

City of Miami

3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes

Tuesday, May 17, 2022
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 10:18 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 Jimenez, seconded by Board Member Cabrera, 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 - April 19, 2022

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

B. Personnel Matters

C. Military Leaves of Absence

C.1 Melinda F. Jeudi, Administrative Assistant I, requests Active-Duty Military Leave without pay effective March 18, 2022, for a period of 197 days. Copy of Orders submitted.
(DISCUSSION)

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

C.2 Jose Angel Almeida Jr., requests extension of Active-Duty Military Leave without pay from April 30, 2022 through June 12, 2022. Copy of Orders extending leave submitted. (DISCUSSION)

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

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 Joseph F. Zahralban, Director, Department of Fire Rescue, notifying Joe Wright, Firefighter, of a 24-hour forfeiture, effective April 11, 2022. (NOTIFICATION).

D.2 Copy of a letter from Chief Joseph F. Zahralban, Director, Department of Fire Rescue, notifying

Greg Martinez, Fire Lieutenant, of a 24-hour forfeiture, effective May 20, 2022. (NOTIFICATION).

- D.3 Copy of a letter from Chief Joseph F. Zahralban, Director, Department of Fire Rescue, notifying Charlene Cunningham, Emergency Dispatcher, of an 8-hour suspension, effective April 11, 2022, and a request to Appeal from Attorney Libby H. Navarrete, on behalf of Ms. Cunningham. (NOTIFICATION).
- D.4 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Daniel Moore, Police Officer, of a 20-hour suspension, effective April 29, 2022. (NOTIFICATION)
- D.5 Copy of a letter from Barbara Hernandez, Director, Department of Parks and Recreation, notifying Richard Rosell, Senior Ocean Rescue Lifeguard of a 2-day suspension, effective April 23, 2022, and a request to Appeal from Richard Rosell. (NOTIFICATION)
- D.6 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Ashley Hunter, Police Officer, of a 40-hour suspension, effective April 29, 2022. (NOTIFICATION)
- D.7 Copy of a letter from Arthur Noriega, V., City Manager, notifying Ashley Hunter, Police Officer, of her Termination, effective May 6, 2022. (NOTIFICATION)
- D.8 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Bryan Viera, Police Officer, of a 40-hour suspension, effective May 18, 2022. (NOTIFICATION)
- D.9 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Rigoberto Hernandez, Police Officer, of a 40-hour suspension, effective May 9, 2022, and a request to Appeal from Officer Hernandez. (NOTIFICATION)
- D.10 Copy of a letter from Barbara Hernandez, Director, Department of Parks and Recreation, notifying Sandy Dorsainvil, Cultural Arts Center Manager of a 5-day suspension, effective May 10, 2022, and a request to Appeal from Osnat K. Rind, Attorney, on behalf of Ms. Dorsainvil. (NOTIFICATION)
- D.11 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying David Flanders, Police Officer, of a 40-hour suspension, effective May 22, 2022. (NOTIFICATION)
- D.12 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Rodolfo Diaz, Police Officer, of a 40-hour suspension, effective May 11, 2022. (NOTIFICATION)
- D.13 Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Avery White, Police Officer, of a 20-hour suspension, effective May 16, 2022. (NOTIFICATION)
- D.14 Copy of a letter from Barbara Hernandez, Director, Department of Parks and Recreation, notifying Jehu Milord, Park Ranger, of a 3-day suspension, effective May 12, 2022. (NOTIFICATION)
- D.15 Copy of a letter from Barbara Hernandez, Director, Department of Parks and Recreation, notifying Jehu Milord, Park Ranger, of a 14-day suspension, effective May 15, 2022. (NOTIFICATION)

E. General Items

- E.1 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)

Attorney Guillen appeared before the Board to provide a status update concerning his client Lourdes Blanco, currently Assistant to the Fire Chief. Following discussion, the Board considered a motion to table rescheduling the hearing, and requesting another status update in four (4) months, which resulted as follows:

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

- E.2 Notice of Withdrawal from Osnat K. Rind, Attorney, on behalf of Guillermo Guell, et. al., GSA Employees, Investigation Hearing requested pursuant to Civil Service Rule 16.1 - Investigation by the Board, 16.2 - Complaint by Employee, regarding an Abuse of Power of Nelso Garcia, Superintendent of Property Maintenance in GSA, and alleged violation of Civil Service Rule 17, and Rule 14.2 (d), (e), (h), (i), (k), (p) and (r). (NOTIFICATION)
- E.3 Case will be considered withdrawn and removed from the Board's docket.
Copy of a Request to continue from Matthew Sarelson, Attorney, concerning the Whistleblower Hearing in accordance with Florida Statute 112.3187 of Heather Morris, former Deputy Chief of Police, relative to her Termination, effective October 4, 2021 (CSB#21-24I). Stephanie Panoff, Assistant City Attorney, expressed no objection to the request. (DISCUSSION). Whistleblower Hearing is scheduled for today.

Attorney Sarelson appeared before the Board and explained that they are requesting a continuance to allow him additional time to receive responsive public records and get prepared for the case. Kevin Jones, Sr. Assistant City Attorney, expressed no objection to the request. Following discussion, the Board made a motion to grant the continuance, which resulted as follows:

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

F. Reports

- F.1 Hearings Pending List as of May 17, 2022. (NOTIFICATION)

G. Requests for Hearings

- G.1** Copy of a request from David J. Winker, Attorney, on behalf of Suzanne Hollander, former Director of DREAM, concerning an Appeal, Investigation, and Grievance Hearing, pursuant to Civil Service Rules 14, 16.1, 16.2 and Whistleblower in accordance with Florida Statute 112.3187, concerning her Termination, effective February 25, 2022. (DISCUSSION)

Attorney David J. Winker appeared before the Board on behalf of Suzanne Hollander, requesting a hearing be granted pursuant to Civil Service Rule 14 - "Appeal", 16.1 - Investigation by the Board, and 16.2 - Complaint by Employee and Whistleblower in accordance with Florida Statute 112.3187.

The Executive Secretary reminded the Board and all present that pursuant to Civil Service Rule 14, only permanent employees in the Classified service have a right to an appeal, and that Ms. Hollander was an Unclassified employee. Additionally, Mr. Winker did not cite a required rule violation for the request under Rule 16.2.

Kevin Jones, Sr. Assistant City Attorney, appeared on behalf of the City and expressed no objection to the request for a Whistleblower hearing. He further advised that the Board is empowered to conduct the hearing pursuant to Civil Service Rule 16.1.

Following discussion, the Board made a motion to deny the requests under Civil Service Rules 14, and 16.2 and grant the Whistleblower hearing, which resulted as follows:

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

H. Today's Hearings

- H.1** Whistleblower Hearing pursuant Florida Statute 112.3187 on behalf of Heather Morris, former Deputy Chief, concerning her Termination, effective October 4, 2021.

Continuance granted at today's meeting (see item E3).

ADJOURNMENT:

There being no further business before the Board, a motion was entered to adjourn the meeting at 10:35 am, 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, Cabrera, Jimenez, Lindsey, Garcia

SIGNATURE: Troy Sutton, Chairperson

ATTEST: Tishria L. Mindingall, Executive Secretary