

**MINUTES OF
CITY OF MESQUITE TRIAL BOARD**

**June 9, 2009
6:00 P.M.**

Chairman Sushil Mathew called the meeting to order at 6:08 p.m.

All commissioners were present.

As the first agenda item, the minutes of the Trial Board meeting held December 8, 2008, were approved as presented.

The second agenda item was to hear the appeal from Senovio Nava, Park Maintenance Specialist, in the matter of his Disciplinary Termination on May 13, 2009, for violation of City policies concerning dishonesty and acting in a manner onsite or offsite as to impugn or embarrass the City.

All witnesses were sworn in and asked to leave the room until they were called in to testify.

Chairman Mathew announced the hearing was closed.

Co-representatives for the City were George Mones, Director of Human Resources, Stephen Crane, Assistant City Attorney, and Elizabeth Lunday, Deputy City Attorney. Travis Sales, Park Services Superintendent, was allowed to stay for the meeting.

The City presented its case based on the testimony of the citizen, Jeremy Lutzel who lost his wallet at Vanston Park and was told by Senovio Nava several times that he had not seen or found a wallet. A co-worker at Vanston Park, Kenneth Driggars also testified that Nava had told him he did not find a wallet. Driggars also testified that he and Nava both physically walked around the area helping the citizen look for the wallet.

The citizen decided to call in the police to investigate. Officer Tommy Long presented testimony that Nava and Driggars both acknowledged neither had found a wallet. He asked them several times to tell the truth about any knowledge they had about the wallet. Upon searching the park pick-up, he found Jeremy Lutzel's wallet hidden in Nava's lunch box, which was contained within his back pack. The wallet contained \$240 plus credit cards.

Travis Sales, Park Services Superintendent testified that Nava had not reported finding a wallet until the officer found it in his back pack. Nava then called Mr. Sales to report what had happened. Nava explained that he intended to return the wallet to his supervisor at the end of the day.

Mr. Nava admitted he had lied about the wallet because he was nervous and he really intended to give it to his supervisor. Nava also explained that he felt the punishment was too severe and that he should be returned to his job with back pay and restoration of all benefits.

The board deliberated in executive session. Upon reaching a decision, the board invited everyone into the meeting room to hear their decision. The board's decision was to sustain and uphold Mr. Nava's termination.

Meeting was adjourned at 9:18 p.m.

Sushil Mathew, Chairman

Ray Stuart

David Diaz



George Mones, Director of Civil Service