



BOARD OF PARKS AND RECREATION

October 10, 2016

5:30 p.m. - Basement, Thorman Conference Room
801 Texas Ave., City Bldg. 3, El Paso, Texas

Minutes

Members Present: 6

District 2 – Steve Lujan
District 4 – Roy Gilyard
District 5 – Theresa Welch Fordham
District 6 – Francoise A. Feliberti
District 7 – Sylvia Carreon
District 8 – Simon Chandler

Members Absent: 1

District 3 – Deanna A. De La Cruz

City Staff Present

Tracy Novak, Director of Parks and Recreation
Paula Powell, Parks and Recreation Assistant Director
Joel McKnight, Parks and Recreation Assistant Director
Steve Lunsford, Land Management Superintendent
Joe Rodriguez, Recreation Services Manager
David Lopez, Recreation and Sports Coordinator
Elsa Ramirez, Senior Secretary
Andrea Schiechl, Sports Manager
Jesus Lujan, Sports Site Specialist
Miguel Luna, Sports Site Specialist
Jorge Palacio, Program Supervisor
Ashley Macias, Recreation Specialist
Jorge Minjares, Softball Official Contract Manager
Pablo Ortiz, Official of the game
Daniel Gonzalez, Referee

Vacancies: 2

Mayor – Vacant
District 1 – Vacant

City Attorney - Legal

Juan Gonzalez, Assistant City Attorney

Public Present

Daryl Benortham, Sergio Saldivar, Attorney
representing Daryl Benortham, Martha Ruiz, Team
Redrum Members, Team No Manches members

1. Agenda Item #1. Meeting Called to Order
Theresa Welch Fordham, Chair, called the meeting to order at 5:45 p.m.
2. Agenda Item #2. Approval of Minutes: September 12, 2016

Motion by Sylvia Carreon to approve minutes as written, second by Steve Lujan. Motion carried (unanimous).

3. Agenda Item #3. Call to the Public (for items not on the agenda)

None

4. Agenda Item #4. Update and Discussion: Facility Maintenance Activities – Victor Rivera, Facilities Maintenance Superintendent

Motion by Sylvia Carreon to postpone Agenda Item 4, 5, 6, and 7 to next month. Seconded by Steve Lujan. Motion carried. (unanimous)

5. Agenda Item #5. Discussion: Wilderness Park Metal Shade Canopy – Joel McKnight, Assistant Parks and Recreation Director

Motion by Sylvia Carreon to postpone Agenda Item 4, 5, 6, and 7 to next meeting. Seconded by Steve Lujan. Motion carried. (unanimous)

6. Agenda Item #6. Discussion: Botanical Gardens in El Paso Proposal – Joel McKnight, Assistant Parks and Recreation Director

Motion by Sylvia Carreon to postpone Agenda Item 4, 5, 6, and 7 to next meeting. Seconded by Steve Lujan. Motion carried. (unanimous)

7. Agenda Item #7. Discussion: Social Media Practices – Wayne Thornton, Marketing and Customer Relations Coordinator

Motion by Sylvia Carreon to postpone Agenda Item 4, 5, 6, and 7 to next meeting. Seconded by Steve Lujan. Motion carried. (unanimous)

8. Agenda Item #8. Subcommittees:

a. Update and Discussion: Tree Subcommittee Meeting of September 26, 2016 – Sylvia Carreon, Tree Subcommittee Chair

Sylvia Carreon, Board member, gave the Board a brief summary of the last Tree Subcommittee Meeting on September 26, 2016.

b. Discussion and Action: Approve David Parra to fill open Subcommittee Member position – Joel McKnight, Assistant Parks and Recreation Director

Joel McKnight, Assistant Parks and Recreation Director, brought forward a new Subcommittee member to fill the open position. The previously approved member was not able to make meeting times.

Motion by Francoise Feliberti to approve David Parra to fill open Subcommittee member position. Seconded by Steve Lujan. Motion carried. (unanimous)

c. Discussion and Action: Grievance Subcommittee Recommendations on the following appeals:

1. Suspension of Mrs. Raquel Hernandez arising from code of conduct violations at the Memorial Senior Citizens Center on September 15, 2016.

Sylvia Carreon, Board member, brought forward the recommendation of the Grievance Subcommittee suspension of three (3) months for Mrs. Raquel Hernandez as recommended by staff.

Appellant cancelled her appeal.

Motion by Roy Gilyard to uphold the recommendation made by staff for a three (3) month suspension of Mrs. Raquel Hernandez. Seconded by Sylvia Carreon. Motion carried. (unanimous)

2. Suspension of Mr. Daryl Benortham arising from alleged physical assault of a City staff at Nations Tobin on September 10, 2016.

Sylvia Carreon, Board member, submitted that a recommendation for suspension could not be reached by the Grievance Subcommittee Board members.

Andrea Schiechl, Sports Manager, gave the Board a brief summary of the incident and her recommendation per the penalty matrix. A video was played for the Board members to review and consider for a decision on penalty.

Miguel Luna, Sports Site Specialist, gave the Board a brief summary detailing the events that occurred on the day of the incident. The Police Department was called in to control the situation and for threats made against staff. No police report was made.

Sergio Saldivar, Attorney, representing Mr. Daryl Benortham, pleaded his client's case in regards to this incident. There was also a witness present to speak on behalf of Mr. Benortham's case.

Board members challenged attorney Saldivar's explanation defending his client's actions.

Steve Lujan, Board member, stated that in viewing the video that he did not see any physical assault.

Theresa Welch Fordham, Board chair, stated that Attorney's are well trained in creating doubt.

Martha Ruiz, witness for appellant Daryl Benortham, gave the Board her testimony as to the events that happened the day of incident.

Steve Lujan, Board member, made a point of order and stated that on the penalty matrix based on the video there is a penalty more fitting than the five (5) year suspension or one (1) year which applies to "Engage in aggressive behavior that has

resulted in physical violence against a City of El Paso Employee” to more fitting penalty of “Verbal abuse of a City of El Paso Employee” with a suspension of minimum of 2 games and up to one season or up to six months.

Theresa Welch Fordam, Board Chair, called a point of order stating that one year is not sufficient and felt it should be more and concurred with the five (5) year recommendation by staff.

Motion by Francoise Feliberti to approve a six (6) month suspension, which will end in February 10, 2017. Seconded by Sylvia Carreon. Four Board members voted for and two opposed. Motion carried.

3. Suspension of members from Team Redrum arising from participation in a fight at a softball game at Blackie Chesher on September 18, 2016.

Sylvia Carreon, Board member, went over the appeal of the Team Redrum members that the Grievance Subcommittee members could not agree on a suspension penalty and have brought before this Board for a decision.

Appellants cancelled their appeal.

Motion by Sylvia Carreon to approve suspension of Team Redrum: George Ramos for one (1) year and 18 team members for one (1) season. Seconded by Roy Gilyard. Motion carried. (unanimous)

4. Suspension of members from Team No Manches arising from participation in a fight at a softball game at Blackie Chesher on September 18, 2016.

Andrea Schiechl, Sports Manager, gave the Board a brief summary of the incident and her recommendation based on the penalty matrix. Four videos were shown to the Board on this incident for them to review.

Lariza Arias, Team No Manches player, pleaded her case to the Board.

Michael Marquez, Team No Manches player No. 20, pleaded his case to the Board.

Andrea Schiechl, Sports Manager, mentioned to Michael Marquez confusion about receiving an email from him stating that he wasn't at that game but he was clearly in the video.

Michael Marquez, Team No Manches, stated that he was not playing at this game but was playing on another team.

Daniel Gonzalez, Official for the field, clarified his calls to the teams when the incident happened to the Board. He was trying to break-up the fight as soon as it started but was thrown to the floor by mob.

Jacob Ortiz, Team No Manches player No. 23, pleaded his case to the Board.

Tracy Novak, Parks and Recreation Director, asked Jacob Ortiz to provide player numbers that were not involved in altercation.

Jacob Ortiz, Team No Manches, had a hard time pointing out who all the players were that were not involved.

Tracy Novak, Parks and Recreation Director, made a point to the Board that the staff and Board had a hard time differentiating who was involved and not involved.

Theresa Welch Fordham, Board Chair, asked Jacob Ortiz about a statement he made at the Grievance Subcommittee in his plead to that Board and if he would restate it to this Board.

Jacob Ortiz, Team No Manches player, stated that this is the first time he has been here and has been with the City for about five years but a good sportsman in all the games he plays.

Steve Lujan, Board member, asked Jacob Ortiz for clarification of what lead up to the incident.

Tracy Novak, Parks and Recreation Director, asked the Sports Site Specialist, Miguel Lujan why it was so difficult to name the players involved. All the persons who have stood up before the Board have stated that it was very easy to know by staff.

Miguel Lujan, Sports Site Specialist, stated that it was very difficult to know when you have so many people surrounding you. Everything happened very quickly.

Eivy Padilla, Team No Manches player No. 21, and is also speaking for her husband Vicente Padilla No. 17 who was not able to make the meeting to plead their cases to the Board.

Gabriela Zubia, Team No Manches player, pleaded her case to the Board.

Board members had a discussion on penalty to apply for this suspension.

Theresa Welch Fordham, Board chair, told the Board members that they should consider a lesser penalty since they all have pleaded their cases to the Board and feel they should try for a lesser penalty.

Motion by Steve Lujan to approve a two (2) game suspension for Team No Manches members who pleaded their cases today (Lariza Arias, Michael Jimmy Marquez, Jacob Ortiz, Eivy Padilla, Vicente Padilla, Gabriela Zubia) and rest of team will be suspended for one (1) season. Seconded by Sylvia Carreon. Motion carried. (unanimous)

Juan Gonzalez, Assistant City Attorney, made a point of order to clarify that the motion applies to only those Team No Manches players who are in attendance at this

Parks and Recreation Advisory Board Meeting and the rest of team members will be suspended as recommended by staff.

9. Agenda Item #9 Reports on Recent Activity
 - a. Recent City Council Agenda Items
 - b. Upcoming Committee Meetings List
 - c. Land Acquisition List
 - d. Parks and Recreation Construction Projects List

Theresa Welch Fordham, Board Chair, asked the Board is there were any questions on any of the items.

There were no questions from the Board on these items.

Roy Gilyard, Board member, made a comment to have meetings a little more structured to manage time for people speaking at these meetings.

Juan Gonzalez, City Attorney, made a point of order for the Grievance Subcommittee to consider that both sides City and speakers would have to comply with a time limit for Board meeting discussions.

10. Adjournment – 7:27 p.m.

Minutes submitted by Elsa Ramirez, Senior Secretary