement experience* shall only include the following sections of the Texas Code of Criminal Procedure, Article 2.12; (1), (2), (3), (4), (5), (6), (10), (11), (22), and (23) provided the candidate was employed in a full time capacity for pay.

*Prior Military Service:* A candidate who has served a minimum of thirty-six (36) months of service with any branch of the United States Military provided the candidate has received an honorable discharge or, if still assigned to active reserve status is in good standing with his or her unit, shall receive two (2) years of credit towards the five (5) year full-time combined law enforcement experience eligibility requirement.

**OR**

*College Requirement for Sergeant:* Candidates may have sixty (60) credit hours from a regionally accredited college or university or accredited via the Distance Education and Training Council (DETC) shall receive two (2) years of credit towards the five (5) year full time combined law enforcement experience eligibility requirement.

(2) **Rank of Lieutenant:**

The promotional examination for the rank of Lieutenant is open to all police officers that have served in the classification immediately below the classification for which the exam is being held a minimum of two (2) years prior to the date of examination. If there are not enough eligible Sergeants, then all Sergeants can test for the rank of Lieutenant.

(C) **Phase One of Alternate Promotional Exam: Written Examination**

The Phase One written examination shall be weighted at 30% of the overall promotional process and be conducted in accordance with §143.032 (d), (e), (f), (g), (h) and (i) of the Texas Local Government Code; Sections 032, and 034 of the Rules and Regulations of the Firefighters' and Police Officers' Civil Service Commission (Lockhart, Texas), unless otherwise addressed herein.

(1) **Ties**

Whenever two (2) or more candidates obtain identical total final scores on the written exam, the following procedures will be used in rank order to break the tie and determine placement on the Phase One eligibility list for advancement to Phase Two:

- (a) **Highest Test Score** – If two (2) or more candidates tie on total final scores, the persons shall be ranked in the order according to which person had the highest examination raw score prior to the addition of seniority points and after the Commission's determination of appeals, if any.
- (b) **Seniority Rank** – If a tie still exists, the candidates shall be ranked in the order according to which candidate has the most seniority in the position immediately below the position for which the examination was given.
- (c) **Seniority in Department** - If a tie still exists, the candidate shall be ranked in the order according to which candidate has the most seniority with the respective Department in a classified position, whether interrupted or uninterrupted.
- (d) **Total Years as a Certified Police Officer** - If a tie still exists, the candidates shall be ranked in the order according to which candidate has the most years of experience as a full-time paid peace officer for a position in a Police Department.
- (e) **Total City Service** - If a tie still exists, the candidates shall be ranked in order according to which candidate has the most total service time with the City, including time in a non-classified, civilian permanent full-time or part-time position.
- (f) **College Education** - If a tie still exists, the candidates shall be ranked in accordance with the higher earned formal degree from an accredited college or university (Associates, Bachelors, Masters, PhD). If none of the tied candidates have earned a formal degree,



the candidates shall be ranked in accordance with who has earned the most college hours from an accredited college or university.

- (g) **By Lot** – If a tie still exists, the candidates shall be ranked by lot as determined by the Director.

(2) **Rank Order**

The score from Phase One will be calculated as follows:

- (a) raw score (must be at or above 70 to proceed in the process);
- (b) one point for each full year of full time law enforcement service (up to ten (10) years) with the Lockhart Police Department;
- (c) months of service not amounting to a full year shall be prorated at .083 per month and rounded to the nearest tenth.
- (d) Total score shall be determined by raw score + seniority points.

(3) **Phase One Scoring**

The Phase One Written Exam is worth a total of 30% (30pts) of the overall promotional process score. It is possible to achieve a Phase One score of greater than thirty (30) points once seniority points are assessed.

(4) **Eligibility for Phase Two & Three**

The Civil Service Director shall, within twenty-four (24) hours of the completion of Phase One, post the raw scores in rank order from highest to lowest in the main lobby at city hall and within the common area of the police department. Those passing candidates (*i.e.*, who have obtained a raw score of seventy (70)) are eligible to continue the process.

(5) **Review & Appeal of Phase One**

Review and appeal of Phase One of the Alternate Promotional System shall be in accordance with §143.034 of the Texas Local Government Code.

**D. Phase Two: Chief's Interview**

Phase Two shall occur no sooner than the conclusion of Phase One appeals and no later than thirty (30) business days from the date of the Phase One examination. All passing candidates (*i.e.*, those who have obtained a raw score of seventy (70) or above) will proceed to the Chief's Interview.

The Chief's interview shall consist of two (2) components: the submission of a professional resume and a structured interview. Phase Two is worth twenty (20) pts.

**Professional Resume**

For the first portion of the Chief's Interview each candidate shall submit to the Chief of Police a professional resume outlining their professional experiences and education, which makes them competitive for the position being sought. The resume portion of the Chief's Interview shall be graded based upon substantive

content, professionalism, and overall presentation. The resumes shall be delivered to the office of the Chief of Police no later than two (2) business days prior to the scheduled interview. The professional resume portion of the Chief's Interview is worth ten (10) pts.

### **Structured Interview**

The second portion of the Chief's Interview will consist of a structured oral interview. The Chief shall ask standardized questions of all candidates commensurate for the position being sought and may ask questions relevant to the provided resume. The structured interview portion of the Chief's interview shall be graded based upon the quality and depth of answers. The structured interview portion of the Chief's Interview is worth ten (10) pts.

(1) **Review & Appeal of Phase Two**  
Phase Two is not appealable.

(2) **Phase Two Scoring**  
The Phase Two Chief's Interview is worth a total of 20% (20 pts) of the overall promotional process score. At the conclusion of Phase Two the Chief of Police shall submit scores to the Director of Civil Service within two (2) business days. The Director of Civil Service shall update and post the eligibility list in rank order within two (2) business days of receipt of Phase Two Scores.

### **E. Phase Three of Alternate Promotional Exam: Assessment Center**

Phase Three shall occur anytime upon completion of Phase Two, however, not more than thirty (30) business days from the date of the Phase Two examination.

The Police Chief may retain a 3<sup>rd</sup> party to develop, coordinate, and/or execute Phase Three Assessment Center in whole or in part.

#### **(1) Assessment Center Design**

(a) The department head or designee will develop an assessment instrument commensurate for the classification sought and shall consist of no less than four (4) performance exercises that test and allow for the objective evaluation of the candidates possession of the following attributes including but not limited to:

- Leadership
- Decisiveness
- Self Initiative
- Adaptability
- Interpersonal Skills
- Written Communication Skills
- Problem Analysis
- Problem Solving
- Critical Thinking

- Judgment
  - Planning and Organizing
  - Risk Management
  - Technical Proficiency
  - Tactical Proficiency
- (b) The performance exercises shall be appropriate for the classification being tested for and may include but not limited to:
- Oral Presentations
  - Leaderless Group Exercises
  - Prioritization Exercises
  - Structured Interviews
  - Written Exercises (Analysis, Proposal, etc)
  - Role Play Exercises
  - Tactical Exercise
- (c) The Department Head will be directly involved in the design of the assessment instrument.
- (d) The department head or designee will make available a written orientation to all candidates not more than fifteen (15) days nor less than twelve (12) hours prior to the first day of the assessment. The orientation shall be designed to ease anxiety about what to expect from the assessment without revealing the totality of the instrument itself.

(2) ***Assessor Selection***

The department head will select as many trained assessors as necessary to facilitate the assessment within the following parameters:

- (a) The department head will select only trained assessors in their roles and responsibilities as assessors.
- (b) Assessors must have the appropriate experience and educational background to evaluate the classification for which they are assessing.
- (c) All assessors must be currently employed peace officers from a Chapter 143 city from outside agencies.
- (d) At least one (1) commissioned law enforcement member shall be a higher rank than the classification being assessed. All other assessors shall be the same rank of the classification being assessed.

- (e) Each assessor will certify by a written, sworn, and notarized affidavit that he or she has not and will not talk to or correspond with ANY PERSON about any candidate's abilities, personality, or qualifications for promotion, prior to and during participation in the assessment center process. The assessor must further stipulate that he or she has no direct relationship with any candidate, other than professional, that would interfere with the assessor's objectivity in providing a fair, balanced, and impartial evaluation of the candidate.
- (f) Each candidate will certify by a written, sworn, and notarized affidavit that he or she has not and will not talk to or correspond with ANY PERSON about any candidate's abilities, personality, or qualifications for promotion, prior to and during participation in the assessment center process.
- (g) Assessors will not exceed a ten (10) hour work day (including lunch).
- (h) No observers other than the Department Head or designee and/or the Civil Service Director shall be allowed during the assessment center.
- (i) Upon completion, the department head or designee shall provide each candidate a written performance evaluation. The evaluation shall at minimum highlight the candidate's strengths and weaknesses as observed throughout the process. Each candidate may further review his or her process scores.

**(3) Phase Three Scoring**

The Phase Three Assessment Center is worth a total of 50% (50pts) of the overall promotional process score.

**(4) Review & Appeal of Phase Three**

Review and appeal of Phase Three of the Alternate Promotional System shall be in accordance with §143.034 of the Texas Local Government Code. The appeal must be filed within five (5) business days of the completion of Phase Three, and the appeal is limited in scope to the actual assessment instrument itself (*i.e.*, relevance and validity of specific exercises). The subjective opinions of assessors regarding candidate performance are not appealable to the Civil Service Commission.

**F. Final Alternate Promotional Process Score**

- (1) Final scoring from each phase shall be given to the Civil Service Director for tabulation. Each candidate's final score shall be the sum of scores from Phases One, Two, and Three as follows:

Written Examination	Possible:	30 pts (or more)
Chief's Interview	Possible:	20 pts
<u>Assessment Center</u>	<u>Possible:</u>	<u>50 pts</u>
Total Score		100 pts

- (2) The Director shall place candidates on an eligibility list according to their total score, highest to lowest. Should a tie exist it shall be broken by the process outlined in Phase One.

**G. Eligibility List**

The Civil Service Director shall, within twenty-four (24) hours of the completion of Phase Three (*i.e.*, receipt of the scorings/rankings from the assessors), post the final scores in rank order from highest to lowest in the main lobby at city hall and within the designated common area of the police department.

**H. Promotions**

The Department Head shall promote from the eligibility list in accordance with §143.036 of the Texas Local Government Code.

**I. Application of Alternate Promotional System to Personnel on Active Military Duty**

(1) Promotional candidates serving on active duty during the time in which Phase One of a promotional exam is administered will be facilitated in accordance with §143.032 of the Texas Local Government Code and Sections 143.032 (4) and 143.034 of the Rules and Regulations of the Firefighters and Police Officers' Civil Service Commission (Lockhart, Texas) and will be administered and facilitated by the Civil Service Director.

(2) Should an active duty candidate pass Phase One and be eligible to continue to Phases Two and Three, the remaining candidates shall proceed through the process as outlined herein. When the active duty candidate returns to employment from active service the Civil Service Director shall, within sixty (60) days, facilitate and supervise the administration of Phases Two and Three, which may or may not be identical to the processes administered to the other candidates.

(3) After the returning active duty member completes Phases Two and Three and all appeals processes outlined herein, the Civil Service Director shall establish a new eligibility list.

**Civil Service Commission Meeting**

Lockhart, Texas

**October 11, 2021**

**ACTION ITEM RECORD**

We, the below named members of the Civil Service Commission, Lockhart, Texas, have met on **Monday, October 11, 2021** at 6:30 p.m. at City Hall, 308 W. San Antonio Street, for the purpose of conducting a public meeting to consider among other things **ordering the Civil Service Director to conduct an election of the proposed alternate promotional system in the Lockhart Police Department; open to all sworn police officers in the Lockhart Police Department.** We have been assured by the Civil Service Director that this meeting was posted in full compliance with the State of Texas Open Meetings Act.

After participating in a discussion regarding the item it was our determination to vote on **ordering the Civil Service Director to conduct an election of the proposed alternate promotional system in the Lockhart Police Department; open to all sworn police officers in the Lockhart Police Department.**

We, the current members of the Civil Service Commission, Lockhart, Texas, voted as follows on the above action item:

Approve ( )      Disapprove ( )

\_\_\_\_\_  
Worlanda Neal, Chair-person

\_\_\_\_\_  
Date

Approve ( )      Disapprove ( )

\_\_\_\_\_  
Yolanda Strey, Commissioner

\_\_\_\_\_  
Date

Approve ( )      Disapprove ( )

\_\_\_\_\_  
Ray Sanders, Commissioner

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Julie Bowermon, Civil Service Director

This document shall become part of the official Civil Service Commission file to be maintained by the Civil Service Director, or his/her successors.