

# **City of Miami**

*City Hall  
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[www.miamigov.com](http://www.miamigov.com)*



## **Meeting Minutes**

**Tuesday, September 30, 2014**

**10:00 AM**

**Commission Chambers**

### **Civil Service Board**

*Lillie Harris, Chairperson  
Troy Sutton, Chief Examiner  
Javier Baños, Board Member  
Vishwani Ramlal, Board Member  
William W. Riley, Board Member*

**PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 10:04 a.m. At the commencement of the meeting, Roll Call was as follows:*

**Present:** Chairperson Harris, Member Baños, Member Riley and Member Ramlal

**Absent:** Chief Examiner Sutton

**A. APPROVING THE MINUTES OF:**

Regular Meeting of September 16, 2014

**Motion by Member Baños, seconded by Member Ramlal, to APPROVE. PASSED by the following vote.**

**Aye:** Ramlal, Riley, Baños and Harris

**Absent:** Sutton

**B. PERSONNEL MATTERS****B.1**

Copy of a memorandum from Amy Klose, Director, Department of Human Resources, requesting an extension of probationary period of Genesis J. Troutman, Human Resources Technician II, for six (6) months beyond November 18, 2014. (DISCUSSION)

*Chair Harris asked if anyone was present to speak on this item. Genesis Troutman appeared before the Board and stated that she is not opposed to the probation extension. Ms. Troutman then made comments to the Board regarding issues surrounding her experience within the department. Chair Harris asked if anyone was present on behalf of the department. Assistant City Attorney Diana Vizcaino advised that Assistant Director Ricardo Martinez was present, and added that the Board is here today to address the issue of the extension of probation. She went on to state that the comments made by Ms. Troutman can be [addressed via other means] if she deems it appropriate.*

*Ricardo Martinez, Assistant Director, Department of Human Resources, appeared before the Board and provided comments regarding the request for extension, as well as in response to Ms. Troutman's comments. Chair Harris asked Mr. Martinez if his request for the extension was to help Ms. Troutman improve her job performance. Mr. Martinez responded that he had two options; he could have either extended her probation or rolled her back to her previous position of Park Ranger. Chair Harris asked Mr. Martinez if he had a plan of action for Ms. Troutman (to improve her performance). Mr. Martinez replied that they've had a plan of action numerous times, and that Ms. Troutman constantly makes mistakes on a routine basis. He went on to state that he strives for good customer service and good quality work and to him [Ms. Troutman is not producing] good quality work.*

*Following discussion, the Board considered a motion to GRANT the extension of probation as requested, which resulted as follows:*

**APPROVED**

**C. MILITARY LEAVES OF ABSENCE**

**D. DISCIPLINARY MATTERS**

- D.1** Copy of a letter from Chief Manuel Orosa, Director, Department of Police notifying Walter Byars, III, Police Officer of his 10-Hour Suspension, effective September 22, 2014. (NOTIFICATION)  
**NOTIFIED**
- D.2** Copy of a letter from Chief Manuel Orosa, Director, Department of Police notifying Javier Herbello, Police Officer of his 40-Hour Suspension, effective September 26, 2014. (NOTIFICATION)  
**NOTIFIED**

**E. GENERAL ITEMS**

- E.1** Copy of Request to Continue from Diana Vizcaino, Assistant City Attorney concerning the appeal hearing of Raphael Gonzalez, Superintendent of Parks, relative to his termination, effective March 21, 2014. Ronald J. Cohen, Attorney on behalf of Raphael Gonzalez, has no objection to the Continuance. (DISCUSSION)
- Chair Harris asked if anyone wished to say something regarding this matter. Assistant City Attorney Diana Vizcaino appeared before the Board and requested a continuance, adding that there are currently settlement discussions and negotiations with the attorney for the employee.*
- Ronald J. Cohen, attorney on behalf of Mr. Gonzalez appeared before the Board and stated that he has no objection to the continuance. He went on to state that since this is a termination case, and Mr. Gonzalez had previously asked for a continuance, the Civil Service Board asked that Mr. Gonzalez sign a Waiver of Pay and Emoluments, which would end at the conclusion of the case. He asked that if the continuance is granted, that the Waiver provisions end today instead, as the hearing should have concluded today.*
- Following discussion, the Board entered a motion to GRANT the continuance which resulted as follows:*
- Motion by Member Baños, seconded by Member Riley, that this matter be APPROVED. PASSED by the following vote.**
- Aye:** Ramlal, Riley, Baños and Harris
- Absent:** Sutton
- This matter will be removed from the Board's docket upon submission of the signed Settlement Agreement or rescheduled in accordance with the Board's Continuance Policy.*
- E.2** Copy of a Memorandum from the City Manager, pursuant to Rule 16.1, rejecting the Board's recommendation in the Investigation hearing on behalf of Lewis Mahoney, Parks Manager II. (NOTIFICATION)  
**NOTIFIED**

**F. REPORTS**

F.1 Pending Hearings as of September 30, 2014. (NOTIFICATION)

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

H.1 Hearing of Appeal on behalf of Jean Marie Jean-Philippe, Police Officer, relative to his 160-hour suspension, effective January 19, 2013.

*Chair Harris asked for the status of this case. Eugene Gibbons, attorney on behalf of Officer Jean-Phillipe, appeared before the Board and advised that they are very close to a settlement agreement with the City, and requested that the Board grant a continuance until the next agenda. Assistant City Attorney Diana Vizcaino responded that she was in agreement with a joint continuance, pending a settlement agreement.*

*The Board entered a motion to grant a JOINT CONTINUANCE which resulted as follows:*

**Motion by Member Baños, seconded by Member Riley, that this matter be CONTINUED. PASSED by the following vote.**

**Aye:** Ramlal, Riley, Baños and Harris

**Absent:** Sutton

*This matter will be removed from the Board's docket upon submission of the signed Settlement Agreement or rescheduled in accordance with the Board's Continuance Policy.*

H.2 Hearing of Appeal on behalf of Raphael Gonzalez, Superintendent of Parks, relative to his termination, effective March 21, 2014.

**CONTINUED**

H.3 Hearing of Appeal on behalf of Ryan Smith, Police Officer, relative to his 10-Hour Suspension, effective June 15, 2014.

*Chair Harris asked for the status on this case. Attorney Eugene Gibbons appeared before the Board and advised that he was recently retained by Officer Ryan and he would request a continuance in this matter in order to prepare. Assistant City Attorney Diana Vizcaino appeared before the Board and responded that she has no objection to the continuance requested by the employee. Following discussion, the Board entered a motion to GRANT the continuance, which resulted as follows:*

**Motion by Member Baños, seconded by Member Ramlal, that this matter be CONTINUED. PASSED by the following vote.**

**Aye:** Ramlal, Riley, Baños and Harris

**Absent:** Sutton

**NON-AGENDA ITEM**

*Assistant City Attorney Diana Vizcaino announced to the Board that the replacement for her at the Civil Service Board meetings, Stephanie Panoff, will start tomorrow, October 1, 2014. ACA Vizcaino remarked that she will continue to work with the City Manager on current settlement negotiations.*

**ADJOURNMENT**

*The meeting adjourned at 10:32 a.m.*

**SIGNATURE:**

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**Lillie Harris, Chairperson**

**ATTEST:**

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**Tishria L. Mindingall, Executive Secretary**