

**City of Miami**

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

**Meeting Minutes**

**Tuesday, October 17, 2023**

**10:00 AM**

**Commission Chambers**

**Civil Service Board**

*Troy Sutton, Chairperson*

*Rodrigo Jimenez, 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 10:22 am, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Troy Sutton	Chairperson	Present
Rodrigo Jimenez	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, seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:**

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

**A. Approving of the Minutes**

**A.1** Civil Service Board - Regular Meeting - October 3, 2023

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

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

**B. Personnel Matters**

**B.1** Copy of a memorandum from Erica T. Paschal-Darling, Director, Finance Department, requesting an extension of probationary period of Hasani Marcus, Cashier II, for six (6) additional months beyond October 24, 2023. (DISCUSSION)

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

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

**C. Military Leaves of Absence**

**C.1** Matthew Conway, Firefighter, requests re-employment as a Firefighter, following his return from Active Duty Military Leave. Copy of memorandum from the Army, indicating Honorable Discharge submitted. (DISCUSSION)

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

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

**C.2** Jennifer Bhikarry Genelus, Police Officer, requests re-employment as a Police Officer, following her return from Active Duty Military Leave. Copy of DD214 from the Army, indicating Honorable Discharge submitted. (DISCUSSION)

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

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

**C.3** Alain Etienne, Police Officer, requests Active Duty Military Leave without pay from October 1, 2023 through October 30, 2023. Copy of Orders submitted. (DISCUSSION)

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

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

**C.4** Jennifer Bhikarry Genelus requests Active-Duty Military Leave without pay from October 1, 2023 for a period of 366 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, Jackson, Jr.

**D. Disciplinary Matters**

**D.1** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Jose Gutierrez, Police Officer, of a 10-hour suspension, effective October 4, 2023. (NOTIFICATION)

**D.2** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Jose Gutierrez, Police Officer, of a 20-hour suspension, effective October 5, 2023. (NOTIFICATION)

**D.3** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Jose Gutierrez, Police Officer, of a 10-hour suspension, effective October 7, 2023, and 30-hour forfeiture. (NOTIFICATION)

**D.4** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Scot Russell, Police Officer, of a 20-hour suspension, effective October 10, 2023. (NOTIFICATION)

**D.5** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Tiffany Roberts, Police Officer, of a 10-hour forfeiture, effective September 28, 2023. (NOTIFICATION)

**D.6** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Marche Curry, Police Officer, of a 30-hour forfeiture, effective October 11, 2023. (NOTIFICATION)

**E. General Items**

**E.1** Second status update concerning the Hearing Appeal on behalf of Rodolfo Diaz, Police Officer, relative to his 220-hour suspension, effective October 10, 2022. (DISCUSSION)

Adanna Ferguson, Assistant City Attorney, appeared before the Board and advised that the settlement agreement was drafted and forwarded to opposing counsel. Eugene Gibbons, Attorney, appeared on behalf of Rodolfo Diaz, Police Officer, and confirmed that his client signed the agreement and forwarded it to the Chief's office for signature. ACA Ferguson advised that once the agreement is finalized it will be forwarded to the Civil Service Board Office. Following discussion, the Board directed that this matter be carried over to the meeting of October 31, 2023.

## **F. Reports**

**F.1** Hearings Pending List as of October 17, 2023. (NOTIFICATION)

## **G. Requests for Hearings**

## **H. Today's Hearings**

**H.1** Grievance Hearing on behalf of Lizlinda Bremer, et. al. Police Sergeants, pursuant to Civil Service Rules 6.3-Contents of Examination; 6.5-Method of Rating; 6.6- Rating of Examination Results, and 6.7-Seniority, in reference to the 2022 Police Lieutenant Promotional Exam. Continued from the meeting of September 19, 2023.

Attorney Eugene Gibbons, Fraternal Order of Police, appeared on behalf of Lizlinda Bremer, Surami Kelly, Ariel Perez, and David Bernat (CSB #22-30G-A), Police Sergeants, ("Bremer, et al."); and Attorney Teri Guttman-Valdes appeared on behalf of Maximiliano Valdes, Raul Delgado, and Robert Perez, (CSB #22-30G-B), Police Sergeants, (Valdes, et al."), as it relates to the 2022 Police Lieutenant Promotional Examination.

Adanna Ferguson, Assistant City Attorney, and Stephanie Panoff, Supervisor Assistant City Attorney, appeared on behalf of the Department of Human Resources.

### **Day 2: October 17, 2023**

The Board entered the Grievance Hearing on behalf of Lizlinda Bremer, et. al. and Valdes, et al., Police Sergeants, alleging violation of Civil Service Rules 6.3-Contents of Examination; 6.5-Method of Rating; 6.6-Rating of Examination Results, 6.7-Seniority, and 6.3-Contents of Examination; 6.5-Method of Rating; 6.6-Rating of Examination Results, and 6.7-Seniority.

Sr. ACA Panoff appeared and explained to the Board; although it is not the City's burden in a Grievance hearing, she had several conversations with the attorney for PSI Services and Talogy Inc. and they respectfully declined the request to appear, conveyed by the Office of the City Attorney at the request of the Board. ACA Panoff provided a written letter from Attorney Alejandro Miyar on behalf of PSI Services and Talogy, Inc.

Prior to the continuation of the direct examination of Dr. Eyran Kraus, Testing and Validation Supervisor, questions were posed by Members Jackson, Cabrera and Sutton and several public record requests were made.

Following a lunch break, witnesses testifying at the request of the Grievants appeared in the following order:

2. Eyran Kraus, Testing and Validation Supervisor, City of Miami Department of Human Resources. Questions were posed by Members Jackson, Cabrera and Sutton.

3. Jesus Ibalmea, Police Major, City of Miami Department of Police.

Due to time constraints, the testimony of Major Ibalmea, Police Major, will continue at the regular meeting of Tuesday, October 31, 2023.

The Minutes from this hearing will be placed in the Minutes, in their entirety, upon conclusion of the hearing. Following discussion, a motion was entered to CONTINUE with the hearing at the meeting of October 31, 2023, 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, Jackson, Jr.

**H.2** Grievance Hearing on behalf of Maximiliano Valdes, Raul Delgado & Robert Perez, Police Sergeants, pursuant to Civil Service Rules 6.3-Contents of Examination; 6.5-Method of Rating; 6.6- Rating of Examination Results, and 6.7-Seniority, in reference to the 2022 Police Lieutenant Promotional Exam. Continued from the meeting of September 19, 2023.

Refer to item H.1

## **ADJOURNMENT:**

*Breaks were taken at: 10:24am – 10:30am; lunch 12:35pm – 1:49pm; 3:16pm – 3:30pm.*

*There being no further business before the Board, a motion was entered to adjourn the meeting at 5:07 pm, 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, Jackson, Jr.

**SIGNATURE:** Troy Sutton, Board Chairperson

**ATTEST:** Tishria L. Mindingall, Executive Secretary