

**City of Miami**

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

**Meeting Minutes**

**Tuesday, December 12, 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 10:30 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, Jr., seconded by Board Member Garcia, 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 - November 28, 2023 10:00 AM

**Motion by Board Member Jackson, Jr., seconded by Board Member Garcia, 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 Angela Roberts, Director, Human Resources Department, authorizing Luis Cabrera Jr., Heavy Equipment Mechanic, of his transfer from the Department of General Services Administration to the Fire Rescue Department, pursuant to Civil Service Rule 11, effective December 4, 2023. (NOTIFICATION)

**B.2** Copy of a memorandum from Chief Manuel A. Morales, Director, Department of Police, requesting an extension of probationary period of Clementina Muñoz-Ortega, Public Service Aide, for six (6) additional months beyond December 22, 2023. (DISCUSSION)

**ITEM ADDITION**

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

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

**B.3** Copy of a memorandum from Chief Manuel A. Morales, Director, Department of Police, requesting an extension of probationary period of Lazaro Carus, Public Service Aide, for

three (3) additional months beyond January 23, 2024. (DISCUSSION)

**ITEM ADDITION**

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

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

**B.4** Copy of a memorandum from Chief Manuel A. Morales, Director, Department of Police, requesting an extension of probationary period of Cindy Hierro, Public Service Aide, for three (3) additional months beyond January 23, 2024. (DISCUSSION)

**ITEM ADDITION**

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

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

**B.5** Copy of a memorandum from Chief Manuel A. Morales, Director, Department of Police, requesting an extension of probationary period of Lola Williams, Public Service Aide, for three (3) additional months beyond January 23, 2024. (DISCUSSION)

**ITEM ADDITION**

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

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

**C. Military Leaves of Absence**

**C.1** Alejandro Cuervo, Fire Lieutenant, requests Active Duty Military Leave extension from November 10, 2023 through January 18, 2024. Copy of Orders extending leave submitted. (DISCUSSION)

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

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

**C.2** Alfredo Soler, Assistant Supervisor of Payroll, requests Active Duty Military Leave without pay from February 10, 2024 through April 14, 2024. 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 Wade L. Sanders, Director, Department of Solid Waste, notifying Corey L. Taylor, Waste Collector Operator II, of an 8-hour forfeiture, effective November 20, 2023. (NOTIFICATION)

**D.2** Copy of a letter from Wade L. Sanders, Director, Department of Solid Waste, notifying Corey L. Taylor, Waste Collector Operator II, of a 3-day suspension, effective December 5, 2023. (NOTIFICATION)

**D.3** Copy of a letter from Chief of Police Manuel A. Morales, Department of Police, notifying Marche Curry, Police Officer, of a 10-hour suspension, effective December 8, 2023, and 10-hour forfeiture. (NOTIFICATION)

**E. General Items**

**E.1** Settlement Agreement between the City of Miami and Kemely Pierre, Financial Analyst I, concerning her Unsatisfactory Service Rating Hearing pursuant to Civil Service Rule 13.2

(CSB#23-17USR). (NOTIFICATION)

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

- E.2** Status update concerning the Appeal Hearing on behalf of Shane Tardieu, Police Officer, relative to his 10-hour suspension, effective December 10, 2022. (DISCUSSION)

Jazmine Preston-O'Neill, Assistant City Attorney, requested the Board to defer Items E.2 through E.5 to the meeting of January 9, 2024. ACA Preston O'Neill explained the agreements were forwarded to the department for signature, and once she receives the executive agreements, she will forward the copies to the Civil Service Board Office. Following discussion, Chair Sutton directed the Executive Secretary to carry Items E.2 through E.5 over to the next regular scheduled meeting on January 9, 2024.

- E.3** Status update concerning the Appeal Hearing on behalf of Luis G. Rodriguez, Police Sergeant, relative to his 40-hour suspension, effective January 8, 2023. (DISCUSSION)

Refer to Item E.2

- E.4** Status update concerning the Appeal Hearing on behalf of David Flanders, Police Officer, relative to his 40-hour suspension, effective May 22, 2022. (DISCUSSION)

Refer to Item E.2

- E.5** Status update concerning the Appeal Hearing on behalf of Ruben Lameira, Police Officer, relative to his 20-hour suspension, effective January 12, 2023. (DISCUSSION)

Refer to Item E.2

- E.6** Findings of Fact concerning the Grievance Hearing on behalf of Lizlinda Bremer, et. al. 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. (DISCUSSION)

Special Counsel Clyne advised that drafts were submitted to all parties and he did receive feedback. He went on to say, he took into consideration their responses and what is presented before the Board is a copy of the final document for approval. Chair Sutton asked if anyone had any objections or questions regarding the Findings of Fact and Recommendations as prepared by Special Counsel. Attorney Guttman-Valdes and Attorney Gibbons appeared via zoom. Attorney Guttman-Valdes advised her client's main objection is the remedy.

Member Jackson suggested the City Manager to "red-line" promotions and went on to explain the process; Member Cabrera agreed. Under discussion, Member Jackson asked for a status update as it relates to the public records request, he made in this matter. The Executive Secretary advised the Department of Human Resources is in the process of providing those documents and hopefully she will have them by the next meeting.

ACA Panoff appeared via zoom to express her concerns and get clarification from the Board.

Special Counsel Clyne went on to explain, the Board want the City to "right their wrong" if in fact a "wrong" occurred. Member Jackson opined the City need to get the raw scores, add seniority in accordance with the Civil Service Board Rules and veteran points.

Following discussion, Special Counsel Clyne proposed new language to be added to the Findings of Fact and Recommendations. The Board made a motion to APPROVE, which resulted as follows:

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

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

- E.7** Findings of Fact concerning the Grievance Hearing on behalf of Maximiliano Valdes, Raul Delgado & Robert Perez, 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. (DISCUSSION)

Refer to Item E.6

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

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

**E.8** Findings of Fact concerning the Appeal Hearing on behalf of Jermaine Douglas, Police Lieutenant, concerning his 20-hour suspension, effective January 28, 2023. (DISCUSSION)

Chair Sutton asked if anyone had any objections or questions regarding the Findings of Fact and Recommendations as prepared by Special Counsel Clyne. Hearing none, the Board entered a motion to APPROVE, 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, Jimenez, Cabrera, Garcia, Jackson, Jr.

**F. Reports**

**F.1** Hearings Pending List as of December 12, 2023. (NOTIFICATION)

**F.2** Civil Service Board Meetings 2024 Calendar. (DISCUSSION)

Chair Sutton asked Board Members to review the upcoming calendar and advised if any dates should be removed. Member Cabrera asked that the Board consider cancelling the meeting of December 24, 2024.

The Executive Secretary advised the Board of a courtesy request from the Hearing Board's Office. She went on and asked the Board to consider concluding the Civil Service Board meeting at 2 pm on January 9, 2024, to assist Historic Environment Preservation Board with a scheduling conflict. Following discussion, the Board made a motion to APPROVE, 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.

**G. Requests for Hearings**

**H. Today's Hearings**

**H.1** Appeal Hearing on behalf of Tashara Alleyne, Police Sergeant, concerning her 10-hour forfeiture, effective February 14, 2023.

Jazmine Preston-O'Neill, Assistant City Attorney, advised the Board of the department's decision to reduce the discipline to a reprimand only.

The Hearing of Appeal is considered withdrawn and removed from the Board's docket.

**H.2** Appeal Hearing on behalf of Tammy Capaz, Police Officer, concerning her 40-hour suspension, effective February 2, 2023.

Jazmine Preston-O'Neill, Assistant City Attorney, advised the Board of a potential conflict; therefore, she requested a continuance. Following discussion, the Board made a motion to APPROVE, 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.

**ADJOURNMENT:**

*There being no further business before the Board, a motion was entered to adjourn the meeting at 11:38 am, which resulted as follows:*

**Motion by Board Member Jackson, Jr., 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