

City of Miami

3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes

Tuesday, April 18, 2017

10:00 AM

Commission Chambers

Civil Service Board

Lillie Harris, Chairperson
Vishwani Ramlal, Chief Examiner
Michael Dames, Board Member
Travis Lindsey, Board Member
Troy Sutton, Board Member

PLEDGE OF ALLEGIANCE

The meeting was called to order at 10:00am, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

| Attendee Name | Title | Status |
|-----------------|----------------|---------|
| Lillie Harris | Chairperson | Present |
| Vishwani Ramlal | Chief Examiner | Present |
| Michael Dames | Board Member | Present |
| Travis Lindsey | Board Member | Present |
| Troy Sutton | Board Member | Present |

ADOPTION OF AGENDA

Chair Harris asked if there were any revisions to the Agenda. Hearing none, a motion to adopt the Agenda as printed was considered and resulted as follows:

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Vishwani Ramlal |
| SECONDER: | Travis Lindsey |
| AYES: | Harris, Ramlal, Dames, Lindsey, Sutton |

A. APPROVING OF THE MINUTES

A.1 Civil Service Board - Regular Meeting – April 4, 2017

A motion was entered to approve the Minutes as presented, which resulted as follows:

| | |
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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Vishwani Ramlal |
| SECONDER: | Travis Lindsey |
| AYES: | Harris, Ramlal, Dames, Lindsey, Sutton |

B. PERSONNEL MATTERS

- B.1** Copy of a memorandum from Chief Joseph F. Zahralban, Director, Department of Fire Rescue, requesting an extension of probationary period of Roque A. Barat, Firefighter, for six (6) additional months beyond April 25, 2017. (DISCUSSION)

The employee appeared before the Board and confirmed that he understood the request, and had no objection. Questions were posed to Firefighter Barat by Member Sutton. Following discussion, the Board entered a motion to grant the extension as requested, which resulted as follows:

Motion by Member Sutton, seconded by Member Lindsey, that this matter be Approved, passed by the following vote:

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

- B.2** Copy of a memorandum from Kevin M. Kirwin, Director, Department of Parks & Recreation, requesting an extension of probationary period of Juan Carlos Guñones, Recreation Specialist, for six (6) additional months beyond May 8, 2017. (DISCUSSION)

The employee appeared before the Board and confirmed that he understood the request, and had no objection. Following discussion, the Board entered a motion to grant the extension as requested, which resulted as follows:

Motion by Chief Examiner Ramlal, seconded by Member Lindsey, that this matter be Approved, passed by the following vote:

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

C. MILITARY LEAVES OF ABSENCE

- C.1** Marvin Bravo, Police Officer, requests re-employment as a Police Officer following his return from Military Leave. Copy of his DD-214 indicating Honorable Discharge submitted. (DISCUSSION)

The Board entered a motion to grant the request, which resulted as follows:

Motion by Chief Examiner Ramlal, seconded by Member Lindsey, that this matter be Approved, passed by the following vote.

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

- C.2** Kadarius Harris, Police Officer, requests re-employment as a Police Officer following his return from Military Leave. Copy of his DD-214 indicating Honorable Discharge submitted. (DISCUSSION)

The Board entered a motion to grant the request, which resulted as follows:

Motion by Chief Examiner Ramlal, seconded by Member Lindsey, that this matter be Approved, passed by the following vote.

| | |
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| AYES: | Harris, Ramlal, Dames, Lindsey, Sutton |
|--------------|--|

- C.3** Pedro Montero, Firefighter, requests re-employment as a Firefighter following his return from Military Leave. Copy of his DD-214 indicating Honorable Discharge submitted. (DISCUSSION)

The Board entered a motion to grant the request, which resulted as follows:

Motion by Chief Examiner Ramlal, seconded by Member Lindsey, that this matter be Approved, passed by the following vote.

| | |
|--------------|--|
| AYES: | Harris, Ramlal, Dames, Lindsey, Sutton |
|--------------|--|

D. DISCIPLINARY MATTERS

E. GENERAL ITEMS

F. REPORTS

- F.1** Pending Hearings as of April 18, 2017. (NOTIFICATION)

- F.2** Copy of a Report from the Chief Examiner, concerning the preliminary investigation on behalf of Omar Bayona, pursuant to Civil Service Rule 16.1 - Investigation by the Board, concerning an alleged violation of Rule 8.7 - Appointments. (DISCUSSION)

Chief Examiner Ramlal reviewed her report, and responded to questions by the Board Members. She closed by explaining that though she found no violation of Rule 8.7, since no one had been appointed, she would ask that the Board proceed with the scheduled hearing due to alleged favoritism and an appearance of impropriety in enforcing a merit-based system of selection and employment.

Statements were made by Chair Harris and Member Sutton regarding the need for a hearing. Member Sutton spoke against having a hearing, and in favor of conducting a new process for Superintendent of Aquatics. It was noted that Member Sutton voted against granting a hearing at the initial request discussion before the Board. Chair Harris opened the matter for a motion regarding cancelling the hearing; however, no member from the prevailing side moved for reconsideration.

Following discussion, the report was received and filed, and the hearing set for May 2, 2017, will proceed as scheduled.

G. REQUESTS FOR HEARINGS

- G.1** Copy of a Request for Hearing pursuant to Civil Service Rule 16.2, from Earnest Lawrence, Police Officer, alleging a violation of Civil Service Rule 17.1 - Prohibited Practices. (DISCUSSION)

Mr. Lawrence appeared before the Board and confirmed that his request for hearing was based on treatment he received following an on-the-job injury, and subsequent disability. Statements were made by Members Harris, Lindsey and Dames. Following discussion, the Board entered a motion to GRANT the hearing as requested, which resulted as follows:

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|------------------|--|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Vishwani Ramlal |
| SECONDER: | Michael Dames |
| AYES: | Harris, Ramlal, Dames, Lindsey, Sutton |

H. TODAY'S HEARINGS

- H.1** Hearing of Appeal on behalf of Noemi Lam Freedman, Promotion Assistant, concerning her termination, effective January 20, 2017.

The Executive Secretary advised that this matter had been withdrawn by Ms. Lam Freedman's attorney yesterday, and would be removed from the Board's docket.

ADJOURNMENT:

There being no further business before the Board, a motion was entered to adjourn the meeting at 11:27 am, which resulted as follows:

Motion by Chief Examiner Ramlal, seconded by Member Lindsey, that this matter be Approved, passed by the following vote.

| | |
|----------------|---------------------------------|
| RESULT: | APPROVED |
| AYES: | Harris, Ramlal, Lindsey, Sutton |
| NOES: | Michael Dames |

SIGNATURE:

Lillie Harris, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary