

# **City of Miami**

*3500 Pan American Drive  
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## **Meeting Minutes**

**Tuesday, January 08, 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 10:11 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 Cabrera, seconded by Board Member Garcia, 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 - December 11, 2018 10:00 AM**

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

**B. PERSONNEL MATTERS**

**B.1** Request from Maria M. Chalgub, Project Manager, to be placed on the re-employment list for Project Manager, pursuant to Civil Service Rule 12, Sec. 12.4, Resignations, and a copy of the Department Director's endorsement attached. (DISCUSSION)

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

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

### **C. MILITARY LEAVES OF ABSENCE**

- C.1** Jorge Alvarez Sanchez, Police Officer, requests Military Leave without pay from January 27, 2019 through September 30, 2019. Copy 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 Cabrera, that this matter be Approved, passed by the following vote:**

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

- C.2** Carlos F. Padron, Police Sergeant, requests Military Leave without pay from January 27, 2019 through September 30, 2019. Copy 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 Cabrera, that this matter be Approved, passed by the following vote:**

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

- C.3** Michael Rivera, Police Officer, requests extension of Active Duty Military Leave without pay effective February 17, 2019 for a period of 400 days. Records reflect his previous approved request for Military Leave was from October 29, 2018 through April 26, 2019. (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 Cabrera, 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 Emilio T. Gonzalez, City Manager, notifying Asley Planas, Police Officer, of a Termination, effective December 20, 2018. (NOTIFICATION)

- D.2** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Henry Ortega, Police Officer, of a 120-hour suspension, effective December 25, 2018. (NOTIFICATION)
- D.3** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Sonia Fernandez, Police Officer, of a 120-hour suspension, effective December 24, 2018. (NOTIFICATION)
- D.4** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Vamarsha Ellington, Police Officer, of a 10-hour forfeiture, effective December 21, 2018. (NOTIFICATION)
- D.5** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Zulema Melancon, Police Sergeant, of a 10-hour suspension, effective December 15, 2018. (NOTIFICATION)
- D.6** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Roman Rodriguez, Police Officer of a 40-hour suspension, effective December 20, 2018. (NOTIFICATION)

## **E. GENERAL ITEMS**

- E.1** Notice of Withdrawal from Robert Williams, Superintendent of Solid Waste Operations concerning his Appeal hearing relative to a 15-day suspension, effective September 5, 2018. (NOTIFICATION) Case will be considered withdrawn and removed from the Board's docket.
- E.2** Notice of Withdrawal from Libby H. Navarrete, Attorney, on behalf of Scarlet Morua, Code Compliance Inspector, concerning an Investigation hearing, pursuant to Civil Service Rule 16.1 - Investigation by the Board, which was granted by the Board at its June 26, 2018 meeting. (NOTIFICATION) Case will be considered withdrawn and removed from the Board's docket.
- E.3** Copy of an Agreement between the City of Miami and Nestor Amores, Police Officer, concerning his 10-hour suspension (CSB# 18-07D), effective April 8, 2018. (NOTIFICATION) Hearing of Appeal will be closed and removed from the Board's docket.

- E.4** Copy of a Request to Continue from Charles Mays, Attorney, concerning the Appeal hearing of Xiao-Wen Michelle Choi, Principal Staff Analyst, concerning her demotion, effective November 14, 2017. (DISCUSSION) Hearing is scheduled for today.

The Executive Secretary advised the Board that the office had received a notice of a request for a continuance from Charles Mays, Attorney, on behalf of Xiao-Wen Michelle Choi, Principal Staff Analyst, and there was no objection from the Department. Adonna Ferguson, Assistant City Attorney, appeared before the Board and confirmed that the department had no objection to the continuance request. Questions were posed by Member Dames and responded to by the Executive Secretary. Following discussion, a motion to grant the continuance resulted as follows:

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

<b>AYES:</b>	Sutton, Dames, Cabrera, Garcia
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- E.5** Civil Service Board Meeting Calendar 2019. (DISCUSSION)

Member Dames expressed his wishes to cancel the meeting of January 22, 2019, following Martin Luther King Holiday due to the Board previously having issues with witnesses being available after holidays. He further explained in the past, employees either were on vacation or had to work and were unavailable. Member Cabrera asked if any hearings were scheduled for that day, and if so will it be continued to the following meeting. The Executive Secretary responded in the affirmative and advised that she would be rescheduling the hearing already scheduled for January 22, 2019, but not to the next meeting. She went on to say that the Board's next meeting is scheduled on February 5, 2019, and that a hearing is currently scheduled.

Following discussion, the Board entered a motion to cancel the meeting of January 22, 2019, which resulted as follows:

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

<b>AYES:</b>	Sutton, Dames, Cabrera, Garcia
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Following the motion, the Executive Secretary reminded the Board of the Special Meeting set for March 18, 2019 beginning at 9am and the Regular Meeting of March 19, 2019 to begin at 9am as well.

## **F. REPORTS**

### **F.1 The 2017-2018 Annual Board Report to the City Commission. (DISCUSSION)**

The Board asked questions concerning the budget portion of the Report, to which the Executive Secretary responded. Following discussion, the Board entered a motion to APPROVE the 2018 Annual Report, which resulted as follows:

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

<b>AYES:</b>	Sutton, Dames, Cabrera, Garcia
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### **F.2 Pending Hearings List as of January 8, 2019. (NOTIFICATION)**

## **G. REQUESTS FOR HEARINGS**

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

### **H.1 Hearing of Appeal on behalf of Xiao-Wen Michelle Choi, Principal Staff Analyst concerning her demotion, effective November 14, 2017.**

The Hearing was Continued at today's meeting, and will be rescheduled.

## **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:

**SIGNATURE:** \_\_\_\_\_  
**Troy Sutton, Board Chairperson**

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