



**COUNCIL MEETING AGENDA (SPECIAL)**

Tuesday June 27<sup>th</sup>, 2017

2:00 p.m.

City Hall Belize City Council

**Members to be attending**

- |                                   |           |
|-----------------------------------|-----------|
| 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

**Agenda Items**

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



**MINUTES OF ORDINARY CLOSED COUNCIL MEETING (Special)**  
**Tuesday June 27<sup>th</sup>, 2017**  
**Belize City Hall**

**Present:**

- |                                    |                          |
|------------------------------------|--------------------------|
| 1. Mr. Darrell Bradley             | Mayor                    |
| 2. Mr. Dean Samuels                | Deputy Mayor (2:25 p.m.) |
| 3. Mr. Phillip Willoughby          | Councilor (2:55 p.m.)    |
| 4. Mr. Bernard Pitts               | Councilor (2:25 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                |
- 
- |                        |                             |
|------------------------|-----------------------------|
| 1. Ms. Candice Miller  | City Administrator          |
| 2. Mrs. Lesbeth Butler | Manager Office of the Mayor |

**Present by invitation:**

- |                         |                           |
|-------------------------|---------------------------|
| 1. Mrs. Marilyn Ordonez | Director Finance          |
| 2. Mr. Floyd Neal       | CWU General Secretary     |
| 3. Mr. Elvis Lopez      | Manager Special Constable |
| 4. Ms. Alisha Domingo   | Special Constable         |

**Absent:**

- |                       |           |
|-----------------------|-----------|
| 1. Mr. Alain Gonzalez | Councilor |
|-----------------------|-----------|

The meeting was called to order at 2:22 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 as per the Municipal Service Regulation (MSR) any allegations or acts of misconduct made against the City Administrator, a Director or a manager must come before the Council. The Mayor then read section 63.2 of the MSR which states "any act of misconduct, whether minor or major, or any contravention of these regulations involving the City or Town Administrator, a Director or Manager shall be dealt with by the Council".

3. The Mayor stated that Mr. Lopez sent an email to the Council informing that he has contracted a lawyer and he had a right to do so. He stated that this being a hearing he was inclined to adjourn to a later date to give Mr. Lopez the opportunity to have his lawyer present.
4. Mr. Neal commented that he likewise believes it was fair to give Mr. Lopez the opportunity to have his legal person present. He said that he would have appreciated if his union member was given the same opportunity if the union representative was not available.
5. The Mayor said that he was especially inclined to adjourn the hearing to another date in order to give enough time since the matter was just recently discussed at Caucus on Friday June 23<sup>rd</sup>, 2017 and Mr. Lopez was not notified until Monday June 26<sup>th</sup>, 2017.
6. The Mayor asked Mr. Lopez whether he would like his lawyer present and Mr. Lopez responded that yes he would.
7. The Mayor said that he was willing to give Mr. Lopez not more than 7 days adjournment.
8. Councilor Elrington questioned whether it should be 3 days extension due to the time factor.
9. The Mayor said that he would take into consideration the weekend. He stated that the only reason he would postponed is because the complaint was a serious matter.
10. The Mayor said that this is the first time a complaint against a manager was being made since the implementation of the MSR. He stated that at the conclusion of the hearing a decision will be made.
11. Mr. Neal asked if there was any new material after the Disciplinary Committee (DC) hearing and was informed that there was no new material.
12. Mr. Lopez asked if he could get a copy of the minutes.
13. The Mayor asked Mrs. Butler to give Mr. Lopez a copy of the minutes.
14. Mr. Lopez was given a copy of the minutes for the DC hearing done June 23<sup>rd</sup>, 2017.
15. It was clarified that in the case of a staff DC makes a decision while in the case of a manager the hearing and decision shall lie with Council.
16. Councilor Elrington asked if Mr. Neal, Mr. Lopez and Ms. Domingo could be excused for a short while as she had some questions for Council.

Mr. Neal, Mr. Lopez and Ms. Domingo was excuse at 2:37 p.m.

17. Councilor Elrington raised the below concerns:
  - a. Being that Mr. Lopez has a lawyer will this meeting be a court hearing and does this makes everything previously presented be null and void? The Mayor stated that the Council will look at this as a fresh start but that does not want that an act by the Council be null and void.
  - b. She questioned the time frame factor as this incident happened from May 2017.
  - c. She questioned what the attorney would have asked if he had written the Council. The Mayor said that he believed Mr. Lopez's attorney would have written to inform that he was retained to represent Mr. Lopez and ask for some time.
18. The Mayor stated that the Council does need to give Mr. Lopez the opportunity to have his lawyer present.
19. Councilor Elrington questioned whether the portion of the minutes with the deliberation should be shared. This was discussed and the Mayor agreed that both Mr. Neal and Mr. Lopez should be given copies of the minutes without the deliberation section.

20. The Mayor requested that the minutes be taken back from Mr. Lopez as the copy given to him included the deliberation. Councilor Pitts went and retrieved the minutes from Mr. Lopez.

Mr. Neal, Mr. Lopez and Ms. Domingo was called back to the meeting 2:42 p.m.

21. The Mayor informed that the hearing will be adjourned until Monday July 3<sup>rd</sup>, 2017 at 2:00 p.m. He said that the reason it was being adjourned was because Council received a correspondence from Mr. Lopez that he has an attorney and an adjournment will be given to have his attorney present.
22. The Mayor inquired who the attorney for Mr. Lopez was and Mr. Lopez said that Mr. Brian Neal was his attorney.
23. Mr. Lopez questioned why was the minutes taken from him.
24. Mr. Neal also requested a copy of the minutes.
25. The Mayor stated that a copy of the minutes without the deliberation will be emailed to both Mr. Lopez and Mr. Neal by the end of the day.
26. The Mayor stated that the same format used for the DC will be used to make a determination and no other adjournment will be given.
27. Councilor Elrington asked what will be the format for the hearing as she did not believe that any cross examination should be entertained.
28. The Mayor stated that this is not a court of law and that a determination will be made based on the complaint made.

Mr. Neal, Mr. Lopez and Ms. Domingo was dismissed from at 2:50 p.m.

**Mayor Darrell Bradley**

### **MAYOR MATTERS**


29. The Mayor informed that he and Mrs. Ordonez will meet with the I.E. to discuss the Commercial Center. He said that the bank has requested that an independent engineer be hired to oversee the renovation. The Council is looking at Mr. Carlton Young from Young Engineer Consulting Ltd. to be the overseer.
30. Ms. Miller asked that Council review the minutes for the interview held for the IT Manager post and make a decision. She said that from the interview Mr. Jose Rivera was selected to fill the position as he was the best candidate. He currently works at the Belize Credit Union League and is on a one year contract.
31. Mr. Rivera is a naturalized Belizean from Costa Rica.
32. Mrs. Ordonez said that she was asked to contact Mrs. Fuller from the Belize Credit Union League for feedback on Mr. Rivera's performance.
33. Mrs. Fuller has reported that Mr. Rivera is an excellent employee and she highly recommends him for the post.
34. Mrs. Ordonez stated that Dr. Saunders sat on the interview panel and she was satisfied with the Council employing Mr. Rivera. Dr. Saunders commented that since Mr. Rivera has done several works for IDB they would have done a thorough back ground check on him.

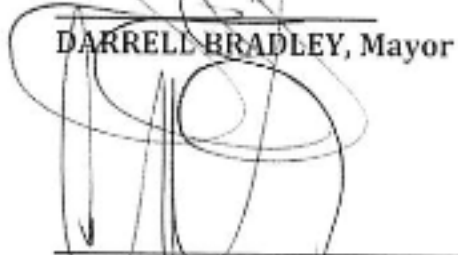
35. The Mayor asked Councilor Pitts, who is the Councilor for MIS and sit on the interview, for his feedback.
36. Councilor Pitts stated that Mr. Rivera seems like a good applicant but he did not believe that the pool of applicants was large enough. In addition, he believed that the post could have been advertised more.
37. Ms. Miller stated that the post was advertised twice. The first time no one applied and the second time they had some good applicants which resulted in Mr. Rivera being selected. She stress the urgency for an IT Manager to be hired as currently the department is suffering without one.
38. The Mayor asked whether the person would be placed on probation. Ms. Miller said that yes he would go on probation.
39. Councilor Elrington said that managers are not placed on probation and she has voiced this as a concern several times. She said the 2 most recent appointments were Mr. Lopez and Mr. Hyde and they were not placed on probation.
40. There was a general discussion on the MSR and Managers.
41. Councilor Pitts asked that the Council accepts Mr. Rivera application and interview 2 more applicants.
42. The Mayor requested a vote on whether to hire Mr. Rivera for IT Manager or advertise the post again. Councilors Willoughby, Cuellar, Theus, Leslie, Edwards and Deputy Mayor Samuels voted to take Councilor Pitts suggestion and extend the time. The Mayor and Councilor Singh voted in favor of hiring Mr. Rivera. Councilor Elrington abstained. It was decided that the post for IT Manager be advertised again.
43. Councilor Singh requested that he be removed from the interview for the IT Manager as he was satisfied with the selection of Mr. Rivera.
44. Councilor Elrington stated that at Caucus held on June 23<sup>rd</sup>, 2017 the Mayor asked that a committee be set up to review the concerns arising following the Public Consultation held on June 21<sup>st</sup>, 2017 at the BTL Park.
45. She informed that a Committee comprising of herself, Councilor Theus, Councilor Willoughby and Troy Flowers (DJ Dalla) met that morning. They looked at several things including the carnival route. Councilor Elrington referred to an email sent by the PR Manager, Shane Williams, stating that she believed he was doing a good job. She said he was very active in addressing issues and this will assist with minimizing public concerns. She stated that she would like Mr. Williams to be a part of this committee.
46. Councilor Elrington stated that they are putting together a policy of what the Council should have in place when approving concerts.
47. The Mayor said that whatever is being decided needs to be within the laws. He said that currently there are no laws governing concerts. He stated that traffic and parking always need to be taken into consideration.
48. The Mayor suggested that a portion of the street be cordon when doing concerts and only allow ambulances as this will enable residents to access their homes. An area he suggested to be blocked is from Thirsty Thursday to Bayman Avenue. He asked that they look into having a Council regulated SI for "no parking" in this area.
49. The Mayor said that the law has sliding/tier scale when it comes to extensions and that is for a reason. He clarified that private parties is not regulated, however if the premise hosting the party has a liquor license then the event will fall under the license.
50. Councilor Elrington stated that there is no stipulations for concerts.

51. Councilor Pitts asked what was the situation with the manhole covers as it is a very serious matter which can create issues for the Council. He highlighted that on St. Thomas St. in front of BTL one of the food vendors fell into a manhole and receive injuries.
52. The Mayor asked that the situation with the manhole covers be discussed and addressed urgently.
53. Councilor Willoughby said that he requested some snacks for a meeting he was having with some carnival groups but was told that there was no finance to provide snacks.
54. This triggered a discussion on responsibility of carnival. It was clarified that the carnival route has nothing to do with Council.
55. The Mayor stated that the 3 things reported on by the PR Manager has nothing to do with the Council.

#### **56. Petitions from the Public**

57. No petitions from the public was done.
58. The Mayor moved for a motion to adjourn the meeting. Councilor Leslie motioned that the meeting be adjourned Councilor Edwards 2<sup>nd</sup> the motion. All Councilors present voted in favor of adjourning the meeting.
59. The meeting was adjourned at 3:30 p.m.

  
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**DARRELL BRADLEY, Mayor**

  
\_\_\_\_\_  
**CANDICE MILLER, City Administrator**





**DISCIPLINARY COMMITTEE HEARING**  
**CASE NO. 8 OF 2017**

**Belize City Council**  
**And**  
**Elvis Lopez (Accused Employee)**

Held on Friday, June 2, 2017 at the Belize City Council, Conference Room, 109 North Front Street at 2:00pm.

**Present were:**

Mr. Alain Gonzalez	- Councilor
Mrs. Marilyn Ordonez	- Director of Finance
Mrs. Tricia Pitts Anderson	- Attorney-At-Law
Ms. Ursula Smith	- Human Resources Manager, Member
Mr. Frank Thompson	- Revenue Manager, Member
Mr. Troy Smith	- Valuation Manager
Ms. Sharlene Rudon	- Director of Administration, Member
Ms. Stephany Gongora	- CWU Representative for Ms. Alisha Domingo
Ms. Angelita Esquilliano	- Personnel Officer, Clerk of the Committee

**Absent with reason:**

Councilor Alain Gonzalez sat in for Councilor Kevin Singh since he was out of the country on Council business.

Mrs. Marilyn Ordonez sat in for the City Administrator, Ms. Candice Miller since she could not have sit in the hearing since the department falls under her responsibility.

Mrs. Tricia Pitts Anderson, Attorney-at-law sat in for Ms. Margaret McKenzie since she could not sit in the hearing since she has a personal family relationship with the accused.

Mr. Troy Smith, Valuation Manager sat in for Mr. Elvis Lopez since he was the accused brought to the hearing.

**Witnesses Present:**

Ms. Alisha Domingo	- Enforcement Officer - Complainant
Ms. Shakira Gladden	- Sr. Special Constable - Witness

- |                      |  |
|----------------------|--|
| Mr. Rafael Rodriguez | - Enforcement Officer, Witness           |
| Mr. Rachime Linarez  | - Special Constable Coordinator, Witness |
| Mr. Jermaine Hyde    | - Court Manager, Witness                 |
| Mr. Wayne Samuels    | - Prosecutor, Witness                    |
| Mr. Mark Paulino     | - Witness                                |

**Preliminary:**

The hearing commenced with the Human Resources Manager informing Mr. Elvis Lopez of the charge brought against him and whether he had received copies of reports. She continued by outlining the case to the panel.

Mr. Elvis Lopez was brought before the Disciplinary Committee for sexual harassment or similar acts of such.

**FACTS:**

**Complainant, Ms. Alisha Domingo, Enforcement Officer** testified that on Friday, May 19, 2017, she was assigned to carry out duties to escort delegates for the Caribbean Urban Forum. She added that her assigned post was at Radisson Fort George Hotel and Marina. At about 7:00pm, a ceremony and mixer event was held on the deck for the CUF personnel. At the conclusion of that event, they headed over to the Pickwick Club since the delegates expressed that they wanted a little more entertainment. Before leaving the Radisson, Mr. Lopez, Special Constable Manager informed Ms. Gladden, Mr. Rodriguez and herself that they will be assigned as security for the night for the CUF delegates.

On their arrival at Pickwick Club, she went to the DJ Area. Mr. Lopez, Ms. Gladden and Mr. Rodriguez were in the immediate area where she was working. At 11:55pm, she noticed that Mr. Lopez came and sat on a chair that was directly behind her. Shortly after, she saw him head towards Gladden and Rodriguez and started talking to them and they walked off. After doing so, he walked back and sat on the chair behind her. Domingo explained that at about 12:15am, she felt someone grabbed her from behind around the waist, pulled her against them and she felt an erection.

*were you dancing*

Domingo immediately turned around and noticed that it was Mr. Lopez. She then asked him if he was ok. He responded yes. She further added that he grabbed her again and said that he wanted her to dance with him. Domingo then said to Lopez, "No Sir, I can't do that". Lopez responded, "only five minutes of dance". She then told him no again and pushed away from him, telling him, "I won't dance with you because, one, "I am in uniform", two; "I am on duty and three"; "you are high". Lopez then asked her what is she afraid of? He is the Manager and she won't get into any trouble. Ms. Domingo added that Mr. Lopez kept pushing up on her and





insisted that she dance with him. She further added that she told Lopez to let her go as she needed to go to the bathroom.

On her way to the bathroom she encountered Ms. Gladden and Mr. Rodriguez by the pool area. Gladden then asked her if she was ok and she responded "No, didn't you see what Mr. Lopez just did"? Her response was, "yes I saw what he did". She made her way to the bathroom and stayed there. Domingo expressed that she felt traumatized and believes strongly that it was planned by Mr. Lopez because he sat behind her for a while before the incident.

She continued by saying that earlier that same night while at the Radisson, Mr. Lopez passed remarks at her saying when he gets drunk he wants her to take him home. Domingo added that she wanted to leave Pickwick to go home or go back to the hotel room that was assigned as command center for SPC's and Police as she would feel safer there than to be around Mr. Lopez.

Panelist Anderson asked Domingo how many people were standing in that area? She added there were two persons in the immediate area. There were also people standing in front of her and only 2 chairs were behind her then the wall.

Panelist Rudon asked Ms. Domingo if she saw Ms. Miller at the event? Domingo responded that she did. Rudon asked why she didn't inform Ms. Miller of the incident. Ms. Domingo added that she was confused and afraid to do so as Mr. Lopez is a Manager and didn't know what would be the outcome.

Panelist Ordonez asked Domingo who did she inform about the incident? Ms. Domingo added that on her way to the bathroom she informed Ms. Gladden and Ms. Charlene McDonald who came to her assistance.

Panelist Ordonez additionally asked, if she has ever experienced being sexually harassed? Domingo added that she has. She additionally asked if she has ever been sexually harassed by Mr. Lopez? Domingo added that she has never been sexually harassed by Mr. Lopez nor has he ever disrespected her but has been harassed by her ex-boyfriend.

Panelist Ordonez further asked Ms. Domingo what was she expecting to come out of this incident? She added that she does not know what would come out of this incident.

Panelist Anderson asked Ms. Domingo, how long was this unwanted grabbing? She added that it was about 10 minutes. She additionally asked, if she believes that it was planned. She added that she believes that it was especially take into consideration the comments he passed to her.



Panelist Anderson additionally asked if she believes that this was planned by Mr. Lopez? Domingo added that she believes that it was planned because Mr. Lopez made a comment at her earlier the night, then he asked Mr. Rodriguez and Ms. Gladden to move away.

*Mr. Lopez was given an opportunity to ask Ms. Domingo questions and he added that he had none.*

**First Witness for Ms. Domingo: Ms. Shakira Gladden, Sr. Special Constable,** testified that on Friday, May 19, 2017, she was assigned to work the closing function of the Caribbean Urban forum at the Radisson at 6:00pm. On her arrival at the Radisson she met Ms. Domingo, Ms. Lopez and Mr. Rodriguez where they waited outside. Shortly after, Mr. Lopez and Mr. Samules exited the Radisson and Mr. Lopez made a statement saying, if he get drunk/high, he wants Ms. D to take him home. Gladden added that they all started laughing and took it as a joke and Mr. Lopez left. At about 10:30pm, she was informed by Mr. Lopez that some of the delegates wanted to go partying and herself, Ms. Domingo and Mr. Rodriguez would be assigned to the detail and Ms. Lopez can stand down.

Gladden stated that they left the Radisson and headed to the Pickwick Club. Upon arrival at about 11:00pm they headed over to the DJ Area where the individuals were partying. She added that Domingo was directly next to the DJ Area. She explained that she and Mr. Rodriguez were along the back of the pool side under the shed a little down from Ms. Domingo. While standing there they observed Mr. Lopez went to sit on a chair not too far behind Ms. Domingo. She explained that about 10 minutes after, he got up and came closer to her and he said, "unu cud tek a patrol cas Ms. Miller ova deh". We immediately did as instructed. While looking around observing the area, she saw Mr. Lopez behind Ms. Domingo and she said, "Rodg look deh watch Mr. Lopez behind Ms. D data da weh he mek we move fa" and they started laughing. Gladden further added that about 10-15 minutes after Ms. Domingo came storming towards us under speed. She asked her, "weh happen" under her breath trembling she said, "you nuh see wat happen, I want to go back to the Radisson cas I nuh like this". She additionally said, "he just come and the dance up behind me and the touch me up and get hard". Gladden then got speechless and Domingo walked away from us and Officer Rodriguez went behind her. Rodriguez then came back and told Gladden that Ms. Domingo was at the back by the restroom and she went to see her. She then met Ms. Charlene McDonald who was trying to calm her down as she seemed frighten and annoyed. Shortly after Mr. Singh informed them that they were leaving and they all left and proceeded to Sit & Sip Night Club.

Panelist Anderson asked Ms. Gladden, how long did she see Mr. Lopez behind Ms. Domingo, She responded that only upon her glance in that direction. She additionally asked Ms. Gladden, if when Mr. Lopez spoke to her if he was drunk or sober? Gladden added that cannot state if he smelt of liquor? She added that Mr. Lopez was not close enough to determine if she smelt liquor.



Panelist Troy Smith asked Ms. Gladden if she has ever seen any sexual advancement towards coworkers from Mr. Lopez? She added that she has never seen or heard anything.

Panelist Rudon asked Ms. Gladden, Why didn't she go behind Ms. Domingo to aid her after she stormed passed her? Ms. Gladden added that she didn't go behind Ms. Domingo because Mr. Rodriguez had already gone behind her and could not leave her post unattended. She further added that after his return she went to Ms. Domingo's aid.

Panelist Ordonez asked Ms. Gladden how does she class the incident? Ms. Gladden added that she considers it to be a serious matter that needed to be addressed.

Panelist Troy Smith asked Ms. Gladden if she had spoken to her Manager during that night. Ms. Gladden added that she did not speak to him after the incident.

Panelist Gonzalez asked Ms. Gladden, what type of relationship does Lopez have with employees under his supervision? Ms. Gladden expressed that Mr. Lopez is very professional.

Panelist Anderson asked Ms. Gladden if she has seen co-workers hookup at or after socials hosted by the Council? She said that she has never seen but have heard of these hookups.

*Mr. Lopez was given an opportunity to question the first witness.*

Mr. Lopez asked Gladden at the meeting held with Supervisors for non-performance he asked Ms. Gladden some questions that were irrelevant to the case. Mr. Lopez expressed that he asked these questions because he finds it odd that after two weeks convening this meeting with them he finds out that Ms. Gladden has written a report against him.

**Second Witness for Ms. Domingo: Mr. Rafael Rodriguez, Enforcement Officer,** expressed that he wants to records to reflect that he does not want to be victimized for testifying against his Manager as he will only state what he knows. **Rodriguez** testified that on May 19, 2017 at the Radisson SPC's and Police Command Center for the Caribbean Urban Forum. He was later assigned to go with some delegates for an outing as they wanted to party some more. He and Ms. Domingo proceeded to the Pickwick with the delegates. At approximately 10:30pm they arrived at the Pickwick Club where they meet Sr. Special Constable Gladden who was also assigned as security detail for the delegates. He further added that he assigned Ms. Domingo to be at the bar area and Gladden and himself proceeded by the pool area monitoring the delegates. At Approximately 12am, he got a detail from Ms. Gladden that Mr. Lopez asked that they patrol the compound so they did. While patrolling Ms. Gladden notified him to look. As he turned around they saw Mr. Lopez dancing with Ms. Domingo. Couple minutes later, Ms. Domingo approached them crying and asked him to send her home. She immediately rushed in direction of the restroom area. He immediately went behind her and when he reached the restroom area he met Ms. Domingo speaking to Ms. Charlene McDonald. Rodriguez then asked Domingo

what happened. She stated that Mr. Lopez approached her in a disrespectful way and he told her to wash her face and calm down. She did so and he proceeded back to his post with Ms. Gladden. A while after the incident Ms. Gladden informed him that Ms. Domingo told her that she spoke to Mrs. McDonald about the incident and that she (Ms. McDonald) told her that she would take it from there.

Panelist Rudon asked Mr. Rodriguez if he saw Mr. Lopez behind Ms. Domingo. Mr. Rodriguez explained that he saw Lopez dancing behind Domingo while she was standing by the bar area.

Panelist Anderson, asked Mr. Rodriguez, if when Ms. Gladden showed him Mr. Lopez behind Domingo what did he think of it? Mr. Rodriguez stated that he thought that it was funny at first but was also unusual and after he saw Domingo crying he took it serious.

***Mr. Lopez was given an opportunity to question the second witness.***

Mr. Lopez asked Mr. Rodriguez, when did he submit his report? He added that he submitted his report on Tuesday, May 30, 2017 after 5pm as Ms. Esquilliano had requested his report and explained the urgency. Mr. Lopez added that while Mr. Rodriguez was at the office typing his report he observed that Mr. Rodriguez had Ms. Domingo's report open on the computer screen and reading it at the same time typing his.

Mr. Lopez asked Mr. Rodriguez while was heading to get his vehicle what remark did he make to them? Mr. Rodriguez stated that Mr. Lopez said if he get high he wants Ms. Domino to take him home. Mr. Lopez added that he said that he wants both Ms. Domingo and Mr. Rodriguez to take him home. He added that he would never have a female officer take him home knowing that his spouse is home. He further added that at no time did he aggress Ms. Domingo nor has he disrespect her.

Panelist Singh asked Mr. Rodriguez if Mr. Lopez was on duty? Mr. Rodriguez added that Mr. Lopez was off duty.

**Mr. Elvis Lopez, Special Constable Manager**, testified that on Friday, May 19, 2017, after conducting duties at the CUF7, he was socializing at the Radisson Bar with Mr. Wayne Samuels who also worked the event. A few minutes after six o'clock they proceeded to the closing cocktail. Shortly after they decided to place their work items inside his vehicle which was parked along the seawall. On their way to his vehicle they headed to the exit area near the pedestrian ramp in front of the Radisson where they observed all four officers, namely Shakira Gladden, Ms. Domingo and Ms. Janet Lopez. When he passed the four officers he made a jokingly comment, "Well if I should get high tonight, I want Officer Rodriguez and Domingo to escort me home the way they escort the delegates". He then proceeded to move his vehicle from the seawall area and brought it to the parking area in front of the Radisson Hotel where Mr. Samuels and he secured their property.



Panelist Smith then asked, why would Mr. Rodriguez make the comment he made at the beginning of his testimony? Mr. Lopez added that he is uncertain but he wants it to be known that he is a professional and would never hold anything against anyone.

Panelist Anderson asked, if he believes that the behavior of standing behind a woman, roping and rubbing her while she says no acceptable? Lopez added that it is not right if the person does not want.

Panelist Troy Smith asked Mr. Lopez, if he has brought the issue of undermining in his the department to the attention of his Director? He added that he has.

**First witness for Mr. Elvis Lopez: Mr. Mark Paulino, Manager for the Pick Wick Club,** testified that he was asked by Mr. Lopez to write a report about what transpired the night the delegates visited the entity. He added that he was at the DJ Booth and Main Bar Area and was djaying and did not see Mr. Lopez dancing. He added that he was busy ensuring that all was flowing well especially knowing that the delegates were visiting.

Panelist Anderson asked Mr. Paulino if his attention was on the delegate then his attention would not be on Mr. Lopez at all times? Mr. Paulino agreed with Anderson.

Panelist Ordonez asked why did he feel it necessary to mention about the Surveillance Camera? There was no response by the witness.

**Second witness for Mr. Elvis Lopez: Mr. Jermaine Hyde, Court Manager** testified that on May 19, 2017, shortly after 11:00pm, he went to the Pickwick Pool and Bar to escort some delegates hosted by the Belize City Council. On arrival he proceeded to the far end of the poolside just off the left hand side of the bar which was secured for the group by the Police Officers that were working. Shortly after the entire group moved closer to the poolside where they were dancing and the Special Constable Officers namely Ms. Gladden, Ms. Domingo and Mr. Rodriguez stood there watching them.

He got up with the three other delegates and joined the others that were dancing. Mr. Linarez and Mr. Lopez followed them as well. While dancing he noticed Mr. Lopez moving towards Ms. Domingo. He stop behind her and continued dancing. Shortly after a very short period of dancing Mr. Wayne Samuels approached them and offered drinks which he declined telling then he was driving. The delegates declined as well. Mr. Lopez walked towards the direction of Mr. Samuels and they proceeded to the bar. Ms. Domingo walked in the opposite direction closer to the other two officers who were closer to the side of the pool. Mr. Lopez then returned and booth he and Mr. Linarez continued dancing.

Panelist Ordonez asked, when did he learn about the incident? He added that he learnt of the incident on his return to work on the Monday. She additionally asked if Mr. Lopez was dancing



behind Ms. Domingo? He added that Mr. Lopez was. He added that he believes that Lopez danced behind Domingo for five minutes.

Panelist Anderson asked Mr. Hyde, if he believes that they were dancing together, Hyde believes that he doesn't think so.

**Third witness for Mr. Elvis Lopez: Mr. Wayne Samuels, Prosecutor,** testified on May 19, 2017, after the closing cocktail at the Radisson they proceeded to the Pickwick Club. While there Mr. Lopez was always in his company partying until the end of the night.

He added that he was completely surprised when he learnt of the allegation being brought against Mr. Lopez. He added that he was not a witness to anything of that sort as he was in constant communication with Mr. Lopez and Mr. Linarez the entire night at the Pickwick.

Panelist Anderson, asked what was he doing the entire night? Mr. Samuels added that he was moving around getting drinks at the same time ensuring that the delegates were ok. She additionally asked if there were moments when he was not with Mr. Lopez? He responded yes.

**Fourth witness for Mr. Elvis Lopez: Mr. Rachime Linarez, Special Constable Coordinator,** testified that on May 19, 2017 about 7:30 pm, he arrived at the Radisson for the closing cocktail for the Caribbean Urban Forum. He added that while at the cocktail he began socializing with the SPC Manager until it finished at 10:30pm. They then headed to the Pickwick Club with the delegates as they requested a little more fun. He further added that he socialized with Lopez and others until they left the Pickwick Club. After leaving the Pickwick they headed back to the Radisson and went their separate ways.

Panelist Rudon asked Mr. Linarez, were did he see Ms. Domingo? He responded that he saw Ms. Domingo by the bar area by the DJ Booth.

Panelist Anderson asked if he was socializing around the Pickwick Club Compound? He added that he was.

*Mr. Geondale Pipersburgh had submitted a report in defense of the allegation brought against Mr. Lopez. After analyzing the contents of the report submitted by Mr. Pipersburgh it was decided by the Committee that Mr. Pipersburgh report was irrelevant to the case.*

#### **Deliberations:**

The panel took into consideration all the evidence presented. On examination of the witness's reports it was clear that there was a breach of the Council's policy by Mr. Lopez as he was dancing behind and touched Ms. Domingo. Mr. Lopez himself admitted to be dancing behind Ms. Domingo. The evidence by Mr. Lopez was believable as he admitted to have been drinking





and was a bit intoxicated. Additionally, the committee felt that there was an intent by Mr. Lopez as Mr. Jermaine Hyde's testimony confirmed this. Additionally after making remarks at her at the closing cocktail.

**Findings:**

The Committee unanimously found that the evidence presented was sufficient to prove the charge of breach of Council's Policy and found Mr. Lopez guilty of that count. Since the charge is one of a major misconduct the Committee agreed and recommended that Mr. Lopez be suspended for seven (7) days at half pay and one member voted in favour of fourteen (14) days suspension at half pay. Additionally it is recommended that Ms. Domingo be transferred to another department.

**Dated this 2<sup>nd</sup> Day of June 2017.**

\_\_\_\_\_  
Ms. Candice Miller  
City Administrator/Chairperson

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Ms. Ursula Smith  
Human Resources Manager