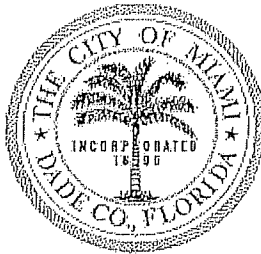


# City of Miami

*City Hall  
3500 Pan American Drive  
Miami, FL 33133  
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## Meeting Minutes

Tuesday, July 20, 2010

10:00 AM

Commission Chambers

### Civil Service Board

*Miguel M. de la O, Chairperson  
Joseph Kaplan, Chief Examiner  
Michael T. Dames, Board Member  
Sean Moy, Board Member  
Gerald Silverman, Board Member*

**PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 10:05 a.m. The roll call for the Board Members at the commencement of the meeting was as follows:*

**Present:** Chief Examiner Kaplan, Chairperson de la O, Member Dames and Member Moy

**Absent:** Member Silverman

**A. APPROVING THE MINUTES OF:**

Regular Meeting of June 29, 2010.

**Motion by Chief Examiner Kaplan, seconded by Member Dames, to APPROVE. PASSED by the following vote.**

**Aye:** Kaplan, de la O, Dames and Moy

**Absent:** Silverman

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

**C.1** Daniel Sanoni requests re-employment as a Police Officer following his return from military leave. (DISCUSSION)

**Motion by Chief Examiner Kaplan, seconded by Member Dames, that this matter be APPROVED. PASSED by the following vote.**

**Aye:** Kaplan, de la O, Dames and Moy

**Absent:** Silverman

**D. DISCIPLINARY MATTERS**

**D.1** Copy of a letter from Chief Miguel Exposito, Director, Department of Police, notifying Christian Alvarez-Vega, Police Officer, of his termination, effective June 30, 2010. (NOTIFICATION)

NOTIFIED

**D.2** Copy of a letter from Chief Miguel Exposito, Director, Department of Police, notifying Manuel Castillo, Police Officer, of his 10-hour forfeiture, effective July 16, 2010. (NOTIFICATION)

NOTIFIED

**E. GENERAL ITEMS**

**E.1** Copy of Findings of Fact concerning the Appeal Hearing of Fignole Lubin, Police Officer, relative to his 40-hour forfeiture, effective August 29, 2006. (DISCUSSION)

*The Executive Secretary stated that she received notice from Attorney Rind that she would be unable to attend today's meeting. She went on to say that if it is the Board's pleasure she would carry this matter over to the next meeting. Hearing no objections, Chairman de la O instructed the Executive Secretary to defer this matter to the next meeting.*

DEFERRED

- E.2 Copy of Findings of Fact concerning the Appeal Hearing of Robert Byrd, Labor Crew Leader II, relative to his 3-day suspension, effective March 23, 2009. (DISCUSSION)

*The Executive Secretary stated that she received notice from Attorney Guttman-Valdes that she would not be available to attend today's meeting. Chairman de la O instructed the Executive Secretary to defer this item to the Board's next meeting.*

DEFERRED

- E.3 Notice of a Request to Continue from Osnat K. Rind, Attorney, on behalf of Gerardo Quinones, Police Officer, relative to his 20-hour suspension, effective December 19, 2008. Barnaby Min, Assistant City Attorney, expressed no objection to the continuance. (DISCUSSION) Hearing of appeal is scheduled for today.

*Chairman de la O asked Assistant City Attorney Min if he objected to the continuance request. ACA Min responded in the negative. Following discussion, the Board entered a motion to APPROVE the employee's request for a continuance which resulted as follows:*

**Motion by Chief Examiner Kaplan, seconded by Member Dames, that this matter be APPROVED. PASSED by the following vote.**

**Aye:** Kaplan, de la O, Dames and Moy

**Absent:** Silverman

- E.4 Notice of a Request to Continue from Osnat K. Rind, Attorney, on behalf of Greicy Lovin, Crime Prevention Specialist, relative to her 5-hour forfeiture, effective March 5, 2009. (DISCUSSION) Hearing of appeal is scheduled for today.

*Chairman de la O asked Assistant City Attorney Min if he objected to the continuance request. ACA Min responded in the negative. Following discussion, the Board entered a motion to APPROVE the employee's request for a continuance which resulted as follows:*

**Motion by Member Dames, seconded by Chief Examiner Kaplan, that this matter be APPROVED. PASSED by the following vote.**

**Aye:** Kaplan, de la O, Dames and Moy

**Absent:** Silverman

- E.5 Notice of a Request to Continue from Osnat K. Rind, Attorney, on behalf of Roberto Soroa, Police Officer, relative to his 80-hour suspension, effective July 29, 2009. (DISCUSSION) Hearing of appeal is scheduled for today.

*Chairman de la O asked the department's attorney if he had an objection to the*

employee's request for a continuance. ACA Min responded in the negative. Following discussion, the Board entered a motion to APPROVE the employee's request for a continuance which resulted as follows:

Motion by Member Dames, seconded by Chief Examiner Kaplan, that this matter be APPROVED. PASSED by the following vote.

Aye: Kaplan, de la O, Dames and Moy

Absent: Silverman

- E.6 Notice of a Request to Continue from Teri Guttman-Valdes, Attorney, on behalf of Manuel Lucena, Heavy Equipment Mechanic, relative to his 5-day suspension, effective August 20, 2009. (DISCUSSION)  
Hearing of appeal is scheduled for today.

Chairman de la O asked the department's attorney if he had an objection to the continuance request. ACA Min responded in the negative. Following discussion, the Board entered a motion to APPROVE the employee's request for a continuance which resulted as follows:

Motion by Chief Examiner Kaplan, seconded by Member Dames, that this matter be APPROVED. PASSED by the following vote.

Aye: Kaplan, de la O, Dames and Moy

Absent: Silverman

- E.7 Copy of a Settlement Agreement between Maurice Mackens, Waste Collector, and the City of Miami, relative to his termination, effective March 9, 2010. (NOTIFICATION)  
Case will be closed and removed from the Board's docket.  
NOTIFIED

## F. REPORTS

- F.1 Pending Hearings as of July 20, 2010. (NOTIFICATION)  
PRESENTED

## G. REQUESTS FOR HEARINGS

- G.1 A copy of a Request for a Grievance hearing from Michael Pizzi, Jr., on behalf of his client Richard Brioso, former Assistant to the Director of GSA, requesting a hearing pursuant to Civil Service Rules 14, 16, and Florida Statute 112.3187-Whistle-blower's Act. (DISCUSSION)  
*The Executive Secretary stated that she received notice from Attorney Pizzi requesting to carry this matter over to the July 27, 2010 meeting. Without objection from other Board Members, Chairman de la O instructed the Executive Secretary to defer this matter to the next meeting.*  
DEFERRED

- G.2 A copy of a Request for a Grievance hearing from Catherine Grieve, Attorney,

on behalf of her client Olatunbosun "Ola" Aluko, former Director of Capital Improvement Programs, requesting a Whistleblower hearing, pursuant to Florida Statute 112.3187. Assistant City Attorney Min expressed no objection to opposing Counsel's request. (DISCUSSION)

*Catherine Grieve, Attorney at Law, stated that on June 4, 2010, her office filed a grievance letter under the Florida Whistleblower's Act, City Charter Section 40-128 and Civil Service Rule 16 regarding Mr. Aluko's termination from employment and are therefore requesting a hearing.*

*Chairman de la O stated that he reviewed Attorney Grieve's letter and [the agenda] which indicated that ACA Min expressed no objection to the hearing request and therefore called for a motion to APPROVE Olatunbosun "Ola" Aluko's request for a grievance hearing (Whistleblower) which resulted as follows:*

**Motion by Chief Examiner Kaplan, seconded by Member Dames, that this matter be APPROVED. PASSED by the following vote.**

**Aye:** Kaplan, de la O, Dames and Moy

**Absent:** Silverman

## H. TODAY'S HEARINGS

- H.1 Hearings of appeal on behalf of Gerardo Quinones, Police Officer, relative to his 20-hour suspension, effective December 19, 2008.

*The Board took no action on this case because a continuance was granted at today's meeting.*

**CONTINUED**

- H.2 Hearing of appeal on behalf of Greicy Lovin, Crime Prevention Specialist, relative to her 5-hour forfeiture, effective March 5, 2009.

*The Board took no action on this case because a continuance was granted at today's meeting.*

**CONTINUED**

- H.3 Hearing of appeal on behalf of Roberto Soroa, Police Officer, relative to his 80-hr suspension, effective July 29, 2009.

*The Board took no action on this case because a continuance was granted at today's meeting.*

**CONTINUED**

- H.4 Hearing of appeal on behalf of Manuel Lucena, Heavy Equipment Mechanic, relative to his 5-day suspension, effective August 20, 2009.

*The Board took no action on this case because a continuance was granted at today's meeting.*

**CONTINUED**

## ADJOURNMENT:

*There being no further business to come before the Board, the Chairman called for a*

*motion to ADJOURN which resulted as follows:*

Motion by Chief Examiner Kaplan, seconded by Member Dames, to APPROVE.  
PASSED by the following vote.

Aye: Kaplan, de la O, Dames and Moy

Absent: Silverman

*The meeting adjourned at 10:10 a.m.*

SIGNATURE:

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Miguel M. de la O, Chairperson

ATTEST:

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Tishria L. Mindingall, Executive Secretary