

# **City of Miami**

*City Hall  
3500 Pan American Drive  
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[www.miamigov.com](http://www.miamigov.com)*



## **Meeting Minutes**

**Tuesday, February 18, 2014**

**10:00 AM**

**Commission Chambers**

### **Civil Service Board**

*Gerald Silverman, Chairperson  
Sean Moy, Chief Examiner  
Lillie Harris, Board Member  
Javier Baños, Board Member  
William W. Riley, Jr., Board Member*

**PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 10:16 a.m. The roll call at the commencement of the meeting was as follows:*

**Present:** Chairperson Silverman, Chief Examiner Moy, Member Harris and Member Riley, Jr.

**Absent:** Member Baños

**A. APPROVING THE MINUTES OF:**

Regular Meeting of February 4, 2014.

**Motion by Chief Examiner Moy, seconded by Member Riley, Jr., to APPROVE.  
PASSED by the following vote.**

**Aye:** Riley, Jr., Silverman, Moy and Harris

**Absent:** Baños

**B. PERSONNEL MATTERS**

- B.1** A copy of a memorandum from Amy Klose, Director, Department of Human Resources, notifying Moralinda Altamirano, Supervisor of Payroll, of her return to former classification of Assistant Supervisor of Payroll, effective February 10, 2014. (NOTIFICATION)

**NOTIFIED**

- B.2** A copy of a memorandum from Amy Klose, Director, Department of Human Resources, notifying Marcia M. Elliott, Fiscal Assistant, of her reassignment from the Capital Improvements Department to the Miami Police Department, effective upon completion of a successful background investigation process. (NOTIFICATION)

**NOTIFIED**

- B.3** A copy of a memorandum from Amy Klose, Director, Department of Human Resources, confirming the request of Yolanda Padrino, Administrative Aide I, to return to her former classification of Typist Clerk III, effective February 10, 2014. (NOTIFICATION)

**NOTIFIED**

**C. MILITARY LEAVES OF ABSENCE**

- C.1** Luis F. Pla, Police Officer, requests active duty military leave extension without pay from February 26, 2014 through August 24, 2014. Copy of amended orders submitted. (DISCUSSION)

**Motion by Member Harris, seconded by Member Riley, Jr., that this matter be APPROVED. PASSED by the following vote.**

**Aye:** Riley, Jr., Silverman, Moy and Harris

**Absent:** Baños

**D. DISCIPLINARY MATTERS**

- D.1** Copy of a letter from Keith Carswell, Director, Department of Solid Waste, notifying Angelo Perry, Waste Equipment Operator, of his 8-hour forfeiture, effective February 6, 2014. (NOTIFICATION)

**NOTIFIED**

- D.2** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Rhausser Charles, Police Officer, of his 40-hour suspension, effective November 7, 2013 and a copy of a request to appeal from Officer Charles. A hearing has been rescheduled for June 10, 2014. (NOTIFICATION)

**NOTIFIED**

- D.3** Copy of a letter from Chief Maurice Kemp, Director, Department of Fire Rescue, notifying Hector Seigle, Firefighter, of his 48-hour forfeiture, effective December 15, 2013. (NOTIFICATION)

**NOTIFIED**

- D.4** Copy of a letter from Chief Maurice Kemp, Director, Department of Fire Rescue, notifying Luis Gonzalez, Firefighter, of his 96-hour suspension, effective February 25, 2014. (NOTIFICATION)

**NOTIFIED**

- D.5** Copy of a letter from Chief Maurice Kemp, Director, Department of Fire Rescue, notifying Gianna Morra, Firefighter, of his 144-hour suspension, effective February 25, 2014. (NOTIFICATION)

**NOTIFIED**

- D.6** Copy of a letter from Chief Maurice Kemp, Director, Department of Fire Rescue, notifying Ivan Chavez, Firefighter, of his 96-hour suspension, effective February 25, 2014. (NOTIFICATION)

**NOTIFIED**

**E. GENERAL ITEMS**

**F. REPORTS**

- F.1** Pending Hearings as of March 4, 2014. (NOTIFICATION)

**PRESENTED**

**G. REQUESTS FOR HEARINGS****H. TODAY'S HEARINGS****H.1** Hearing of Appeal on behalf of Clifford Holzendorf Jr., Waste Collector Operator, concerning his 10-day suspension, effective September 16, 2013.

*Chairman Silverman asked if anyone was present for the hearing of Clifford Holzendorf and if there was an announcement regarding the case. Joseph Simmons, Jr., President, AFSCME, Local 871 (Sanitation Workers Union), appeared before the Board and responded that Osnat Rind had been retained (to represent Mr. Holzendorf) and they have a settlement agreement which is awaiting signatures of the department's representatives.*

*Chairman Silverman asked the Department's attorney if that was correct. Iliana Forte, Assistant City Attorney, responded in the affirmative.*

*Chairman Silverman announced that the Board will continue the hearing pending submission of the settlement agreement. In accordance with the Board's Continuance Policy, the matter will be removed from the docket following submission of the Settlement Agreement, or rescheduled if the Agreement is not received within 30 days from today's meeting.*

*Following discussion, the Board entered a Motion that this hearing be CONTINUED which resulted as follows:*

**Motion by Chief Examiner Moy, seconded by Member Harris, that this matter be CONTINUED. PASSED by the following vote.**

**Aye:** Riley, Jr., Silverman, Moy and Harris

**Absent:** Baños

**H.2** Hearing on Appeal of Dayanna Frederick, Police Officer, concerning her 20-hour suspension, effective July 29, 2013.

*Eugene Gibbons, attorney on behalf of Officer Frederick, appeared before the Board and stated that a settlement was pending in this case. He went on to ask the Board for a continuance until the settlement agreement is completed. Iliana Forte, Assistant City Attorney, confirmed that there is a settlement agreement pending. In accordance with the Board's Continuance Policy, the matter will be removed from the docket following submission of the Settlement Agreement, or rescheduled if the Agreement is not received within 30 days from today's meeting.*

*Following discussion the Board entered a Motion that this hearing be CONTINUED which resulted as follows:*

**Motion by Member Harris, seconded by Chief Examiner Moy, that this matter be CONTINUED. PASSED by the following vote.**

**Aye:** Riley, Jr., Silverman, Moy and Harris

**Absent:** Baños

**H.3** Hearing of Appeal on behalf of Richard Alleyne, Police Officer, concerning his 40-hour suspension, effective August 13, 2013.

*Eugene Gibbons, attorney on behalf of Officer Alleyne, appeared before the Board and stated that a settlement was pending in this case. He went on to ask the Board for a continuance until the settlement agreement is completed. Iliana Forte, Assistant City Attorney, confirmed that there is a settlement agreement pending. In accordance with the Board's Continuance Policy, the matter will be removed from the docket following submission of the Settlement Agreement, or rescheduled if the Agreement is not received within 30 days from today's meeting.*

*Following discussion the Board entered a Motion that this hearing be CONTINUED which resulted as follows:*

**Motion by Member Harris, seconded by Member Riley, Jr., that this matter be CONTINUED. PASSED by the following vote.**

**Aye:** Riley, Jr., Silverman, Moy and Harris

**Absent:** Baños

#### H.4

Hearing of Appeal on behalf of Jean Marie Jean-Philippe, Police Officer, concerning his 200-hour suspension, effective February 16, 2013.

*Chairman Silverman asked Attorney Gibbons if Officer Jean-Phillipe was his client. Attorney Gibbons responded in the affirmative. Attorney Gibbons went on to ask the Board for a continuance and advised that the Department does not oppose the request.*

*Chairman Silverman asked if this was a regular continuance on this case. Attorney Gibbons responded in the affirmative. Chairman Silverman asked the Department if she objected to a continuance. Assistant City Attorney Forte responded in the negative.*

*Chairman Silverman asked the Board if there was any further discussion on this matter. Member Harris responded that it seems like this case has been continued a lot, and asked for the scheduling history.*

*Attorney Gibbons advised that Officer Jean-Phillipe has two matters that are before the Board. Member Harris asked the Executive Secretary for the number of continuances on this case. The Executive Secretary responded that this continuance would be the first for this case. Member Harris stated she has seen the name come up a couple times.*

*Following discussion, the Board entered a Motion to CONTINUE this hearing which resulted as follows:*

**Motion by Member Harris, seconded by Chief Examiner Moy, that this matter be CONTINUED. PASSED by the following vote.**

**Aye:** Riley, Jr., Silverman, Moy and Harris

**Absent:** Baños

#### NON AGENDA ITEM: PENDING HEARING

Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Terrel Cheever, Communications Assistant, of his termination, effective October 31, 2012 and a copy of a request to appeal. A hearing of appeal is scheduled for March 5, 2013. (NOTIFICATION)

*Chairman Silverman asked if there was anything else to bring before the Board today.*

*Member Harris responded that she had the same question for the last three meetings. Member Harris went on to ask if the Board got an understanding regarding a date for the Cheever hearing.*

*Chairman Silverman asked if this hearing was discussed at the February 4th meeting. The Executive Secretary responded in the affirmative and advised that Mr. Cheever's hearing is scheduled for March 4th.*

*Member Harris stated that she is asking again at this meeting because the City Attorney wasn't present when the hearing date came up so she needs to confirm that the Department will be ready on March 4, 2014. Assistant City Attorney Forte responded that the Department will try to be ready. She went on to say that she has not reviewed the case but knows what the case is about.*

*Member Harris asked if the hearing will be for the next meeting that we have in two weeks, to which the Executive Secretary responded in the affirmative. Chairman Silverman advised the Department to be ready because the Board wants to hear this case. Assistant City Attorney Forte responded that she heard that the Board wants to hear the case.*

**ADJOURNMENT:**

*The meeting adjourned at 10:21 a.m.*

**SIGNATURE:**

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**Gerald Silverman, Chairperson**

**ATTEST:**

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**Tishria L. Mindingall, Executive Secretary**