

City of Miami

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

Meeting Minutes

Tuesday, September 20, 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 10:09 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 Jimenez, that this matter be Approved, passed by the following vote:

AYES: Sutton, Jimenez, Lindsey, Cabrera, Garcia

A. Approving of the Minutes

A.1 Civil Service Board - Regular Meeting - September 6, 2022, 10:00 AM

AYES: Sutton, Jimenez, Lindsey, Cabrera, Garcia

B. Personnel Matters

B.1 Copy of a memorandum from Chief of Police Manuel A. Morales, Director, Department of Police, requesting an extension of probationary period of Fernanda Mendoza, Emergency Dispatcher, for six (6) additional months beyond October 5, 2022. (DISCUSSION)

AYES: Sutton, Jimenez, Lindsey, Cabrera, Garcia

B.2 Copy of a memorandum from Chief of Police Manuel A. Morales, Director, Department of Police, requesting an extension of probationary period of Dana Byrd, Administrative Aide I, for six (6) additional months beyond September 21, 2022. (DISCUSSION)

AYES: Sutton, Jimenez, Lindsey, Cabrera, Garcia

C. Military Leaves of Absence

C.1 Jennifer Bhikarry-Genelus, Police Officer, requests Military Leave without pay from August 11, 2022, through September 30, 2022. Copy of Orders submitted. (DISCUSSION)

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

C.2 Matthew Conway, Firefighter, requests Military Leave without pay from August 14, 2022, through September 5, 2022. Copy of Orders submitted, and a request to re-employment as a firefighter following his return from Military Leave. Copy of memorandum from the Army National Guard 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

C.3 Matthew Conway, Firefighter, requests Military Leave without pay from September 11, 2022, through September 30, 2022. Copy of Orders submitted. (DISCUSSION)

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

C.4 Sandy Cabana, Police Sergeant, requests extension of Military Leave without pay from September 6, 2022 through October 5, 2022. Copy of Orders extending leave submitted. (DISCUSSION)

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

C.5 Jermaine Lattimore, Police Officer, requests extension of Military Leave without pay from September 5, 2022 through March 2, 2023. Copy of Orders extending leave submitted. (DISCUSSION)

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

C.6 Jim Cadestin, Police Officer, requests extension of Military Leave without pay from October 1, 2022 through December 22, 2022. Copy of Orders extending leave 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

C.7 Ryan Decker, Police Officer, requests re-employment as a Police Officer, following his return from Military Leave. Copy of a DD214 from the Army, indicating Honorable Discharge submitted. (DISCUSSION)

Motion by Board Member Lindsey, seconded by Board Member Jimenez, 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 Arthur Noriega, V., City Manager, notifying Javier Ortiz, Police Captain, of his Termination, effective September 13, 2022. (NOTIFICATION)

E. General Items

E.1 Copy of a request to continue from Adanna Ferguson, Assistant City Attorney, concerning the Appeal Hearing of Deontay Parker, Police Officer, as it relates to his 20-hour suspension, effective November 12, 2021, (CSB#21-23D). Eugene Gibbons, Attorney, expressed no objection to the request. (DISCUSSION)

Hearing is scheduled for October 4, 2022.

Adanna Ferguson, Assistant City Attorney, explained that she has two conflicts and will not be able to attend October 4, 2022, meeting. Following discussion, Member Cabrera made a Motion to CANCEL the meeting of October 4, 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

E.2 Copy of a request to continue from Adanna Ferguson, Assistant City Attorney, concerning the Appeal Hearing of Luis Loureiro, Police Officer, as it relates to his 10-hour suspension, effective April 9, 2022, (CSB#22-07D). Eugene Gibbons, Attorney, expressed no objection to the request. (DISCUSSION)

Hearing is scheduled for October 4, 2022.

Adanna Ferguson, Assistant City Attorney, reiterated she has two conflicts and will not be able to attend October 4, 2022, meeting. Following discussion, Member Cabrera made a Motion to CANCEL the meeting of October 4, 2022, which resulted as follows:

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

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, Jr., Attorney on behalf of Lourdes Blanco provided a status update concerning his client's availability to proceed with her hearing.

Chair Sutton passed the gavel to the Chief Examiner and proceeded to make a Motion to Dismiss the Hearing without prejudice, seconded by Member Cabrera. Under discussion, following Special Counsel's advice, Chair Sutton WITHDREW his motion.

Attorney Guillen made a Motion to Continue the matter until January 2023. Following discussion, a motion was entered to CONTINUE the hearing to the meeting of January 24, 2023, which resulted as follows:

Motion by Chairperson Sutton, seconded by Board Member Cabrera, 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 20, 2022. (NOTIFICATION)

Having had the hearings scheduled for October 4, 2022, and several meetings scheduled for the month of October, Member Cabrera made a Motion to CANCEL the meeting of October 4, 2022, which resulted as follows:

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

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

G. Requests for Hearings

H. Today's Hearings

H.1 Appeal Hearing on behalf of Hilton Pearce, Parks Operations Coordinator, concerning his 3-day suspension, effective March 10, 2022.

Adanna Ferguson, Assistant City Attorney advised the Board of a Notice of Withdrawal submitted by Libby Navarette, Attorney, on behalf of Hilton Pearce, Parks Operations Coordinator.

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

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

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

1. Frank Espinosa, Police Sergeant, City of Miami Police Department. Questions were posed by Board Members

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 October 11, 2022, which resulted as follows:

AYES: Sutton, Jimenez, Cabrera, Garcia, Lindsey

SIGNATURE: Troy Sutton, Chairperson

ATTEST: Tishria L. Mindingall, Executive Secretary