

City of Miami

*3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes

Tuesday, October 16, 2018

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 10:03 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	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, Dames, Cabrera, Garcia, Jackson, Jr.

A. APPROVING OF THE MINUTES**A.1 Civil Service Board - Regular Meeting - October 2, 2018**

A motion was entered to approve the Minutes as presented, 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, Dames, Cabrera, Garcia, Jackson, Jr.

B. PERSONNEL MATTERS**C. MILITARY LEAVES OF ABSENCE****D. DISCIPLINARY MATTERS**

D.1 Copy of a letter from Emilio T. Gonzalez, City Manager, notifying Clinton C. Jean-Pierre, Waste Collector, of a termination, effective September 28, 2018 and a copy of a Request to Appeal. (NOTIFICATION)

E. GENERAL ITEMS

- E.1** Copy of a Request to Continue from Stephanie K. Panoff, Assistant City Attorney, concerning the appeal hearing of Kenya Crocker, Police Officer, regarding her 80-hour suspension, effective, January 16, 2018. (DISCUSSION) Hearing is scheduled for October 30, 2018.

Barbara Diaz, Assistant City Attorney (ACA) appeared before the Board and advised that Stephanie Panoff (ACA), will be handling this matter on behalf of the Department, as this will be her last meeting before the Board. She advised that both Kevin Jones (ACA) and Stephanie Panoff (ACA) will be handling matters before the Civil Service Board until a new ACA is appointed. She went on to say that the request is due to ACA Panoff being on trial the week of October 30, 2018. She further advised that Eugene Gibbons (Appellant's Attorney), expressed no objection to the request. Following discussion, a motion to grant the continuance 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, Dames, Cabrera, Garcia, Jackson, Jr.

- E.2** Copy of a Judgment from Emilio T. Gonzalez, City Manager, concerning the Investigation hearing on behalf of Omar Bayona, Recreation Coordinator. (NOTIFICATION)

- E.3** Civil Service Board Meeting Calendar 2018. (DISCUSSION)

The Executive Secretary advised that the item was before the Board due to upcoming holidays, and the possibility of Members being absent from these listed meetings. Chairman Sutton explained to the Board that there is a special Civil Service Board meeting on the calendar for December 18, 2018 and asked the members if there was any discussion as to whether to keep this date on the calendar, given the fact that the regular meeting date is December 11, 2018. The Executive Secretary advised the Board, the regular meeting is December 11, 2018; however, the following meeting would have been December 25, 2018. She explained, it is easier to cancel meetings in the Chambers than to ask for new ones so a special meeting was set for December 18, 2018. She further requested that they consider the other dates listed on her memo, which are regularly scheduled meeting dates that occur after a Monday holiday (2018-2019). Member Dames stated the Board has historically cancelled these dates, and asked if, though it is not on the memo, the members would consider cancelling the meeting after Veterans Day.

Following discussion, the Executive Secretary asked Board Members if they were okay with cancelling November 13, 2018 and keeping November 27, 2018 and all Board Members responded in the affirmative. Member Cabrera asked Board Members what their preference was as it relates to the December 18th meeting and all Board Members responded in the affirmative to cancel the special meeting.

Member Dames expressed his wishes to cancel January 22 and May 28, 2019. Member Garcia shared his wishes to cancel May 28 as well.

For the record and also that the Members were clear about the meeting dates, the Executive Secretary reiterated to the Board that November 13, 2018, December 18, 2018 and May 28, 2019 meetings were cancelled and November 27 and January 22 remain as is. She further advised the Board to take note of March 18 and 19 which are set for a 2-day hearing.

Following discussion, the Board entered a motion to revise the Calendar, which resulted as follows:

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

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

F. REPORTS

F.1 Pending Hearings as of October 16, 2018. (NOTIFICATION)

G. REQUESTS FOR HEARINGS

H. TODAY'S HEARINGS

H.1 Hearing on behalf of Edwin Gomez, Sergeant, relative to his Grievance hearing, concerning the examination process for Police Lieutenant, pursuant Civil Service Rules 16.1 - Investigation by the Board and 16.2 - Complaint by employee, alleging violation of Civil Service Rules 6.3 - Contents of Examination, 6.5 - Method of Rating, and 6.7 - Seniority.

Chair Sutton called for the hearing. Teri Guttman-Valdes, Attorney, appeared on behalf of Edwin Gomez et al., requesting a Continuance in this matter. She reminded the Board this matter was set for the last meeting; however, it was continued because she was waiting on additional documents from the Department of Human Resources. Since then, she has been in contact with both the Department and ACA Diaz in trying to resolve this issue. ACA Diaz expressed no objection to the request and further explained the public records request is extensive and majority of it has been produced. She advised the request pertains to two separate exams (2015 and 2017) and the format of one is different than the other and it will require a significant redaction due to the issue of the proprietary information contained within the exam. She concluded that it will be a cumbersome job to do and the cost of it was shared with Attorney Guttman-Valdes.

Following discussion, a motion to grant the continuance 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, Dames, Cabrera, Garcia, Jackson, Jr.

ADJOURNMENT:

There being no further business before the Board, a motion was entered to adjourn the meeting at 10:29 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, Cabrera, Garcia, Jackson, Jr.

NAYS: Dames

SIGNATURE: _____

Troy Sutton, Board Chairperson

ATTEST: _____

Tishria L. Mindingall, Executive Secretary

