

City of Miami
3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes
Tuesday, February 20, 2018

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

AYES:	Harris, Ramlal, Lindsey, Sutton
NAYS:	Dames

A. APPROVING OF THE MINUTES**A.1 Civil Service Board - Regular Meeting - Feb 6, 2018 10:00 AM**

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, Lindsey, Sutton
NAYS:	Dames

B. PERSONNEL MATTERS**B.1 Copy of a memorandum from Juvenal Santana Jr., Director, Department of Public Works, requesting an extension of probationary period for Steven E. Laguerre, Auto Equipment Operator III, for six (6) additional months beyond February 22, 2018. (DISCUSSION)**

Mr. Laguerre appeared before the Board and confirmed that he understood what was happening, and that he disagreed with the extension. He went on to explain the

incident which he believes lead to the request for extension, and responded to questions posed by Members Sutton and Harris. Wade Sanders, Assistant Director, and Daniel Magwood, Public Works Supervisor, Department of Public Works also appeared before the Board to respond to questions posed by the Board. Following discussion the Board entered a motion to GRANT the extension as requested, which resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey
NAYS:	Sutton

B.2 Request from Yegnia Sanchez, Human Resources Technician I, to be placed on the re-employment list for Human Resources Technician I, pursuant to Civil Service Rule 12, Sec. 12.4, Resignations, and a copy of the Department Director's endorsement attached. (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
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C. MILITARY LEAVES OF ABSENCE

D. DISCIPLINARY MATTERS

D.1 Copy of a letter from Chief Joseph Zahralban, Director, Department of Fire-Rescue, notifying Patricio Repetto, Fire Lieutenant, of a 168-hour suspension, effective February 5, 2018. (NOTIFICATION)

D.2 Copy of a letter from Chief Rodolfo Llanes, Director, Department of Police, notifying Octavio Guerrero, Police Officer, of a 40-hour suspension, effective February 15, 2018. (NOTIFICATION)

D.3 Copy of a Judgment from Emilio T. Gonzalez, City Manager, concerning the Appeal Hearing of Angela Glass, Emergency Dispatcher (retired), relative to her 40-hour suspension, effective December 5, 2016. (NOTIFICATION)

E. GENERAL ITEMS

E.1 Status update concerning the Civil Service Board vacant position. (DISCUSSION)

The Executive Secretary advised that she had met with the Director of Human Resources. She and Ms. Jackson were completing the correspondence and application documents needed to proceed with the Qualifications Procedure, and the matter should be completed within two (2) weeks. An update will be provided at the next Board meeting. Member Dames asked that the city manager could be invited to attend the next meeting.

E.2 Status update concerning the Hearing of Appeal on behalf of Domingo Jimenez, Maintenance Mechanic, concerning his 5 day suspension, effective August 1, 2017. Hearing was scheduled for January 23, 2018; however, item was continued pending settlement. (DISCUSSION)

The Executive Secretary advised that this matter had been placed on the Agenda pursuant to the Board's Continuance Policy. She went on to say that a copy of the Settlement Agreement was received in the office on Friday afternoon, and a copy had been placed at each Member's seat. The matter will be removed from the Board's docket.

SETTLED

F. REPORTS

F.1 Pending Hearings as of February 20, 2018. (NOTIFICATION)

G. REQUESTS FOR HEARINGS

H. TODAY'S HEARINGS

H.1 Hearing of Appeal on behalf of Shantera Williams, Emergency Dispatcher, concerning her 8-hour suspension, effective September 27, 2017.

The Board entered into the scheduled Appeal hearing on behalf of Shantera Williams, Emergency Dispatcher, Department of Police (Appellant). The charging document was placed in the official record.

The Appellant was represented by Osnat Rind, of Phillips, Richards and Rind, P.A.

The Department of Police was represented by Barbara Diaz, Assistant City Attorney, Office of the City Attorney.

Assistant City Attorney Diaz provided opening statements. Opening statements were deferred by Appellant. Witnesses testifying at the request of the Department appeared in the following order:

1. *Madelyn Garcia, Police Sergeant, Department of Police. Questions were posed to witness Garcia by Member Dames. Department rested.*

Attorney Rind provided opening statements. Witnesses testifying at the request of the Appellant appeared in the following order:

1. *Shantera Williams, Appellant, Department of Police. Questions were posed to Appellant by Members Ramlal, Sutton and Harris. Appellant rested.*

The Board considered motions for each charge as listed below:

D.O. 1, Ch. 11.4.5.7 - Responsibility to Know Rules. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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D.O. 1, Ch. 11.6.1.2 - Members and Civilians to Know. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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D.O. 1, Ch. 11.6.13.2 - Effort and Manner of Employees. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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D.O. 1, Ch. 11.6.17.2 - Disobedience. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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D.O. 1, Ch. 11.6.17.9 - Neglect or Inattention to Duty. A motion to find Appellant GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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D.O. 1, Ch. 11.6.18.5 - Absent Without Leave. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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D.O. 1, Ch. 11.6.28.3 - Members & Civilians to Conform. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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Civil Service Rule 14.2 (e)(2) - Violated Official Regulations; Serious Breach of Proper Discipline. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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Civil Service Rule 14.2 (q) - Has Been Absent From Duty. A motion to find Appellant NOT GUILTY was considered and resulted as follows:

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

AYES:	Harris, Ramlal, Dames, Lindsey, Sutton
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PENALTY DISCUSSION:

Having found Appellant guilty of one charge, the Board heard argument from counsel regarding penalty recommendations. Following discussion, a motion was made to recommend that the City Manager uphold the discipline issued by the Police Chief, which resulted as follows:

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

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

The previous motion having failed, the Board entered a motion to recommend that the City Manager reduce the penalty to a Reprimand only. During discussion, Member Dames stated that he believes in progressive discipline and the Board should recommend a Reprimand only. Following discussion, the motion on the floor resulted as follows:

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

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

ADJOURNMENT:

A break was taken from: 11:07 am – 11:17 am.

There being no further business before the Board, a motion was entered to adjourn the meeting at 1:20 pm, 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:	Lillie Harris, Vishwani Ramlal, Travis Lindsey, Troy Sutton
NAYS:	Michael Dames

SIGNATURE:

Lillie Harris, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary

