

# **City of Miami**

*City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com*



## **Meeting Minutes**

**Tuesday, August 26, 2008**

**10:00 AM**

**Commission Chambers**

### **Civil Service Board**

*Miguel M. de la O, Chairperson  
William J. Scarola, Chief Examiner  
Jessica Angel-Capo, Board Member  
Mariano Cruz, Board Member  
Michael T. Dames, Board Member*

**PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 10:15 A.M. The roll call for Board Members at the commencement of the meeting was as follows:*

**Present:** Chief Examiner Scarola, Member Angel-Capo and Member Cruz

**Absent:** Chairperson de la O and Member Dames

**A. APPROVING THE MINUTES OF:**

Regular Meeting of August 12, 2008.

*The Board entered a motion to APPROVE the minutes of the August 12, 2008 meeting which resulted as follows:*

**Motion by Member Angel-Capo, seconded by Member Cruz, to APPROVE.  
PASSED unanimously.**

**Present:** Chief Examiner Scarola, Member Angel-Capo and Member Cruz

**Absent:** Chairperson de la O and Member Dames

**B. PERSONNEL MATTERS****C. MILITARY LEAVES OF ABSENCE**

- C.1 06-01903** Copy of a letter from John I. Fedak, Police Officer, resigning from his position as a Police Officer following his return from military leave. (NOTIFICATION)
- C.2 07-00940** Maria E. del Rio, GIS Developer, requests re-employment as a GIS Developer following her return from military leave. (DISCUSSION)
- The Board entered a motion to APPROVE Maria del Rio's request for re-employment following her return from military leave which resulted as follows:*
- Motion by Member Cruz, seconded by Chief Examiner Scarola, that this matter be APPROVED. PASSED unanimously.**

**D. DISCIPLINARY MATTERS**

- D.1 08-00895** Copy of a letter from Chief John F. Timoney, Director, Department of Police, notifying Alice Dunn, Typist Clerk II, of her 80-hour suspension, effective August 18, 2008 and copy of a letter from Osnat K. Rind, Attorney, on behalf of Alice Dunn, Typist Clerk II, requesting a hearing of appeal relative to her disciplinary letter. A hearing will be scheduled in accordance with the Civil Service Rules and Regulations. (NOTIFICATION)
- D.2 08-00988** Copy of a letter from Chief John F. Timoney, Director, Department of Police, notifying Deborah Hudson, Typist Clerk III, of her 40-hour suspension, effective August 25, 2008. (NOTIFICATION)

- D.3 08-00990 Copy of a letter from Chief John F. Timoney, Director, Department of Police, notifying Paul Jackson, Police Officer, of his 10-hour suspension, effective August 14, 2008. No appeal to date. (NOTIFICATION)
- D.4 08-00989 Copy of a letter from Chief John F. Timoney, Director, Department of Police, notifying Paul Jackson, Police Officer, of his 40-hour suspension, effective August 15, 2008. No appeal to date. (NOTIFICATION)
- D.5 08-00991 Copy of a letter from Chief John F. Timoney, Director, Department of Police, notifying Luis Munne, Police Officer, of his 10-hour suspension, effective August 15, 2008. No appeal to date. (NOTIFICATION)
- D.6 08-00992 Copy of a letter from Chief John F. Timoney, Director, Department of Police, notifying Luis Munne, Police Officer, of his 20-hour suspension, effective August 16, 2008. No appeal to date. (NOTIFICATION)
- D.7 08-00993 Copy of a letter from Chief John F. Timoney, Director, Department of Police, notifying William Ledlow, Police Officer, of his 10-hour suspension, effective August 15, 2008. No appeal to date. (NOTIFICATION)

**E. GENERAL ITEMS**

- E.1 08-00055 Copy of a Joint Request for a continuance from Diana Vizcaino, Assistant City Attorney and Osnat K. Rind, Attorney regarding the grievance hearing on behalf of AFSCME Employees, pursuant to Civil Service Rule 16.2, concerning a violation of Rule 8.10. (DISCUSSION)

*Hearing of appeal is scheduled for today.*

*After noting both attorneys were present and that they expressed no objections to continuing this matter, Acting Chairperson Scarola called for a motion to APPROVE a joint continuance of the grievance hearing on behalf of AFSCME employees which resulted as follows:*

**Motion by Member Cruz, seconded by Member Angel-Capo, that this matter be APPROVED. PASSED unanimously.**

- E.2 07-01476 Copy of a letter from Ramon Irizarri, Attorney on behalf of Larry Walker, Heavy Equipment Operator, requesting a joint continuance, relative to his termination, effective November 26, 2007. (DISCUSSION)

*Hearing of appeal is scheduled for today.*

*Acting Chairman Scarola asked if Attorney Irizarri was present at today's meeting.*

*The Acting Executive Secretary responded in the negative.*

*Acting Chairman Scarola asked the department's representative if she agreed to a joint continuance of Mr. Walker's hearing.*

*Diana Vizcaino, Assistant City Attorney, responded in the affirmative.*

*Following discussion, the Board entered a motion to APPROVE a joint continuance of Mr. Larry Walker's hearing which resulted as follows:*

**Motion by Member Cruz, seconded by Member Angel-Capo, that this matter be APPROVED. PASSED unanimously.**

## F. REPORTS

F.1 08-00018 Pending Hearings as of August 26, 2008. (NOTIFICATION)

## G. REQUESTS FOR HEARINGS

## H. TODAY'S HEARINGS

H.1 07-01202 Hearing of appeal on behalf of Jorge L. Torres, Mason, relative to his 40-hour suspension, effective September 20, 2007.

*Acting Chairman Scarola asked the attorneys if they were ready to proceed with their cases today.*

*Assistant City Attorney Vizcaino responded that she would ask that this hearing be continued.*

*Osnat K. Rind, Attorney at Law on behalf of Jorge L. Torres, responded that she objects to a continuance of her client's hearing.*

*Following discussion, the Board entered a motion to CONTINUE the hearing and charge the continuance to the department which resulted as follows:*

**Motion by Member Cruz, seconded by Chief Examiner Scarola, that this matter be CONTINUED. PASSED unanimously.**

H.2 07-01266 Hearing of appeal on behalf of Pedro C. Torres, Automotive Equipment Operator II, relative to his 24-hour suspension, effective September 20, 2007.

*Acting Chairman Scarola asked both attorneys if they were ready to proceed with their cases today.*

*Assistant City Attorney Vizcaino responded that she would ask that this hearing be continued.*

*Acting Chairman Scarola asked Attorney Guttman-Valdes for her position on the department's request.*

*Teri Guttman-Valdes, Attorney at Law on behalf of Pedro C. Torres, responded that she has no objection to the department's request for a continuance.*

*Following discussion, the Board entered a motion to CONTINUE the appeal hearing of Pedro C. Torres and charge the continuance to the department which resulted as follows:*

**Motion by Member Cruz, seconded by Member Angel-Capo, that this matter be CONTINUED. PASSED unanimously.**

**H.3 07-01476** Hearing of appeal on behalf of Larry Walker, Heavy Equipment Operator, relative to his termination, effective November 26, 2007.  
*The Board took no action on this item because a continuance was granted at today's meeting.*

**CONTINUED**

**H.4 08-00055** Grievance hearing on behalf of AFSCME Employees, pursuant to Civil Service Rule 16.2, concerning a violation of Rule 8.10.  
*The Board took no action on this item because a continuance was granted at today's meeting.*

**CONTINUED**

**ADJOURNMENT:**

*Acting Chairman Scarola called for a motion to ADJOURN.*

**Motion by Member Cruz, seconded by Member Angel-Capo, to APPROVE.  
PASSED unanimously.**

*The meeting adjourned at 10:20 A.M.*

**SIGNATURE:**

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**Miguel M. de la O, Chairperson**

**ATTEST:**

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**Tishria L. Mindingall, Executive Secretary**