

City of Miami

3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes

Tuesday, November 16, 2021

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 10:15 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

Chair Sutton 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 Cabrera, seconded by Board Member Lindsey, that this matter be Approved, PASSED by the following vote:

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

A. Approving of the Minutes

A.1 Civil Service Board - Regular Meeting - November 2, 2021

A motion was entered to approve the Minutes as presented, 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

B. Personnel Matters

None

C. Military Leaves of Absence

C.1 Raweewan Andrews, GIS Data Specialist, requests re-employment as a GIS Data Specialist, following her return from Military Leave. Copy of memorandum from the Air Force indicating Honorable Discharge submitted. (DISCUSSION)

The Board entered a motion to approve the re-employment as requested and thanked the employee for her service.

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

C.2 Katherine Triana Vasquez, Police Officer, requests Military Leave without pay from October 16, 2021 through October 29, 2021. Copy of Orders submitted. (DISCUSSION)

The Board entered a motion to approve the leave as requested and thanked the employee for her service

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

- C.3 Jason Hunter, Communication Repair Worker, requests Military Leave without pay from November 3, 2021 for a period of 440 days. Copy of Orders submitted. (DISCUSSION)

The Board entered a motion to approve the leave as requested and thanked the employee for his service.

Motion by Board Member Lindsey, seconded by Board Member Garcia, 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 Art Acevedo, Director, Department of Police, notifying Deontay Parker, Police Officer, of a 20-hour suspension, effective November 12, 2021. (NOTIFICATION)
- D.2 Copy of a letter from Chief Art Acevedo, Director, Department of Police, notifying Raquel Hendrix, Police Sergeant, of a 10-hour forfeiture, effective November 10, 2021. (NOTIFICATION)
- D.3 Copy of a letter from Interim Chief Ronald L. Papier, Director, Department of Police, notifying Juan Herrera, Police Officer, of a 10-hour forfeiture, effective November 10, 2021. (NOTIFICATION)
- D.4 Copy of a letter from Arthur Noriega, V., City Manager, notifying Mario Gonzalez, former Police Officer, of his Termination (21-171), November 9, 2021. (NOTIFICATION)
- D.5 Copy of a letter from Arthur Noriega, V., City Manager, notifying Mario Gonzalez, former Police Officer, of his Termination (21-172), November 9, 2021. (NOTIFICATION)

E. General Items

- E.1 Copy of a Request to Continue from Adanna Ferguson, Assistant City Attorney, concerning the Appeal Hearing of Ryan Michel, Police Officer, pursuant his 10-hour suspension, effective September 27, 2021. (DISCUSSION)

Adanna Ferguson, Assistant City Attorney advised the Board of the reason for the request. Following discussion, the Board made a motion to GRANT the Department's request for a continuance, 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

- E.2 Copy of a Request to Continue from Adanna Ferguson, Assistant City Attorney, concerning the Appeal Hearing of Jose A. Hernandez, Beach Operations Supervisor, pursuant his 7-day suspension, effective October 14, 2021. (DISCUSSION)

Adanna Ferguson, Assistant City Attorney advised the Board of the reason for the request. Following discussion, the Board made a motion to GRANT the Department's request for a continuance, 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

F. Reports

- F.1 Hearings Pending List as of November 16, 2021. (NOTIFICATION)

G. Requests for Hearings

- G.1 Copy of a Request for Grievance Hearing from Teri Guttman Valdes, Attorney, on behalf of her client Daniel Diaz, Firefighter, pursuant to Civil Service Rules 16.1 - Investigation by the Board, Abuse of Power and 16.2 - Complaint by Employee. (DISCUSSION)

Attorney Valdez appeared before the Board on behalf of Daniel Diaz, Firefighter, to withdraw the Request for Grievance hearing. Attorney Valdez went on to say, she hopes to resolve this issue with the Department.

This request will be considered WITHDRAWN and will be removed from the Board's docket.

H. Today's Hearings

- H.1 Grievance Hearing on behalf of Maximiliano Valdes, Police Sergeant, concerning the examination process held on January 3 through 5, 2017 for Police Lieutenant, pursuant Civil Service Rules 16.1 - Investigation by the Board and 16.2 - Complaint by Employee.

The Chair called for the hearing of Maximiliano Valdes, Police Sergeant. Attorney Valdes appeared on behalf of Sergeant Valdes. Adanna Ferguson, Assistant City Attorney, appeared on behalf of the Department.

Following discussion, the Board made a motion to continue this matter, which resulted as follows:

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

H.2 Investigation Hearing on behalf of Jorge Torres, et al GSA Employees, pursuant to Civil Service Rule 16.1 - Investigation by the Board, Abuse of Power of Nelso Garcia, Superintendent of Property Maintenance in GSA, and Civil Service Rules 14.2 (h), (I), (k), and (r).

The Board entered into the scheduled Grievance hearing on behalf of Jorge Torres, et al GSA Employees, pursuant to Civil Service Rule 16.1- Investigation by the Board, alleging Abuse of Power by Nelso Garcia, Superintendent of Property Maintenance in GSA, and violation of Civil Service Rules 14.2 (h), (I), (k), and (r).

The Grievants were represented by Osnat K. Rind, Attorney, Phillips, Richard, & Rind, P.A. The Department was represented by Adanna Ferguson, Assistant City Attorney, Office of the City Attorney.

The hearing began today, with presentation of the Grievant's case in chief.

The Minutes from this hearing will be placed, in their entirety upon conclusion of the hearing.

Due to time constraints, a motion was entered to CONTINUE the hearing to a future date, which resulted as follows:

ADJOURNMENT:

Breaks were taken at: 10:20am – 10:36am; 11:12am – 11:31am; 2:51pm – 3:11pm.

There being no further business before the Board, the Board adjourned at 5:01pm.

SIGNATURE: Troy Sutton, Board Chairperson

ATTEST: Tishria L. Mindingall, Executive Secretary