

**City of Miami**

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

**Meeting Minutes**

**Tuesday, April 19, 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:

<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
Travis Lindsey	Board Member	Absent

**Adoption of Agenda**

*Chair Sutton asked if there were any revisions to the Agenda. The Executive Secretary asked that an item be added as "G.3". A motion to adopt the agenda as amended 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, Cabrera, Garcia

**A. Approving of the Minutes**

**A.1** Civil Service Board - Regular Meeting - April 5, 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

**B. Personnel Matters**

**C. Military Leaves of Absence**

- C.1** Roberto Luna, Firefighter requests re-employment as a Firefighter, following his return from Active Duty Military Training Leave. Copy of a memorandum from the Air Force, indicating Honorable Discharge submitted. (NOTIFICATION)
- C.2** Jim Cadestin, Police Officer, requests Active Duty Military Leave without pay effective April 13, 2022 for a period of 171 days. Copy of Orders 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 Cabrera, that this matter be Approved, passed by the following vote:**

**AYES:** Sutton, Jimenez, Cabrera, Garcia

**D. Disciplinary Matters**

- D.1** Copy of a letter from Chief of Police Jorge R. Colina, Department of Police, notifying John Romero, Police Officer, of a 10-hour forfeiture, effective April 6, 2022. (NOTIFICATION)
- D.2** Copy of a letter from Chief of Police Art Acevedo, Department of Police, notifying Adrian Cabello, Police Officer, of a 20-hour suspension, effective April 10, 2022. (NOTIFICATION)
- D.3** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Christopher Pujadas, Police Officer, of a 40-hour suspension, effective May 8, 2022. (NOTIFICATION)
- D.4** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying

Christopher Pujadas, Police Officer, of an 80-hour suspension, effective June 12, 2022.  
(NOTIFICATION)

## E. General Items

**E.1** Copy of a Settlement Agreement between the City of Miami and Donald Lutton, Superintendent of Parks & Recreation, concerning his Appeal Hearing, relative to his 17-day suspension, effective September 21, 2021 (CSB#21-16D). (NOTIFICATION)

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

**E.2** Copy of a Settlement Agreement between the City of Miami and Mario Vuksanovic, Information and Referral Aide, concerning his Appeal Hearing, relative to his Termination, effective January 25, 2021 (CSB#22-04D). (NOTIFICATION)

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

## F. Reports

**F.1** Hearings Pending List as of April 19, 2022. (NOTIFICATION)

## G. Requests for Hearings

**G.1** Copy of a request from Michael Pizzi, Attorney, on behalf of Alfredo Matias, former Police Officer, concerning a Whistleblower Hearing pursuant to Florida Statute 112.3187, relative to his Termination, effective January 27, 2022. (DISCUSSION)

Michael Pizzi, Attorney, appeared before the Board on behalf of Alfredo Matias, former Police Officer and explained the reasoning behind his request. Attorney Pizzi advised the Board that as a result of his client participating in "whistleblowing" activities, his client was terminated.

The Executive Secretary advised the Board of a pending Appeal hearing scheduled for June 14, 2022, that was received some time ago from Attorney Michael Braverman, on behalf of Mr. Matias, and inquired as to whether Attorney Pizzi would provide representation for that matter as well. Attorney Pizzi responded that he would confer with Attorney Braverman and get back to the Office.

Stephanie Panoff, Assistant City Attorney, expressed no objection to the request and asked that the Whistleblower hearing be set on the same day as the Appeal hearing.

Attorney Pizzi expressed for efficiency purposes; he had no issues with the June 14<sup>th</sup> date.

Following discussion, the Board entered a motion to approve the request, 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

**G.2** 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 and 16.2 Whistleblower (Florida Statute 112.3187), concerning her Termination, effective February 25, 2022. (DISCUSSION)

Chair Sutton summoned the parties for the Request for Whistleblower hearing concerning Suzanne Hollander, former Director of DREAM. No one appeared on behalf of the employee. Following discussion, the Board entered a motion to withdraw the request for hearing from the agenda, which resulted as follows:

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

**AYES:** Sutton, Jimenez, Cabrera, Garcia

**G.3** Copy of a request for an Investigation hearing from Osnat K. Rind, Attorney, on behalf of Guillermo Guelle, Joel Rivero, Ryan Martinez, Luis Albo, Roberto Cardenas, Antonio Gonzalez, and Jorge Torres, pursuant to Civil Service Rule 16.1 - Investigation by the Board, regarding an Abuse of Power of Nelso Garcia, Superintendent of Property Maintenance in GSA, and 16.2 - Complaint by Employee, alleging violation of Civil Service Rule 17, and Rule 14.2 (d), (e), (h), (i), (k), (p) and (r). (DISCUSSION) **ITEM ADDITION**

Osnat K. Rind, Attorney, appeared before the Board on behalf of Guillermo Guelle, et al., requesting a hearing be granted pursuant to Civil Service Rule 16.1 - Investigation by the Board, and 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).

Attorney Rind advised the Board that (although the Board recently held a Rule 16 hearing regarding an Abuse of Power by Nelso Garcia) Mr. Garcia continues to act in a manner that violates the Civil Service Rules.

Stephanie Panoff, Assistant City Attorney, expressed no objection to a hearing.

Attorney Rind asked the Board to expedite the hearing, due to the severity of the allegations. Chair Sutton deferred scheduling to the Executive Secretary.

Following discussion, the Board made a motion to grant the request and schedule the hearing on May 17, 2022.

**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

## **H. TODAY'S HEARINGS**

**H.1** Appeal Hearings on behalf of Mario Gonzalez, former Police Officer, concerning his Termination, effective November 9, 2021 (CSB #21-21D - Reprimand #21-171 & CSB #21-22D - Reprimand #21-172).

Mario Gonzalez, former Police Officer, appeared before the Board and requested a continuance concerning his termination appeal hearing scheduled for today. Mr. Gonzalez came before the Board to request a continuance and provided reasons for the request.

ACA Panoff expressed no objection to the request and for record purposes she added that she intends on calling Mr. Gonzalez as a witness.

Following discussion, a motion to grant the continuance 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

## **ADJOURNMENT:**

There being no further business before the Board, a motion was entered to adjourn the meeting at 10:47 am, 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, Cabrera, Jimenez

**SIGNATURE: Troy Sutton, Chairperson**

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