



CIVIL SERVICE COMMISSION
MEETING MINUTES IN THE MATTER OF:
DANIEL OTERO MORENO APPEAL OF TERMINATION

Tuesday, May 26, 2026 – Day One

A quorum of the City of Tucson Civil Service Commission (CSC) met on Tuesday, May 26, 2026, to hear Daniel Otero Moreno's appeal of his termination from the City of Tucson Parks and Recreation Department. The hearing was held in open session.

Present for the entire hearing and constituting the quorum were Civil Service Commission Chairperson Paul Fimbres, Commissioner Rebecca Montañó, and Commissioner Paula Wilk. Also present were Donna Aversa, Legal Counsel to the CSC, Dr. Teri Traaen, Human Resource Director serving as Secretary to the CSC, and Robert Stevenson, Staff Assistant for Human Resources serving as CSC Recording Secretary.

Chief Deputy City Attorney Jennifer Stash and Principal Assistant City Attorney Lupe Garcia were present representing the Parks and Recreation Department with Lara Hamwey, Director of Parks and Recreation present as the Department representative.

Brenda Dabdoub, Attorney, was present representing Appellant Daniel Otero Moreno, who was also present.

Chairperson Fimbres called the proceedings to order at approximately 9 a.m.

Chairperson Fimbres read the Opening Statement and asked if there were any preliminary matters to discuss.

The Rule was invoked excluding witnesses from the proceedings unless testifying.

The witnesses were sworn in as they appeared at the hearing.

1. Erin Gallego – Human Resources Manager
2. Maria Robinson – Risk Manager
3. Lara Hamwey – Parks and Recreation Director
4. Ben Lucero – AFSCME Local 905 President/Appellant's Union Representative
5. Juan Peru – Program Analyst II, Manager of the City's Driving Program
6. Daniel Otero Moreno

City's Exhibits Admitted

EXHIBIT A

- Tab 1 – Department's Memorandum - Imposed Leave with Pay
- Tab 2 – Notice of Intent to Discharge
- Tab 3 – Exhibit A
- Tab 4 – Notice of Decision – Appealable Action
- Tab 5 – Daniel Otero Appeal Letter

EXHIBIT B

- Tab 1 – Parks and Recreation Department Personnel File
- Tab 2 – Human Resources Personnel File
- Tab 3 – Parks and Recreation Department Director File
- Tab 4 – Pima County Sheriff's Department Report #251124314
- Tab 5 – ADOT Motor Vehicle Division Admin Per Se/Implied Consent
- Tab 6 – ADOT Motor Vehicle Record
- Tab 7 – Definition of Just Cause, Tucson City Code Sec. 10-3
- Tab 8 – Administrative Directive 2.02-5, Rules of Conduct
- Tab 9 – Administrative Directive 6.01-01, Responsibilities Regarding Utilization of City Vehicles
- Tab 10 – Administrative Directive 6.01-06, Driver's License Policy
- Tab 11 – Risk Management Occupational Safety and Health Manual, SD-014 Driver Qualification and Authorization

Appellant's Exhibits Admitted

1. Additional Requirements (AZ MVD)
2. Arizona DOT (12/2/25)
3. Arizona DOT-STAY LETTER (1/8/26)
4. Attorney Letter (Brenda Dabdoub, Esq. 2/25/26)
5. Email - Congratulations on your Work Anniversary (July 12)
6. Letter to Erin Gallego
7. City of Tucson Letter- Job Offer (dated 8/7/22)
8. Parks and Recreation Dept -Job Performance Evaluation (10/14/23)
9. Email re: Daniel Otero Moreno #1047773 (2/27/26)
10. Arizona Revised Statute 28-1385 Administrative License Suspension
11. Driver's License / Id card

For clarity, "Appellant" refers to the Appellant's attorney, Ms. Dabdoub. "The City" refers to its attorney, Ms. Stash.

As a preliminary matter, the Commissioner considered the City's Motion in Limine/Motion to Preclude some of Appellant's witnesses. The parties presented their arguments to the Commission.

Chairman Fimbres moved to allow the addition of Juan Peru to the Appellant's witness list. The motion was seconded by Commissioner Montaña. It passed by a voice vote of 3 to 0.

As an additional preliminary matter, the Appellant requested letters from some of the omitted witnesses admitted into to the record. The Commission heard arguments by the Parties. Chairperson Fimbres ruled the letters would not be submitted into evidence, but the letters could be read into the record.



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Exhibits read into the record by CSC Secretary, Dr. Teri Traaen.

The parties each presented opening statements.

The City called its first witness, Erin Gallego, Human Resources Manager. Ms. Gallego was sworn in and gave testimony.

11:54 AM – Lunch break.

The City called its second witness, Maria Robinson, Risk Manager. Ms. Robinson was sworn in and gave testimony.

The City called its third witness, Lara Hamwey, Director of Parks and Recreation. Ms. Hamwey was sworn in and gave testimony.

The Chairperson allowed witnesses to be called out of order to accommodate witness availability.

The Appellant called its first witness, Ben Lucero, President AFSCME Local 905. Mr. Lucero was sworn in and gave testimony on direct examination.

3:48 PM – The Chairperson ended the hearing for the day. The hearing will resume on Friday, May 29, 2026, at 8:30 AM.

Friday, May 29, 2026 – Day Two

The proceedings continued with the same individuals present.

The Appellant called its second witness, Juan Peru, Compliance Program Analyst II, Driving/Drug & Alcohol Program. Mr. Peru joined the hearing virtually via Teams. He was sworn in and gave testimony.

Lara Hamwey resumed her testimony.

The City rested its case.

11:20 AM – Break

The Appellant called its third witness, Daniel Otero Moreno. He was sworn in and gave testimony.

The Appellant rested its case.

No rebuttal witnesses were called.



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The City made its closing argument.

The Appellant made its closing argument.

The City made its rebuttal statement.

Chairperson Fimbres made a motion to move into Executive Session, for legal advice, pursuant to A.R.S. §38-431.03(A)(3). It was seconded by Commissioner Montaña. It passed by a voice vote of 3 to 0. Mr. Fimbres read the executive session disclaimer.

12:43 PM – The Commission entered Executive Session.

1:05 PM – The Commission returned to regular session.

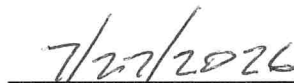
The Chairperson called for deliberations by the Commission.

Chairperson Fimbres moved, based on the testimony presented and exhibits admitted into evidence, that Appellant knew or should have known that his conduct would lead to disciplinary action, and that just case having been established, Appellant's appeal is denied and the discipline is affirmed. The motion was seconded by Commissioner Montaña and passed unanimously.

The Chairperson directed the attorney for the Commission to work with the Chairperson to finalize the Commission's written decision.

The Chairperson adjourned the hearing at 1:19 p.m. on Friday, May 29, 2026.


Paul Fimbres, Chairperson
Civil Service Commission


Date