

# City of Miami

3500 Pan American Drive  
Miami, FL 33133

www.miamigov.com

Meeting Minutes

Tuesday, May 14, 2019, 10:00 AM, Commission Chambers

Civil Service Board

Troy Sutton, Chairperson

Michael Dames, 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 10:04 am, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

Attendee Name	Title	Status
Troy Sutton	Chairperson	Present
Michael Dames	Chief Examiner	Present
Rafael Cabrera	Board Member	Present
Ulysses Garcia	Board Member	Present
Wilbur M. Jackson, Jr.	Board Member	Absent

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

**AYES:** Sutton, Dames, Cabrera, Garcia

### A. APPROVING OF THE MINUTES

**A.1** Civil Service Board - Regular Meeting - April 30, 2019

A motion was entered to approve the Minutes as presented, which resulted as follows:

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

**AYES:** Sutton, Dames, Cabrera, Garcia

### B. PERSONNEL MATTERS

**B.1** Copy of a memorandum from Angela Roberts, Director, Department of Human Resources, informing Eric Garrett, Financial Analyst II, to return to his former classification of Financial Analyst I, effective April 26, 2019. (NOTIFICATION)

### C. MILITARY LEAVES OF ABSENCE

**C.1** James Klein, Police Officer, requests Active Duty Military Leave, effective May 7, 2019 for a period of 122 days. Copies of Orders submitted. (DISCUSSION)

The Board entered a motion to approve the leave as requested, and thanked the employee for his service.

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

**AYES:** Sutton, Dames, Cabrera, Garcia

**C.2** Juan Ortega, Police Officer, requests a second extension of Active Duty, Military Leave

without pay effective March 29, 2019 for a period of 120 days. Records reflect his original approved request for Military Leave was from June 15, 2018 through September 30, 2018. (DISCUSSION)

The Board entered a motion to approve the additional leave as requested, and thanked the employee for his service.

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

AYES: Sutton, Dames, Cabrera, Garcia

## **D. DISCIPLINARY MATTERS**

**D.1** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Joseph Acuna, Police Officer, of a 10-hour forfeiture, effective April 26, 2019. (NOTIFICATION)

## **E. GENERAL ITEMS**

**E.1** Findings of Fact concerning the Whistleblower hearing on behalf of Steven Miro, concerning his Termination, effective June 14, 2018. (DISCUSSION) Deferred from the meeting of April 30, 2019.

Chair Sutton asked if there were any objections to the Findings of Fact as presented. Hearing no objections or corrections, a motion to APPROVE the Findings and Recommendations as presented, 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, Dames, Cabrera, Garcia

## **F. REPORTS**

**F.1** Hearings Pending List as of May 14, 2019. (NOTIFICATION)

## **G. REQUESTS FOR HEARINGS**

**G.1** Copy of a request from Richard Rodriguez, Fire Lieutenant, for a Grievance Hearing pursuant to Civil Service Rule 16.2- Complaint by Employee, alleging a hostile work environment, and a violation of Civil Service Rules 14.2 (r), (i), and (h), by Lieutenant Euraclio Pons. (DISCUSSION)

Richard Rodriguez, Fire Lieutenant, appeared before the Board and explained the basis of his request.

Questions were posed by Member Dames and Chair Sutton.

Responses were made by Lieutenant Rodriguez.

Following discussion, the Board considered a motion to GRANT the request for hearing, which resulted as follows:

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

AYES: Dames, Cabrera, Garcia

NAYS: Sutton

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

**H.1** Hearing on behalf of David Delgado, Maintenance Mechanic, relative to his Investigation hearing, concerning the examination process for 2019 Firefighter's examination process, alleging violation of Civil Service Rules 6.3 - Contents of Examination, and 6.5 - Method of Rating.

Chair Sutton called for the hearing. David Delgado, Maintenance Mechanic, appeared before the Board requesting a Continuance in this matter. He advised the Board that he is seeking legal counsel to represent him.

The department objected to the request, as witnesses were present.

Questions were posed by Member Dames and Member Cabrera.

Following discussion, the Board considered a motion to GRANT the employee's Continuance resulted as follows:

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

AYES: Sutton, Dames, Cabrera, Garcia

**H.2** Hearing of Appeal on behalf of David Pettigrew, Automotive Mechanic, concerning his 14-day suspension, effective August 14, 2018.

Adanna Ferguson, Assistant City Attorney, appeared before the Board and advised that there is a verbal agreement between the respective parties and they are in the process of executing the agreement. Osnat K. Rind, Attorney, on behalf of David Pettigrew, Automotive Mechanic, appeared before the Board and confirmed the parties reached an agreement.

Without objection, the Chair directed the Executive Secretary to carryover this matter to the next agenda.

**ADJOURNMENT:**

There being no further business before the Board, a motion was entered to adjourn the meeting at 10:37 am, 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, Dames, Cabrera, Garcia