

City of Miami

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

Meeting Minutes

Tuesday, September 06, 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 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 - July 26, 2022, 10:00 AM

Motion by Board Member Lindsey, seconded by Board Member Garcia, that this matter be Approve, APPROVED by the following vote:

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

B. Personnel Matters

B.1 Copy of a memorandum from Juvenal Santana, Director, Department of Resilience and Public Works, requesting an extension of probationary period of Teresa Ross Casmay, Engineer I, for six (6) additional months beyond August 7, 2022. (DISCUSSION)

Chair Sutton called for the parties regarding the extension of probation. Teresa Ross Casmay, Engineer I, appeared before the Board and Sean Moy, President, AFSCME Local 1907. No one from the Department was present. The Board Members expressed their disappointment at having no one present on behalf of the Department. Chair Sutton asked the employee if she understood and agreed with the request. Ms. Casmay responded that she was not opposed to the request but wanted the Board to know that she was given additional duties three weeks ago, and that the request for extension was submitted only one week before she was expecting to be permanent. Mr. Moy expressed his concerns because the employee was advised a week before her permanent date.

Following discussion and after conferring with Board's counsel, the Board entered a motion to DENY the extension as requested, which resulted as follows:

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

B.2 Copy of a memorandum from Angela Roberts, Director, Human Resources Department, notifying Freddie Cruz II, Police Commander, of his voluntary return to former classification. Freddie Cruz II is being rolled back to Police Captain. (NOTIFICATION)

- B.3** Copy of a memorandum from Angela Roberts, Director, Human Resources Department, notifying Angelo Perry, Sanitation Supervisor, of his return to former classification. Angelo Perry is being rolled back to Waste Equipment Operator. (NOTIFICATION)

C. Military Leaves of Absence

- C.1** Roselyn Paz, Police Officer, requests Active-Duty Military Leave without pay effective August 4, 2022, for a period of 400 days. Copy of Orders submitted. (DISCUSSION)

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

- C.2** Sandy Cabana, Police Sergeant, requests Military Leave without pay from June 29, 2022, through September 5, 2022. Copy of Orders submitted. (DISCUSSION)

Motion by Board Member Garcia, 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 Giojani Laureano, Police Officer, of a 40-hour suspension, effective July 26, 2022, and a request to appeal from Officer Laureano. (NOTIFICATION)

- D.2** Copy of a letter from Wade L. Sanders, Department of Solid Waste, notifying Angelo Perry, Sanitation Supervisor, of a 40-hour suspension, effective August 8, 2022, and a request to Appeal from Mr. Perry. (NOTIFICATION)

- D.3** Copy of a letter from Wade L. Sanders, Director, Department of Solid Waste, notifying Angelo Perry, Sanitation Supervisor, of his demotion, effective August 23, 2022, and a request to an Appeal from Mr. Perry. (NOTIFICATION)

- D.4** Copy of a letter from Arthur Noriega, V., City Manager, notifying Tennille Johnson, Waste Collector Operator I, of her Termination, effective August 5, 2022. (NOTIFICATION)

- D.5** Copy of a letter from Arthur Noriega, V., City Manager, notifying Patrick Estiven, Waste Equipment Operator, of his Termination, effective July 1, 2022. (NOTIFICATION)

- D.6** Copy of a letter from Wade L. Sanders, Department of Solid Waste, notifying Ivan Babb, Waste Collector Operator II, of a 15-day suspension, effective July 25, 2022. (NOTIFICATION)

- D.7** Copy of a letter from Wade L. Sanders, Director, Department of Solid Waste, notifying Ivan Babb, Waste Collector Operator II, of his Demotion, effective August 9, 2022. (NOTIFICATION)

- D.8** Copy of a letter from Arthur Noriega, V., City Manager, notifying Alphonso U. Richardson Jr., Waste Collector, of his Termination, effective June 17, 2022. (NOTIFICATION)

E. General Items

- E.1** Copy of a Settlement Agreement between the City of Miami and Ryan Michel, Police Officer, concerning his Appeal Hearing, relative to his 10-hour suspension, effective September 27, 2021. (CSB#21-19D). (NOTIFICATION)

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

- E.2** Notice of Withdrawal from Giojani Laureano, Police Officer, concerning his Appeal hearing request relative to his 40-hour suspension, effective July 26, 2022. (NOTIFICATION). Hearing will be considered withdrawn and removed from the Board's docket.

E.3 Copy of a Joint Request to Continue from Zachary L. Riback, Attorney, and Adanna Ferguson, Assistant City Attorney, concerning the Appeal hearing of Nicole Tyler, former Police Officer, as it relates to her Termination, effective February 5, 2020 (DISCUSSION).Hearing is scheduled for September 20, 2022.

Adanna Ferguson, Assistant City Attorney advised the Board of a joint request for a continuance given that both parties are awaiting a decision from Florida Department of Law Enforcement (FDLE). It was noted Attorney Riback had no objections to the joint request. Following discussion, the Board entered a motion to GRANT the Joint Continuance as requested, 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 September 6, 2022. (NOTIFICATION)

G. Requests for Hearings

H. Today's Hearings

H.1 Appeal Hearing on behalf of Jorge Loo, Police Officer, concerning his 10-hour suspension, effective July 14, 2020.

Due to time constraints, the Board agreed to grant a Board's continuance in this matter, which 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

H.2 Appeal Hearing on behalf of Alfredo Matias, former Police Officer concerning his Termination, effective January 27, 2022.

Chair Sutton called for the Hearing of Appeal on behalf of Alfredo Matias, Police Officer.

Attorney Michael Braverman appeared before the Board on behalf of Alfredo Matias, Police Officer. Adanna Ferguson, Assistant City Attorney, appeared on behalf of the Department of Police.

Chair Sutton asked each side for the number of witnesses they would call, given that the chambers are available only until 3pm.

The hearing began today, with presentation of the department's case in chief, and due to time constraints will be continued to a future date. The Board heard testimony from the following witnesses:

1. Stephanie Panoff, Assistant City Attorney, City of Miami Attorney's Office. Questions were posed by Board Members Lindsey and Sutton.

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

Following discussion, a motion was entered to CONTINUE the hearing to the meeting of September 20, 2022, which resulted as follows:

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

ADJOURNMENT:

Breaks were taken at: 10:50am – 11:00am; 1:15pm – 1:30pm

There being no further business before the Board, Chair Sutton declared the meeting adjourned at 1:55pm.

SIGNATURE: Troy Sutton, Chairperson

ATTEST: Tishria L. Mindingall, Executive Secretary