

City of Miami

*3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes

Tuesday, May 2, 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 10:00 am, 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:

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

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

A. APPROVING OF THE MINUTES**A.1 Regular Meeting - April 18, 2017**

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

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

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

B. PERSONNEL MATTERS

- B.1** Copy of a memorandum from Jose S. Camero, Director, Department of Building, requesting an extension of probationary period of Pedro Morales, Building Services Assistant I, for seven (7) additional months beyond August 10, 2017, in accordance with Civil Service Board Rule 15.7 (b).
(DISCUSSION)

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

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

- B.2** Request to extend the probationary period of Robert Luna, Firefighter, for the period of his deployment, in accordance with Civil Service Rule 15.7 (b). (DISCUSSION)

Motion by Chief Examiner Ramlal, seconded by Board 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** Andrew Garcia, Police Officer, requests active duty military leave without pay from May 22, 2017 through May 22, 2021. Copies of voluntary enlistment documents submitted. (DISCUSSION)

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

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

- C.2** Odney Belfort, Police Sergeant, requests active duty military leave without pay from January 2, 2017 through August 14, 2017. Copies of Orders submitted. (DISCUSSION)

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

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

- C.3** Pedro Morales, Building Services Assistant I, requests active duty military leave without pay from May 12, 2017 through June 15, 2018. Copies of Orders submitted. (DISCUSSION)

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

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

- C.4** Jason Hunter, Communications Repair Worker, requests re-employment as a Communications Repair Worker following his return from Military Leave. Copy of his DD-214 indicating Honorable Discharge submitted. (DISCUSSION)

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

AYES: Harris, Ramlal, Dames, Lindsey, Sutton

D. DISCIPLINARY MATTERS

- D.1** Copy of a letter from Chief Rodolfo Llanes, Director, Department of Police, notifying Angela Glass, Emergency Dispatcher Supervisor, of her termination, effective April 3, 2017 (#17-065). (NOTIFICATION)

NOTIFIED

- D.2** Copy of a letter from Chief Rodolfo Llanes, Director, Department of Police, notifying Angela Glass, Emergency Dispatcher Supervisor, of her termination, effective April 3, 2017 (#17-064). (NOTIFICATION)

NOTIFIED

- D.3** Copy of a letter from Chief Rodolfo Llanes, Director, Department of Police, notifying Angela Glass, Emergency Dispatcher Supervisor, of her termination, effective April 3, 2017 (#17-063). (NOTIFICATION)

NOTIFIED

- D.4** Copy of a letter from Daniel Rotenberg, Director, Department of Real Estate and Asset Management Public Facilities, notifying Stephen Bogner, Marinas Manager, of his 10-day suspension, effective April 5, 2017 and a copy of a request to appeal. A hearing has been scheduled for May 16, 2017. (NOTIFICATION)

NOTIFIED

- D.5** Copy of a letter from VonCarol, Assistant Director, Department of NET, notifying Marcela Montoya, Service Center Aide, of her 3-day suspension, effective April 24, 2017 and a copy of a request to appeal from Osnat K. Rind, Attorney. A hearing has been scheduled for July 25, 2017. (NOTIFICATION)

NOTIFIED

E. GENERAL ITEMS

- E.1** Notice of a withdrawal from Osnat K. Rind, on behalf of Jorge Salt, Emergency Dispatcher, concerning his 8-hour suspension, effective February 24, 2017. (NOTIFICATION)
- ITEM ADDITION*

Hearing will be closed and removed from the Board's docket.
NOTIFIED

- E.2** Copy of a Settlement between the City of Miami and Anna McKnight, Administrative Assistant III (Unclassified), concerning her Grievance hearing (CSB #16-21G), pursuant to Civil Service Rule 16.1 and 16.2. (NOTIFICATION)
- ITEM ADDITION*

Hearing will be closed and removed from the Board's docket.
NOTIFIED

F. REPORTS

- F.1** Pending Hearings as of May 2, 2017. (NOTIFICATION)
- PRESENTED

G. REQUESTS FOR HEARINGS**H. TODAY'S HEARINGS**

- H.1** Grievance hearing on behalf of Omar Bayona, Recreation Coordinator, alleging a violation of Civil Service Rule 8.7.

The Board entered into the scheduled Grievance hearing on behalf of Omar Bayona, Recreation Coordinator, concerning an alleged violation of Civil Service Rule 8.7, as it relates to the selection process for Superintendent of Aquatics.

The Grievant represented himself. The Department of Parks was represented by Barbara Diaz, Assistant City Attorney, Office of the City Attorney. Both sides provided opening statements.

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

- 1. Lara DeSouza, Deputy Director, Department of Parks & Recreation. Questions were posed to witness DeSouza by all members.*

2. Amy Klose, Director, Department of Human Resources. Questions were posed to witness Klose by Members Ramlal, Sutton, Dames and Harris.

The Grievant rested.

The Department presented no witnesses.

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

1. Daniel Lopez, Aquatics Program Planner, Department of Parks & Recreation. Questions were posed to witness Lopez by Members Ramlal, Sutton and Harris.

Closing argument was presented by the Grievant. The department waived closing argument. The Board entered into deliberations.

Chair Harris read Rule 8.7 into the record and reviewed the process that the Board would follow regarding submission of findings and recommendations to the Manager. She further stated that she believes that there was an injustice against all parties in this process, though Mr. Lopez has received his remedy, since he is being paid for working out of classification. She concluded by saying that the process was manipulative to get the preferred candidate appointed, and the Board wished to ensure that the spirit and intent of the Rules are followed.

Following discussion, the Board entered a motion to find that there was an Abuse of Power, and violation of Rule 8.7, committed by Director Kirwin, which resulted as follows:

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

AYES:	Lillie Harris, Vishwani Ramlal, Michael Dames, Travis Lindsey
NAYS:	Troy Sutton

Recommendation

Following the vote, the Board entered into discussion regarding recommendations to make to the city manager. Following discussion, a motion was entered to recommend that the Manager make an Appointment from the Interview Results from October 19, 2016, which resulted as follows:

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

AYES:	Lillie Harris, Vishwani Ramlal, Michael Dames, Travis Lindsey
NAYS:	Troy Sutton

ADJOURNMENT:

Breaks were taken at: 12:06 – 12:13 pm; and 1:30 – 1:35 pm.

There being no further business before the Board, a motion was entered to adjourn the meeting at 2:33 pm, which resulted as follows:

Motion by Chief Examiner Ramlal, seconded by Board Member Sutton, that this matter be APPROVED, passed by the following vote:

AYES:	Lillie Harris, Vishwani Ramlal, Troy Sutton, Travis Lindsey
NAYS:	Michael Dames

SIGNATURE:

Lillie Harris, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary

