

City of Miami

*City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com*



Meeting Minutes

Tuesday, April 15, 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 10:18 a.m. Roll call at the commencement of the meeting was as follows:

Present: Chairperson Silverman, Chief Examiner Moy and Member Baños

Absent: Member Harris and Member Riley, Jr.

A. APPROVING THE MINUTES OF:

Regular Meeting of March 18, 2014.

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

Aye: Silverman, Moy and Baños

Absent: Riley, Jr. and Harris

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

- C.1** John Perez, Police Officer, requests Active Duty Military leave extension for 305 days from January 11, 2014 through November 12, 2014. Copy of Orders submitted. (DISCUSSION)

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

Aye: Silverman, Moy and Baños

Absent: Riley, Jr. and Harris

- C.2** Darren Insignares, Park Ranger, requests active duty military leave without pay from March 25, 2014 through March 24, 2018. Copy of Orders submitted. (DISCUSSION)

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

Aye: Silverman, Moy and Baños

Absent: Riley, Jr. and Harris

D. DISCIPLINARY MATTERS

- D.1** Copy of an Agreement between the City of Miami and Dayanna Frederick, Police Officer, relative to her 20-hour suspension, effective October 19, 2012. (NOTIFICATION)

SETTLED : Case will be closed and removed from the Board's docket.

- D.2** Copy of an Agreement between the City of Miami and Alcides Diaz, Police

Officer, relative to his 240-hour suspension, effective February 20, 2013.
(NOTIFICATION)

SETTLED : Case will be closed and removed from the Board's docket.

- D.3** Copy of a letter from Chief Maurice Kemp, Director, Department of Fire Rescue, notifying Felix Feliciano, Firefighter, of his 24-hour forfeiture, effective March 24, 2014. (NOTIFICATION)
NOTIFIED
- D.4** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying JeanPaul Guillot, Police Officer, of his termination, effective March 19, 2014. (NOTIFICATION)
NOTIFIED
- D.5** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Stephon McGill, Police Officer, of his 10-hour suspension, effective April 8, 2014. (NOTIFICATION)
NOTIFIED
- D.6** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Quateca Kirksey, Police Officer, of her 20-hour suspension, effective April 2, 2014. (NOTIFICATION)
NOTIFIED
- D.7** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Leonard Kelly, Police Officer, of his 40-hour forfeiture, effective March 18, 2014. (NOTIFICATION)
NOTIFIED
- D.8** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Edwin Gomez, Police Officer, of his 40-hour forfeiture, effective March 18, 2014. (NOTIFICATION)
NOTIFIED
- D.9** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Adam Gurlacz, Police Officer, of his 40-hour forfeiture, effective March 22, 2014. (NOTIFICATION)
NOTIFIED
- D.10** Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying Winsor Lozano, Commander, of his 40-hour forfeiture, effective April 3, 2014. (NOTIFICATION)
NOTIFIED

- D.11** Copy of a letter from Keith Carswell, Director, Department of Solid Waste, notifying Jackson Pierre, Waste Collector Operator II, of his 58-day suspension, effective March 31, 2014. (NOTIFICATION)
- NOTIFIED**
- D.12** Copy of a letter from Lara de Souza, Interim Director, Parks and Recreation Department, notifying Lewis Mahoney, Park Manager II, of his 5-day suspension, effective March 24, 2014 and a copy of a request to appeal from Lewis Mahoney. A hearing has been scheduled for July 8, 2014. (NOTIFICATION)
- RECEIVED AND FILED**
- D.13** Copy of a letter from Lara de Souza, Interim Director, Parks and Recreation Department, notifying Jose Rilo, Parks Operations Coordinator, of his 3-day suspension, effective March 24, 2014 and a copy of a request to appeal from Jose Rilo. A hearing has been scheduled for July 8, 2014. (NOTIFICATION)
- RECEIVED AND FILED**
- D.14** Copy of a letter from Lara de Souza, Interim Director, Parks and Recreation Department, notifying Raphael Gonzalez, Superintendent of Parks, of his termination, effective March 21, 2014 and a copy of a request to appeal from Raphael Gonzalez. A hearing has been scheduled for July 8, 2014. (NOTIFICATION)
- RECEIVED AND FILED**

E. GENERAL ITEMS

- E.1** Hearing of Appeal on behalf of Jeffrey Locke, Police Lieutenant, relative to his 20-hour suspension, effective February 25, 2009. (DISCUSSION)
- Rescheduled pursuant to continuance policy; pending settlement since September 13, 2013.
- Chairman Silverman asked for the status of Jeffrey Locke's hearing.*
- Terri Guttman-Valdes, Attorney, appeared before the Board on behalf of Jeffrey Locke and advised that she signed the settlement agreement and forwarded the agreement to the Department for signature. Chairman Silverman asked the Department's Attorney, Assistant City Attorney (ACA) Iliana Forte, if the information Attorney Guttman-Valdes provided regarding the settlement was correct. ACA Forte responded in the affirmative.*
- DISCUSSED : Case will be closed and removed from the Board's docket upon receipt of a written settlement agreement or rescheduled in accordance with the Board's Continuance Policy.**
- E.2** Hearing of Appeal on behalf of Darlene Jones, Police Officer, relative to her 20-hr suspension, effective December 23, 2012.

Rescheduled pursuant to continuance policy; pending settlement since March 18, 2014.

Chairman Silverman asked for the status of the Darlene Jones matter. ACA Forte appeared on behalf of the Department and stated that the Officer Jones' case has been settled and she is waiting to receive the signed settlement from the Police Department.

DISCUSSED : Case will be closed and removed from the Board's docket upon receipt of a written settlement agreement or rescheduled in accordance with the Board's Continuance Policy.

E.3

Hearing of Appeal on behalf of Silvia Benitez, Emergency Dispatcher, relative to her 120-hour suspension, effective May 27, 2013. (DISCUSSION)

Rescheduled pursuant to continuance policy; pending settlement since March 4, 2014.

Jeffrey Bott, Attorney with the Law Firm Phillips, Richards and Rind appeared before the Board on behalf of Attorney Osnat Rind, in the Silvia Benitez matter. Attorney Bott stated that the Firm was recently retained as counsel on this case and they are therefore requesting a continuance. He went on to say that the Department has no objections to the continuance.

Chairman Silverman asked the department's attorney if she had no objection to the continuance request. ACA Forte responded in the affirmative. She went on to say that she was in negotiations with AFSCME Union's former Attorney Michael Braverman previously to settle the case; however, since Attorney Rind is now handling this matter, she will contact her since they did not have an opportunity to speak about this matter.

Following discussion, the Board entered a motion to GRANT the Employee's request for a CONTINUANCE which resulted as follows:

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

Aye: Silverman, Moy and Baños

Absent: Riley, Jr. and Harris

E.4

Hearing of Appeal on behalf of Richard Alleyne, Police Officer, concerning his 40-hour suspension, effective August 13, 2013. (DISCUSSION)
Rescheduled pursuant to continuance policy; pending settlement since February 18, 2014.

Chairman Silverman asked for the status on the Richard Alleyne matter. ACA Forte appeared before the Board on behalf of the Department and stated that the matter has been settled and she is waiting for the Police Chief to sign the agreement.

DISCUSSED : Case will be closed and removed from the Board's docket upon receipt of a written settlement agreement or rescheduled in accordance with the Board's Continuance Policy.

E.5

Hearing on Appeal of Dayanna Frederick, Police Officer, concerning her 20-hour suspension, effective July 29, 2013. (DISCUSSION)
Rescheduled pursuant to continuance policy; pending settlement since February 18, 2014.

Chairman Silverman asked for the status of the Dayanna Frederick case. ACA Forte

appeared on behalf of the Department and stated that the matter has been settled and she is waiting on the Department's signature. As a point of clarification, the Executive Secretary informed the Board that she received an executed copy of the settlement agreement.

SETTLED : Case will be closed and removed from the Board's docket.

F. REPORTS

F.1 Pending Hearings as of April 15, 2014. (NOTIFICATION)

PRESENTED

G. REQUESTS FOR HEARINGS

H. TODAY'S HEARINGS

H.1 Hearing of Appeal on behalf of David Carpenter, Police Officer, relative to his 40-hour suspension, effective November 15, 2011.

Chairman Silverman asked for the status of the David Carpenter matter. ACA Forte appeared before the Board for the Department and stated that this matter has been settled with Attorney Gibbons and that she is waiting for the settlement agreement to be signed by both parties.

DISCUSSED : Case will be closed and removed from the Board's docket upon receipt of a written settlement agreement or rescheduled in accordance with the Board's Continuance Policy.

H.2 Hearing of Appeal on behalf of Reginald Williams, Police Officer, relative to his 260-hour suspension, effective November 6, 2012.

Chairman Silverman asked for the status of the Reginald Williams matter. Assistant City Attorney appeared before the Board for the Department and stated that this matter has been settled with Attorney Gibbons and that she is waiting for the settlement agreement to be signed by both parties.

DISCUSSED : Case will be closed and removed from the Board's docket upon receipt of a written settlement agreement or rescheduled in accordance with the Board's Continuance Policy.

H.3 Hearing of Appeal on behalf of Jesus Valdivia, Police Sergeant, relative to his 200-hour suspension, effective January 23, 2013.

Chairman Silverman asked for the status of the Jesus Valdivia matter. Assistant City Attorney appeared before the Board for the Department and stated that this matter has been settled with Attorney Gibbons and that she is waiting for the settlement agreement to be signed by both parties.

DISCUSSED : Case will be closed and removed from the Board's docket upon receipt of a written settlement agreement or rescheduled in accordance with the Board's Continuance Policy.

ADJOURNMENT:

The meeting adjourned at 10:21 a.m.

SIGNATURE:

Gerald Silverman, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary