

City of Miami

*3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes

Tuesday, May 16, 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

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	Absent

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

A. APPROVING OF THE MINUTES**A.1 Civil Service Board - Regular Meeting - May 2, 2017**

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

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

B. PERSONNEL MATTERS

B.1 Copy of a memorandum from Dana Carr, Commander, Department of Police, requesting an extension of probationary period of Earnest Lawrence, Police Sergeant, for six (6) additional months beyond July 20, 2017. Sergeant Lawrence has an objection to the request. (DISCUSSION)

The Board noted that Sgt. Lawrence objected to the extension. The Board heard from Sergeant Lawrence and Major Armando Aguilar, regarding the request. Further, it was noted that in the Evaluation, Sgt. Lawrence's direct supervisor, Lt.

Delamolera recommended that Sgt. Lawrence become permanent after six (6) months probationary service, and that six (6) months' probation at the sergeant level was the norm in the department.

Chair Harris stated that due to the upcoming grievance hearing on behalf of Sgt. Lawrence, she feels that this extension is retaliatory. She went on to say that the intent (behind extensions of probation) should be for the employee to succeed in the position, and be competent in the role.

Member Ramlal recommended that the Board consider a three (3) month extension instead. She reasoned that the employee, per Risk Management, may be able to return to work within the week, and perform the necessary supervisory duties, even if he is on "light duty" status. Therefore, three (3) months beyond July should be enough time to determine his supervisory ability.

Following discussion, the Board entered a motion to GRANT an extension of probation for three (3) additional months beyond July 20, 2017, which resulted as follows:

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

C. MILITARY LEAVES OF ABSENCE

D. DISCIPLINARY MATTERS

- D.1** Copy of a letter from Chief Rodolfo Llanes, Director, Department of Police, notifying Aileen Rodriguez Police Officer, of her 10-hour suspension, effective May 12, 2017. (NOTIFICATION)
- D.2** Copy of a letter from Chief Rodolfo Llanes, Director, Department of Police, notifying Viona Browne-Williams, Police Officer, of her 80-hour suspension, effective May 9, 2017. (NOTIFICATION)
- D.3** Copy of a letter from Juvenal Santana Jr., Director, Department of Public Works, notifying Maria T. Wilson, AEO II, of her 5-day suspension, effective April 25, 2017 and a copy of a request for hearing from Osnat K. Rind, Attorney on behalf of Ms. Wilson. A hearing has been scheduled for August 8, 2017. (NOTIFICATION)

- D.4** Copy of a letter from Kevin M. Kirwin, Director, Parks and Recreation Department, notifying Christopher Smith, Park Ranger, of his 3-day suspension, effective May 2, 2017. (NOTIFICATION)

E. GENERAL ITEMS

- E.1** Notice of a withdrawal from Osnat K. Rind, Attorney, on behalf of Marcela Montoya, Service Center Aide, concerning her 3-day suspension, effective March 24, 2017. (NOTIFICATION)

Hearing of Appeal will closed and removed from the Board's docket.

F. REPORTS

- F.1** Pending Hearings as of May 16, 2017. (NOTIFICATION)

G. REQUESTS FOR HEARINGS

- G.1** Request from Shanetta Green, Erroll Castrillo, and Eutimio Cepero, Police Officers, for an Investigation Hearing pursuant to Civil Service Rule 16.1 - Investigation by the Board, concerning the eligibility of certain candidates for the position of Police Sergeant. (DISCUSSION)

Following appearances by Officer Green and Assistant City Attorney Diaz, the Board entered a motion to GRANT an Investigation into the eligibility of certain individuals to take the examination for Police Sergeant.

In the interest of time, and in accordance with the Rules, the Chief Examiner will conduct an investigation and report to the Board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Dames
SECONDER:	Travis Lindsey
AYES:	Harris, Ramlal, Dames, Lindsey

- G.2** Requests from Osnat K. Rind, Attorney, on behalf of Arsenio Castillo, Painter, for Investigation and Grievance hearings pursuant to Civil Service Rule 16.1 - Investigation by the Board alleging an Abuse of Power by Angel Blanco, Facility Maintenance Manager, and 16.2 - Complaint by Employee, alleging a violation of

Departmental Orders and Civil Service Rules 14.2 (d), (h), (l), (k), (o), (r) and 17.
(DISCUSSION)

Following appearances by Ms. Rind and Assistant City Attorney Diaz, the Board entered a motion to GRANT a hearing as requested, which resulted as follows:

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

H. TODAY'S HEARINGS

H.1 Hearing of Appeal on behalf of Stephen Bogner, Marinas Manager, concerning his 10-day suspension, effective April 5, 2017.

The Board entered into the scheduled Appeal hearing on behalf of Mr. Bogner. The Appellant represented himself. The Department of Real Estate and Asset Management was represented by Barbara Diaz, Assistant City Attorney, Office of the City Attorney.

Opening statements were provided by Assistant City Attorney Diaz, as well as the Appellant. Prior to receiving testimony, Appellant advised the Board that he admitted to the allegations in his letter of suspension, but his concern is primarily with some of the terminology used in the letter, as well as the penalty imposed. Chair Harris thanked Appellant for saving the Board time in agreeing to the facts and allowing the Board to proceed with the penalty phase of the hearing.

Stephen Bogner, Appellant, presented testimony. Questions were posed to Appellant by all members.

Witnesses testifying at the request of the Department appeared in the following order:

1. Daniel Rotenberg, Director, Department of Real Estate & Asset Management. Questions were posed to witness Rotenberg by Members Dames and Harris.

At this point, Appellant requested to withdraw his appeal. Assistant City Attorney Diaz stated that she would ask Director Rotenberg to sit with Appellant to review and possibly revise the charging document, to make it more palatable to the employee.

No further discussion was held regarding this matter.

ADJOURNMENT:

A break was taken at: 11:50am – 11:58am.

There being no further business before the Board, a motion was entered to adjourn the meeting at 1:00pm, which resulted as follows:

RESULT:	APPROVED
MOVER:	Vishwani Ramlal
SECONDER:	Travis Lindsey
AYES:	Harris, Ramlal, Lindsey
NAYS:	Dames

SIGNATURE:

Lillie Harris, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary