



COUNCIL MEETING AGENDA (SPECIAL)

Monday July 3rd, 2017

2:00 p.m.

City Hall Belize City Council

Members to be attending

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| 1. Mr. Darrell Bradley | Mayor |
| 2. Mr. Dean Samuels | Deputy |
| 3. Mrs. Alifa Elrington | Councilor |
| 4. Dr. Alain Gonzalez | Councilor |
| 5. Mrs. Hyacinth Latchman Cuellar | Councilor |
| 6. Mr. Kevin Singh | Councilor |
| 7. Mr. Michael Theus | Councilor |
| 8. Mr. Dion Leslie | Councilor |
| 9. Mr. Philip Willoughby | Councilor |
| 10. Mr. Bernard Pitts | Councilor |
| 11. Mr. Jason Edwards | Councilor |
12. Candice Miller, City Administrator
13. Lesbeth Butler, Administrative Officer

Persons to be attending by invitation

1. Mrs. Marilyn Ordonez, Director of Finance
2. Mr. Elvis Lopez – Manager Special Constable
3. Ms. Alisha Domingo – Special Constable
4. Mr. Rodriguez – Special Constable
5. Ms. Shakira Gladden – Special Constable
6. Mr. Jermaine Hyde – Court Manager
7. Mr. Wayne Samuels – Prosecutor
8. Union Representation for Alisha Domingo
9. Lawyer for Elvis Lopez

Agenda Items

1. Prayer
2. Hearing – Elvis Lopez
3. Request for leave to move adjournment of Council on matters of urgent public notice
4. Motions relating to Council business or sitting
5. Adjournment
6. Setting the date for the next Council meeting



**MINUTES OF ORDINARY CLOSED COUNCIL MEETING (Special)
Monday July 3rd, 2017
Belize City Hall**

Present:

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| 1. Mr. Darrell Bradley | Mayor |
| 2. Mr. Dean Samuels | Deputy Mayor (2:43 p.m.) |
| 3. Mr. Phillip Willoughby | Councilor (2:36 p.m.) |
| 4. Mr. Bernard Pitts | Councilor (2:28 p.m.) |
| 5. Mr. Kevin Singh | Councilor |
| 6. Mr. Michael Theus | Councilor |
| 7. Ms. Alifa Elrington | Councilor |
| 8. Mr. Jason Edwards | Councilor |
| 9. Mr. Dion Leslie | Councilor |
| 10. Mrs. Hyacinth Latchman-Cuellar | Councilor |
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| 1. Ms. Candice Miller | City Administrator |
| 2. Mrs. Lesbeth Butler | Manager Office of the Mayor |

Present by invitation:

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| 1. Mr. Floyd Neal | CWU General Secretary |
| 2. Mr. Elvis Lopez | Manager Special Constable |
| 3. Ms. Alisha Domingo | Special Constable |
| 4. Ms. Shakira Gladden | Special Constable |
| 5. Mr. Rafael Rodriguez | Special Constable |
| 6. Mr. Jermaine Hyde | Court Manager |
| 7. Mr. Wayne Samuels | Prosecutor |

Absent:

- | | |
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| 1. Mr. Alain Gonzalez | Councilor |
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The meeting was called to order at 2:23 p.m.

1. Being a special meeting the minutes of the last meeting was not reviewed.
2. The Mayor welcomed everyone to the meeting. He then stated that the meeting was being conducted due to the hearing of a complaint made against Mr. Elvis Lopez, Manager Special Constable, which was postponed on Tuesday June 27th, 2017.

3. The Mayor said that first Ms. Alisha Domingo would state what she wanted to say. Then Mr. Lopez would be allowed to ask her questions. Thereafter, the Councilors would be allowed to ask question(s) or seek clarification(s).
4. The Mayor asked Mr. Lopez about his attorney. Mr. Lopez informed that his attorney had a prior commitment, therefore he could not attend the hearing.
5. The Mayor then asked Ms. Domingo to proceed.
6. Ms. Domingo stated that on Friday May 19th, 2017 she was assigned to work for CUF at the Radisson. After the cocktail at the Radisson she was detailed to accompany some of the delegates to the Pickwick. Upon reaching the Pickwick she went to the back to be out of the way as the area was crowded. Mr. Lopez went and stood behind her. She was standing and Mr. Lopez was sitting. After some time she felt someone behind her, who put their hands on her waist. She realized it was Mr. Lopez. He asked her to dance with him and she told her she couldn't because she was on duty and had on her uniform. She stated that she felt uncomfortable and excused herself and went to the bathroom.

Councilor Willoughby arrived at 2:28 p.m.

7. Ms. Domingo stated that she believed the incident was planned since before leaving the Radisson Mr. Lopez told her that if he got drunk that night he wanted Ms. Domingo to take him home.
8. The Mayor asked Mr. Lopez if he had any questions.
9. Mr. Lopez asked Ms. Domingo about how many people was present in the immediate area. She said 5 to 6 persons but he was the only one behind her.
10. Mr. Lopez asked her if she remembered anyone else and she said Mr. Samuels, Mr. Hyde, Mr. Linarez, Mr. Rodriguez, Mr. Alvarez, Ms. Gladden and Ms. McDonald.
11. The Mayor asked Ms. Dominguez approximately how long was the incident.
12. She said that it lasted about 10 minutes.
13. The Mayor asked what happened during this 10 minutes.
14. Ms. Domingo said that Mr. Lopez was insistent for a dance.
15. The Mayor asked for additional detail(s) on what happened during this 10 minutes.
16. Councilor Willoughby asked Ms. Domingo whether she had ever flirted with Mr. Lopez or if Mr. Lopez ever flirted with her.
17. Ms. Domingo stated that this was the first time.
18. Councilor Leslie asked Ms. Domingo what she did after the incident.
19. Ms. Domingo said the she informed Ms. Shakira Gladden and Mr. Rodriguez about the incident. This happened after midnight.
20. Ms. Miller asked Ms. Domingo what she reported to Ms. Gladden. Ms. Domingo said she asked her if she saw what happened and Ms. Gladden said yes.

Councilor Pitts arrived at 2:36 p.m.

Ms. Shakira Gladden invited to the hearing

21. Ms. Gladden was asked to give her recollection of what happened. She said that Mr. Rodriguez, Ms. Domingo, Ms. Janet Lopez and herself was to work that night, however Mr. Lopez told her to have Ms. Janet stand down. She said that around midnight she saw Mr. Lopez standing behind Ms. Domingo and she pointed this out to Mr. Rodriguez. Ms.

Gladden said that Mr. Lopez told her to do a patrol and check on Ms. Miller, which she found strange as Ms. Miller was in eye contact.

22. The Mayor asked Ms. Gladden in what condition was Ms. Domingo. She said that Ms. Domingo was nervous.

Deputy Mayor Samuels arrive 2:43 p.m.

23. Councilor Leslie asked if there was any tension between Ms. Gladden and Mr. Lopez.
24. Mr. Lopez said that 2 weeks prior to this incident he had a discussion with Ms. Gladden about her performance and her ticket book among other things. He told her that she needed to do more documentation.
25. Ms. Gladden said that Mr. Lopez spoke about her officers not working their tickets and not about her performance.
26. The Mayor asked if there was any other similar incidents with Mr. Lopez. He was informed that there wasn't any other incidents.
27. Councilor Pitts asked how far away was Ms. Miller. Ms. Gladden said about 20 feet or a little more.
28. Councilor Pitts asked what was the distance between Mr. Lopez and Ms. Domingo. Ms. Gladden said very close.
29. Deputy Mayor Samuels asked Ms. Gladden what was her relationship with Mr. Lopez. She replied work related.
30. Deputy Mayor asked Ms. Gladden if she had ever been written up and she said yes for tickets but there was no tension between them.

Ms. Gladden left at 2:50 p.m. then Mr. Rodriguez, 2nd witness for Ms. Domingo was called to the meeting.

31. The Mayor asked Mr. Rodriguez to share his recollection of what happened the night of the incident.
32. Mr. Rodriguez started off by stating that he did not want to be victimized for what he was about to say. He was assured that he would in no way be victimized.
33. Mr. Rodriguez stated that he did not remember the exact date that the incident occurred, however he was the officer in charge. He said that after the event at the Radisson they went to Pickwick. He instructed Ms. Domingo to stay at the bar area while he and Ms. Gladden went to the poolside area. He said Mr. Lopez instructed him and Ms. Gladden to take a walk and check on Ms. Miller. Mr. Rodriguez stated that Ms. Gladden questioned Mr. Lopez instruction. Mr. Rodriguez said that Ms. Domingo came up to him and told him that she wanted to go home. However, he didn't have any authority to send her home so he told her to go by the bathroom area until she was ready to talk to him. He said that he then asked Ms. Gladden to speak with Ms. Domingo. The Mayor asked Mr. Rodriguez what he saw and he stated that he saw Mr. Lopez "grinding" behind Ms. Domingo. Mr. Rodriguez said that he was called about 4:55 p.m. by HR the day before the DC hearing and that was when he started to write his report.
34. Mr. Lopez asked Mr. Rodriguez if while typing his report he had another report opened and closed it when he saw Mr. Lopez. Mr. Rodriguez denied this. He questioned how would he have had time to cut and paste with the little time he had to do the report.

35. The Mayor asked how long after the incident was he asked to attend the hearing. Mr. Rodriguez said that he couldn't recall.
36. Mr. Lopez stated that Mr. Rodriguez testimony today differs from the report he provided for the DC hearing.
37. Mr. Rodriguez stated that he wasn't sure if Mr. Lopez was on duty that night.
38. The Mayor asked who gave him the instructions to go to Pickwick. Mr. Rodriguez told him that Ms. Gladden instructed him.
39. Councilor Singh asked Mr. Lopez if as the Manager of Special Constable whether he was aware of how he should behave. Mr. Lopez said that he was aware of how he was to conduct himself.
40. Ms. Domingo stated that she never typed her report at work as Mr. Rodriguez did his.
41. Councilor Elrington asked Mr. Rodriguez if he ever had a conflict with Mr. Lopez. He responded no. She asked him what was his relationship with Ms. Domingo and he said work related.
42. Deputy Mayor Samuels asked Mr. Rodriguez how long he believed the dancing by Mr. Lopez took place. He said about 5 minutes. Deputy Mayor asked him how it looked to him and he said it looked abnormal as it was the first time he witness Mr. Lopez behaving that way.
43. The Mayor asked if when Mr. Rodriguez saw the incident if both Mr. Lopez and Ms. Domingo were dancing. Mr. Rodriguez said that he saw Mr. Lopez grinding behind Ms. Domingo.
44. The Mayor asked what was Ms. Domingo doing when Mr. Lopez was dancing behind her. Mr. Rodriguez said that she was looking at him.
45. Councilor Pitts asked for some clarification on what Mr. Rodriguez meant by grinding and if he saw physical contact. Mr. Rodriguez said that there was physical contact.
46. Councilor Pitts asked if he had any report in front of him when he was writing his report. Mr. Rodriguez said that he did not have any report in front of him.
47. Councilor Edwards asked Mr. Rodriguez why he didn't write a report immediately after the incident since he was her supervisor. Mr. Rodriguez said that he wasn't aware of the process.
48. Mr. Neal asked how situations such as sexual harassment are dealt with by the Council. The Mayor said that there was a process to deal with these complaints.
49. Mr. Lopez was asked to present his case. He stated that on Friday May 19th, 2017 after conducting duties at CUF he went to Pickwick and was socializing along with Mr. Wayne Samuels and Mr. Linarez. Officers Rodriguez, and Gladden were assigned to the command center. He said that before leaving the Radisson he jokingly told Ms. Domingo that if he got drunk that night he wanted her to take him home. Mr. Lopez said that the Pickwick was very crowded that night causing everyone to be in close proximity of each other. He stated that he found the accusations being made against him to be malicious and he believed that there is a power struggle between officers in the department.
50. The Mayor asked Mr. Lopez if he was high. Elvis said that he took a few drinks but he was not drunk. He stated that being a diabetic he would pass out if he took too many drinks.
51. Councilor Leslie asked Mr. Lopez if he thought his staff had anything against him and he said he believed so as he had been applying a lot of strict measures.
52. The Mayor asked Mr. Lopez if he danced behind Ms. Domingo and he replied yes.
53. The Mayor asked if Ms. Domingo was dancing and he replied no.
54. The Mayor asked if Ms. Domingo told him "no, you are high". Mr. Lopez said no she did not.

55. The Mayor asked how close he was to Ms. Domingo and he said close. He said he was behind her for about 2 to 3 minutes. He said he had a cup in his hand but at no point was he touching her.
56. Councilor Singh asked Mr. Lopez if he knew his role and duty as the Manager of Special Constable. Mr. Lopez said yes.
57. Councilor Elrington asked why he was dancing behind his subordinate. Mr. Lopez did not respond.
58. Councilor Elrington stated that as per the MSR Special Constable is guided by certain regulations. She asked why Mr. Lopez told Ms. Gladden to keep an eye on Ms. Miller if he was off duty. Mr. Lopez said that he did it out of respect as Ms. Miller is a senior officer and would have extended that courtesy to any of the Councilors if they were there.
59. Councilor Elrington asked if he expected Ms. Gladden to follow his instructions. Mr. Lopez said yes.
60. The Mayor asked Mr. Lopez how close he was behind Ms. Domingo and he said hand distance. The Mayor asked if he saw when Ms. Domingo left. Mr. Lopez said that he was the one who left.
61. Deputy Mayor Samuels asked Mr. Lopez when did he become aware of the allegations. Mr. Lopez said he became aware of the allegations about the Wednesday which was 5 days later. He was informed by Ms. Rudon.
62. Deputy Mayor asked Mr. Lopez if he believed he did anything wrong that night and Mr. Lopez said he did not think he did anything wrong.
63. Mr. Neal stated that as the Manager of Special Constable, Mr. Lopez should be conscious of the code of ethics. He said that he had a concern with the amount of drinks Mr. Lopez took and questioned if he could be considered as drunk or high.
64. Councilor Elrington stated that Council cannot determine if Mr. Elvis was drunk.

Mr. Jermaine Hyde witness for Mr. Lopez was called to the Meeting at 3:30 p.m.

65. The Mayor asked Mr. Hyde to tell Council what he factually knew about the incident.
66. Mr. Hyde said that Pickwick was crowded that night. He and Mr. Linarez were by the poolside closer to the hotel.
67. Councilor Elrington asked Mr. Hyde if he saw Ms. Domingo say anything to Mr. Lopez and he said he did not. She asked how long did he see Mr. Lopez behind Ms. Domingo and he said about 2 to 3 minutes.
68. Councilor Willoughby asked Mr. Hyde if he remembered what Mr. Lopez was wearing and he said a long pants and plaid shirt.
69. Deputy Mayor Samuels asked what kind of music was playing. Mr. Hyde said Soca music.
70. The Mayor asked how far was he from Mr. Lopez and Mr. Hyde replied about 5 to 6 feet away.
71. Councilor Elrington asked Mr. Hyde if he saw Mr. Lopez talking to any of the other special constables. Mr. Hyde said he only saw him talking to Mr. Linarez.
72. Councilor Elrington asked Mr. Hyde when did he become aware of the allegations against Mr. Lopez and he said he believed it was the Monday afternoon following the incident.
73. Deputy Mayor asked if the entire delegation went to Sit 'n' Sip after leaving Pickwick. Mr. Lopez said no.
74. Councilor Elrington asked Mr. Hyde if he saw anything out of the ordinary. He said no.

75. Ms. Domingo asked Mr. Hyde if he saw anyone behind her and he said yes.

Mr. Wayne Samuels 2nd witness for Mr. Lopez was called to the meeting at 3:34 p.m.

76. The Mayor explained to Mr. Samuels the reason he was called to the hearing and asked him to state what he saw on the night of the incident. Mr. Samuels said that the place was crowded and he did not see Elvis dancing with anyone.

77. The Mayor asked Mr. Samuels if he could say how many drinks Mr. Lopez had. Mr. Samuels stated the he got him a couple drinks but he didn't believe he was intoxicated.

Mr. Linarez 3rd witness for Mr. Lopez was called to the meeting at 4:00 p.m.

78. The Mayor explained to Mr. Linarez the reason he was called to the hearing. He asked Mr. Linarez if he saw Mr. Lopez behind Ms. Domingo and he said no.

79. The Mayor asked Mr. Linarez when he became aware of the allegations against Mr. Lopez. Mr. Linarez said he was aware of it the Monday following the incident. He was not aware of anything that night.

Mr. Linarez was dismissed at 4:03 p.m.

80. The Mayor asked Mr. Lopez if he wanted to say anything. Mr. Lopez said that he has spent a lot of time speculating on the intent of the allegations and that he has never been involved in anything like this before.

81. The Mayor asked Mr. Lopez about the incident with Ms. Gladden that he mentioned earlier. Mr. Lopez stated that was about her performance.

82. The Mayor asked Mr. Lopez if since becoming manager if he has had any issue with Ms. Domingo. Mr. Lopez said no.

83. The Mayor asked how long was Mr. Lopez a manager. Councilor Elrington said since December 2016 but he was holding over since June 2016.

84. The Mayor asked Ms. Domingo if she wanted to say anything. She told Mr. Lopez that he stated that he was wondering why she was making the allegations against him. However, she had nothing to gain by making the allegations.

Mr. Neal, Mr. Lopez and Ms. Domingo were dismissed at 4:06 p.m.

85. The Mayor asked that Council deliberate on the evidence presented in order to make a determination.

86. Deputy Mayor Samuels stated that based on the information he questioned if Ms. Domingo felt that violated why she didn't react immediately.

87. The Mayor said that he believed something did happened.

88. Deputy Mayor said that he believed something did happen as Mr. Lopez went and danced behind Ms. Domingo, however, he did not believe it warranted a dismissal.

89. Councilor Theus stated that he believed Mr. Lopez did gyrate behind Ms. Domingo.

90. Councilor Elrington said that she believed that Mr. Lopez acted inappropriately with Ms. Domingo.

91. The Mayor stated that the 2 witnesses brought by Mr. Lopez really didn't do anything for him.
92. Councilor Elrington stated she wanted to see Mr. Lopez defend his actions. His defense was questioning what Ms. Domingo and others had against him.
93. The Mayor stated that in his view there was no way Mr. Lopez would be behind Ms. Domingo for that length of time and she didn't say anything to him.
94. Deputy Mayor questioned why Ms. Domingo did not react. Councilor Cuellar said that from experience she knows that sometimes in these situations there is a delayed effect.
95. Councilor Pitts stated that these kind of incidents against women is becoming too prevalent. He said that what compounded the issue is that Mr. Lopez is a manager. He said that this is a serious allegation and the Council needs to make an appropriate decision. He stated that he can't determine if Mr. Lopez actually touched Ms. Domingo, however, he knew that Mr. Lopez was dancing behind her.
96. Councilor Edwards stated that he believed Mr. Lopez knew what he was doing and a strict course of action needed to be taken.
97. Councilor Singh said that Mr. Lopez needed to act in same manner he was demanding from Ms. Domingo.
98. Councilor Willoughby said the entire Council body is waiting to see what will be the outcome of this hearing and Council needs to be mindful of its decision.
99. Councilor Pitts stated that Council cannot decide who said what or determine whether Mr. Lopez indeed had an erection. That is Ms. Domingo's word against Mr. Lopez.
100. The Mayor reiterated that he could not believe that Mr. Lopez danced behind Ms. Domingo for 2 to 3 minutes and she did not say anything.
101. The Mayor stated that since Council has expressed their views and summarized the information presented they needed to decide what action they believed was appropriate.
102. The Mayor asked each Councilor for their vote:

DEMOTION

Councilor Edwards
 Councilor Willoughby
 Councilor Cuellar

2 WEEKS SUSPENSION

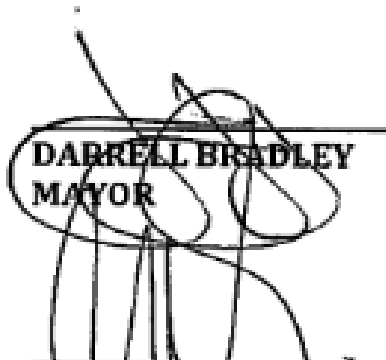
Councilor Pitts
 Deputy Mayor Samuels


TERMINATION

Councilor Elrington
 Councilor Theus
 Councilor Leslie
 Councilor Singh
 Mayor Bradley

103. The Mayor discussed with Council the contract for Mr. Carlton Young, independent contractor for the Commercial Center renovation. He asked Mrs. Butler to share the contract with Councilors for them to review for sign off.
104. Councilor Theus and Councilor Elrington both expressed that the original amount for the renovations was \$2.7M and not \$3.4M. The Mayor asked that they review the old and new bill of quantities.
105. The Mayor shared the new Trade Reform table.
106. Ms. Miller expressed her view on the Trade Reform. She said that looking at the trade roll trade the fees for many businesses will go up 100%. She said that Council needed to be mindful that bills go out in December 2017 and shared that election is March 2018.

107. The Mayor stated that the legislation has already been passed. He said that the new format provides for a fixed amount. He said that many businesses were not paying the true rental value.
108. The Mayor asked that the next Caucus be set for Thursday July 6th, 2017 and that the items for discussion be: bill of quantities for the Commercial Center, the contract for Carlton Young and the new Trade License.
109. The Mayor moved for a motion to adjourn the meeting. Councilor Cuellar motioned that the meeting be adjourned Councilor Singh 2nd the motion. All Councilors present voted in favor of adjourning the meeting.
110. The meeting was adjourned at 4:50 p.m.


DARRELL BRADLEY
MAYOR


CANDICE MILLER
CITY ADMINISTRATOR