

City of Miami

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

Meeting Minutes

Tuesday, April 06, 2021
10:00 AM
Commission Chambers

Civil Service Board

Troy Sutton, Chairperson
Rafael Cabrera, Board Member
Rodrigo Jimenez, Board Member

Pledge of Allegiance

The meeting was called to order at 10:16 AM, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

Attendee Name	Title
Troy Sutton	Chairperson
Rafael Cabrera	Board Member
Rodrigo Jimenez	Board Member

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, Cabrera, Jimenez,

A. Approving of the Minutes

A.1 Civil Service Board - Regular Meeting - March 23, 2021 9:00 AM

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

AYES: Sutton, Cabrera, Jimenez,

B. Personnel Matters

C. Military Leaves of Absence

C.1 Ramon de la Rosa Odio, Police Officer, requests Active Duty Military Leave without pay effective March 1, 2021 through March 31, 2021. Copy of Orders submitted.
(DISCUSSION)

The Board entered a motion to APPROVE the leave as requested, which 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, Cabrera, Jimenez

C.2 Roberto Luna, Firefighter, requests re-employment as a Firefighter following his return from Military Leave. Copy of memorandum from the Air Force indicating Honorable Discharge submitted. (DISCUSSION)

The Board entered a motion to APPROVE the return as requested, 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, Cabrera, Jimenez

D. Disciplinary Matters

D.1 Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Daniel Mogro, Police Officer, of a 10-hour forfeiture, effective March 29, 2021.
(NOTIFICATION)

E. General Items

F. Reports

F.1 Hearings Pending List as of April 6, 2021. (NOTIFICATION)

The Executive Secretary advised the Board the regular meeting of April 20, 2021 will have to be cancelled due to another meeting being scheduled the same day. Following discussion, the Board agreed to cancel the meeting, which 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, Cabrera, Jimenez

G. Requests for Hearings

G.1 Copy of a request for a Grievance hearing from Teri Guttman-Valdes, Attorney, on behalf of Maximiliano Valdes, Police Sergeant, pursuant Civil Service Rule 16.1- Investigation by The Board and 16.2- Complaint by Employee, in reference to a second examination for a Police Lieutenant hold on January 3 through 5, 2017. (DISCUSSION)

Teri Guttman-Valdes, Attorney, appeared before the Board on behalf of Maximiliano Valdes, Police Sergeant, requesting the Board to grant a hearing pursuant to Civil Service Rules 16.1 and 16.2. She went on to explain to the Board, the City allowed two individuals to take the same examination seven months after the examination date. Attorney Valdes indicated although federal laws may require an accommodation during the examination process, it is inherently unfair to allow individuals to take the examination seven months later.

Adanna Ferguson, Assistant City Attorney, advised the Board the individuals were accommodated pursuant to federal laws and asserted the City of Miami did not administrator the same examination to the individuals. She went on to explain, the register "died" and unfortunately the two individuals scored well enough to be promoted.

Following discussion, the Board agreed to GRANT the request for hearing, 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, Cabrera, Jimenez

H. Today's Hearings

H.1 Hearing on behalf of David Delgado, Maintenance Mechanic, pursuant to Civil Service Rule 16.1- Investigation by the Board as it relates to the alleged violation of Civil Service Rule 6.3- Contents of Examination, 6.5- Method of Rating, Civil Service Rules 14.2(k)- Incompetent, Negligent or Inefficient, and 14.2(l)- Careless or Negligent, concerning the examination process for 2019 Firefighter's examination process.

The Board received a Notice of Withdrawal from Osnat K. Rind, Attorney, on behalf of David Delgado, Maintenance Mechanic.

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

ADJOURNMENT:

There being no further business before the Board, a motion was entered to adjourn the meeting at 11:00 am, which 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, Cabrera, Jimenez

SIGNATURE: Troy Sutton, Chairperson

ATTEST: Tishria L. Mindingall, Executive Secretary