

City of Miami

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

Meeting Minutes

Tuesday, February 07, 2023

10:00 AM

Commission Chambers

Civil Service Board

Troy Sutton, Chairperson
Rodrigo Jimenez, Chief Examiner
Rafael Cabrera, Board Member
Ulysses Garcia, Board Member
Travis Lindsey, Board Member

Pledge of Allegiance

The meeting was called to order at 10:22 am, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

Attendee Name	Title	Status
Troy Sutton	Chairperson	Present
Rodrigo Jimenez	Chief Examiner	Present
Rafael Cabrera	Board Member	Present
Ulysses Garcia	Board Member	Present
Travis Lindsey	Board Member	Present

Adoption of Agenda

A. Approving of the Minutes

A.1 Civil Service Board - Regular Meeting - January 24, 2023, 10:00 AM

Chair Sutton asked if there were any revisions to the Agenda of January 24, 2023. Hearing none, a motion to adopt the Agenda as printed was considered and resulted as follows:

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

A.2 Civil Service Board - Special Meeting - January 31, 2023, 10:00 AM

Chair Sutton asked if there were any revisions to the Agenda of January 31, 2023. Hearing none, a motion to adopt the Agenda as printed was considered and resulted as follows:

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

B. Personnel Matters

None

C. Military Leaves of Absence

C.1 Jason Hunter, Communication Repair Worker, requests re-employment as a Communication Repair Worker, following his return from Active Duty Military Leave. Copy of a DD214 from the Army, indicating Honorable Discharge submitted. (DISCUSSION)

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

D. Disciplinary Matters

D.1 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Tatiana Cadet, Police Officer, of a 10-hour forfeiture, effective January 25, 2023. (NOTIFICATION)

D.2 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Daniel Hernandez, Police Officer, of a 10-hour suspension, effective January 28, 2023. (NOTIFICATION)

- D.3 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Jermaine Douglas, Police Lieutenant, of a 20-hour suspension, effective January 28, 2023, and a request to Appeal from Lieutenant Douglas. (NOTIFICATION)
- D.4 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Jermaine Douglas, Police Lieutenant, of a 40-hour suspension, effective January 30, 2023. (NOTIFICATION)
- D.5 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Luis Rodriguez, Police Sergeant, of a 40-hour suspension, effective January 08, 2023, and a request to Appeal from Sergeant Rodriguez. (NOTIFICATION)
- D.6 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Derek Charles, Police Officer, of a 40-hour suspension, effective January 26, 2023. (NOTIFICATION)
- D.7 Copy of a letter from Arthur Noriega, V., City Manager, notifying Anthony Rolle, Senior Contracting Officer, of his Termination, effective January 27, 2023. (NOTIFICATION)
- D.8 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Saens Dorcelly, Police Officer, of a 20-hour suspension, effective January 18, 2023, and a request to Appeal from Officer Dorcelly. (NOTIFICATION)

E. General Items

- E.1 Findings of Fact concerning the Appeal Hearing on behalf of Alfredo Matias, former Police Officer, concerning his Termination, effective January 27, 2022. (DISCUSSION)

Attorney Braverman appeared before the Board and advised that he submitted his revisions yesterday to Special Counsel and ACA Ferguson, who has objections to including the revisions. Special Counsel advised the Board that he will need time to review what was submitted and requested that both parties review and perhaps agree on some of the language prior to submitting it for his review. Following discussion, the Board tabled this item to the March 7, 2023, Board's agenda.

- E.2 Settlement Agreement between the City of Miami and Daniel de la Rosa, Police Officer, concerning his Appeal Hearing, relative to his 40-hour suspension, effective July 9, 2022, (CSB#22-19D). (NOTIFICATION)
- Hearing Appeal will be closed and removed from the Board's docket.
- E.3 Status update regarding the Whistleblower Hearing on behalf of Lourdes Blanco, former Executive Director of the Miami Sports & Exhibition Authority, related to her Termination, effective October 25, 2018. (DISCUSSION)

Ramon Guillen, Attorney, appeared on behalf of Lourdes Blanco, former Executive Director of the Miami Sports & Exhibition Authority. He provided the Board members with a status update concerning his client and agreed that his client will be ready to proceed with a 2-day hearing in April as previously discussed. Following discussion, the Board instructed the Executive Secretary to a 2-day hearing for the regular Civil Service Board Meeting of April 4, 2023, and a Special Civil Service Board Meeting for April 5, 2023.

F. Reports

- F.1 Hearings Pending List as of February 7, 2023. (NOTIFICATION)

G. Requests for Hearings

H. Today's Hearings

- H.1 Grievance Hearing on behalf of Odney Belfort, Police Sergeant, relative to the 2022 Police Lieutenant Promotional Exam, pursuant to Civil Service Rule 16.2 - Complaint by Employee, alleging violation of Civil Service Rules 8.2 - Certification from Promotional Competitive Registers and 8.5 - Certification from Noncompetitive Registers.

Mark Berkowitz, Attorney, appeared on behalf of Odney Belfort, Police Sergeant, relative to the 2022 Police Lieutenant Promotional Exam. Chair Sutton advised Attorney Berkowitz that the Board would not be able to proceed with the Grievance Hearing as ACA Ferguson had lost her voice. Attorney Berkowitz responded that he had been in communication with ACA Ferguson and agreed on rescheduling this matter for another meeting date. Following discussion, the Board agreed to reschedule the hearing for February 21, 2023, and GRANT a continuance in this matter and charge the Board, which resulted as follows:

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

- H.2 Appeal Hearing on behalf of Aiesha Fortune, Police Officer, concerning her 40-hour suspension, effective January 2, 2022.

Adanna Ferguson, Assistant City Attorney, advised that Attorney Gibbons reached out to her office concerning a possible settlement and will follow-up with him. Following discussion, the Board agreed to GRANT a continuance in this matter charged to the Board, which resulted as follows:

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

ADJOURNMENT:

There being no further business before the Board, a motion was entered to adjourn the meeting at 10:42 pm, which resulted as follows:

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

AYES: Sutton, Cabrera, Lindsey, Jimenez

SIGNATURE: Troy Sutton, Chairperson

ATTEST: Tishria L. Mindingall, Executive Secretary