

City of Miami

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

Meeting Minutes

Tuesday, January 28, 2020
10:00 AM
Commission Chambers

Civil Service Board

Troy Sutton, Chairperson
Michael Dames, Chief Examiner
Rafael Cabrera, Board Member
Ulysses Garcia, Board Member
Wilbur Jackson, Jr., Board Member

Pledge of Allegiance

The meeting was called to order at 10:19 am, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

Attendee Name	Title	Status
Troy Sutton	Chairperson	Present
Michael Dames	Chief Examiner	Present
Rafael Cabrera	Board Member	Present
Ulysses Garcia	Board Member	Present
Wilbur M. Jackson, Jr.	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 Jackson, Jr., seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

A. Approving of the Minutes

A.1 Civil Service Board - Regular Meeting - Jan 14, 2020 10:00 AM

A motion was entered to approve the Minutes as presented, which resulted as follows:

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

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

B. Personnel Matters

C. Military Leaves of Absence

C.1 Angelo Viniegra, Firefighter, requests Military Leave without pay from January 6, 2020 through January 17, 2020. Copy of Orders submitted. (DISCUSSION)

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

Motion by Board Member Jackson, Jr., seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

D. Disciplinary Matters

D.1 Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Vladimir Charlemagne, Police Officer, of a 10-hour forfeiture, effective January 17, 2020. (NOTIFICATION)

- D.2 Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Anabel Lucero, Police Officer, of a 10-hour suspension, effective January 19, 2020. (NOTIFICATION)
- D.3 Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Manuel Mora, Police Officer, of a 10-hour suspension, effective January 18, 2020. (NOTIFICATION)
- D.4 Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Fred Pacheco, Police Officer, of a 10-hour suspension, effective January 19, 2020. (NOTIFICATION)
- D.5 Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Nicholas Dorta, Police Officer, of an 80-hour suspension, effective February 3, 2020. (NOTIFICATION)
- D.6 Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Mario R. Gonzalez, Police Officer, of a 45-hour forfeiture effective January 10, 2020 and a 45-hour suspension, effective February 4, 2020. (NOTIFICATION)

E. General Items

- E.1 Copy of a Judgment from Emilio T. Gonzalez, City Manager, concerning the Grievance hearing on behalf of Edwing Gomez, et. al. Police Sergeants, concerning the examination process for Police Lieutenant, pursuant Civil Service Rules 16.1 -Investigation by the Board and 16.2 - Complaint by Employee, alleging violation of Civil Service Rules 6.3 - Contents of Examination, 6.5 - Method of Rating, and 6.7 - Seniority. (NOTIFICATION) **ITEM ADDITION**

Hearing will be closed and removed from the Board's docket.

F. Reports

- F.1 Hearings Pending List as of January 28, 2020. (NOTIFICATION)

G. Requests for Hearings

H. Today's Hearings

- H.1 Hearing on behalf of Javier Herbello, Police Officer, pursuant to Civil Service Rule 16.2, Complaint by Employee, concerning an alleged violation of Civil Service Rules 6.2- Promotional Examinations and 8.14- Police Promotions, as it concerns the ineligibility determination for the second part of the 2017 examination process for the Police Sergeant.

Chair Sutton called for the hearing of Officer Herbello. The Executive Secretary advised the Board that Officer Herbello was not present, and did not respond to any correspondence from the Office.

ACA Ferguson advised the Board that Officer Herbello recently sat for the 2019 Police Sergeant's exam and that probably explains why he was not present.

Following discussion regarding options, the Board voted to GRANT a motion to dismiss with prejudice which resulted as follows:

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

AYES: Sutton, Cabrera, Garcia, Jackson, Jr.

NO: Dames

- H.2 Hearing on behalf of Richard Rodriguez, Fire Lieutenant, pursuant Civil Service Rule 16.2, Complaint by Employee, alleging a hostile work environment, and a violation of Civil Service Rules 14.2 (h), (i), and (r), by Lieutenant Euraclio Pons.

Chair Sutton called for the hearing of Richard Rodriguez.

Adanna Ferguson, Assistant City Attorney, on behalf of the Department of Fire Rescue, advised the Board that the parties had reached a resolution in this matter and there would be no need for a hearing today.

Richard Rodriguez, Fire Lieutenant, confirmed and advised at this time he is formerly withdrawing his hearing.

Chair Sutton thanked both, ACA Ferguson and Lieutenant Rodriguez for taking time out to discuss this matter and coming up with a resolution.

This matter will be considered withdrawn and removed from the Board's docket.

ADJOURNMENT:

A break was taken at: 10:25 AM -11:05 AM

There being no further business before the Board, a motion was entered to adjourn the meeting at 11:17 am, which resulted as follows:

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

AYES: Sutton, Cabrera, Garcia, Jackson, Jr.

NO: Dames

SIGNATURE:

Troy Sutton, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary