

City of Miami

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



Meeting Minutes

Tuesday, October 29, 2013

10:00 AM

Commission Chambers

Civil Service Board

*Gerald Silverman, Chairperson
Sean Moy, Chief Examiner
Lillie Harris, Board Member
Javier Baños, Board Member*

PLEDGE OF ALLEGIANCE

The meeting was called to order at 10:00 am. The roll call at the commencement of the meeting was as follows:

Present: Chairperson Silverman, Chief Examiner Moy, Member Harris and Member Baños

A. APPROVING THE MINUTES OF:

Regular Meeting of October 15, 2013

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

Aye: Silverman, Moy, Baños and Harris

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

- C.1** Gabino Soto, Firefighter, requests active duty military leave without pay from November 5, 2013 through December 10, 2014. Copy of Orders submitted. (DISCUSSION)

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

Aye: Silverman, Moy, Baños and Harris

- C.2** Angel Fernandez, Police Officer, requests re-employment as a Police Officer following his return from military leave. Copy of his DD-214 indicating Honorable Discharge submitted. (DISCUSSION)

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

Aye: Silverman, Moy, Baños and Harris

D. DISCIPLINARY MATTERS

- D.1** Copy of an Agreement between the City of Miami and Manuel Cabrera, Police Officer, concerning his 20-hour Forfeiture, effective August 16, 2012. (NOTIFICATION)

NOTIFIED

- D.2** Copy of a Memorandum from the City Manager concerning the Grievance Hearing of Jonathan Yavneh, Police Lieutenant, pursuant to Civil Service Rule 16.2, alleging a violation of 11.2 - Assignment to Other Work. (NOTIFICATION)

NOTIFIED

- D.3 Copy of a letter from Chief Manuel Orosa, Director, Department of Police, notifying JeanPaul Guillot, Police Officer, of his 160-hour suspension, effective October 15, 2013 and a copy of a request to appeal from Officer Guillot. A hearing will be scheduled in accordance with Civil Service Rules and Regulations. (NOTIFICATION)

RECEIVED AND FILED

E. GENERAL ITEMS

- E.1 Notice of a Request to Continue from Janeen Richard, Assistant City Attorney, concerning the Appeal on behalf of Sabine Raymovil, Police Officer, relative to her 20-hour suspension, effective April 3, 2013.
(DISCUSSION)
Hearing of Appeal is scheduled for today.

Janeen Richard, Assistant City Attorney, appeared before the Board and asked that the Board grant a Continuance in this matter. She went on to state that the Office of the City Attorney has a conflict, as they are representing Officer Raymovil in a different (civil) case and they are in the process of obtaining conflict counsel for the Civil Service matter.

Chairman Silverman asked if there was any objection to this request. Eugene Gibbons, Attorney on behalf of Sabine Raymovil, appeared before the Board and responded that he had no objection to the Department's request.

Following discussion, the Board entered a motion to GRANT THE CONTINUANCE on behalf of the Department, which resulted as follows:

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

Aye: Silverman, Moy, Baños and Harris

- E.2 Notice of a Request to Continue from Constant Rosemond, Police Officer, relative to his 10-hour suspension, effective May 6, 2013. Janeen Richard, Assistant City Attorney, expressed no objection to the request.
(DISCUSSION)
Hearing of Appeal is scheduled for today.

Chairman Silverman asked if there was anyone present regarding this request. The Executive Secretary advised that Officer Rosemond was not present and he was not represented by counsel. Hearing this, Chairman Silverman asked if the Department had any objection to this request. Janeen Richard, Assistant City Attorney responded that she had no objection to the Employee's request.

Following discussion, the Board entered a motion to GRANT THE CONTINUANCE on behalf of the Employee, 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, Baños and Harris

- E.3 Copy of Findings of Fact concerning the Hearing of Appeal on behalf of Viona Browne-Williams, Police Officer, relative to her 10-hour suspension, effective February 7, 2013. (DISCUSSION)

Chairman Silverman asked if there were any questions or revisions regarding the Findings. Hearing none, the Board entered a motion to approve the Findings as presented, 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, Baños and Harris

F. REPORTS

- F.1 Pending Hearings as of October 29, 2013. (NOTIFICATION)

PRESENTED

G. REQUESTS FOR HEARINGS

H. TODAY'S HEARINGS

- H.1 Hearing of Appeal on behalf of David Anderson, Police Officer, concerning his 20-hour suspension, effective June 28, 2012.

Eugene Gibbons, Attorney on behalf of the employee, appeared before the Board and advised that the Appeal was being withdrawn by the employee.

WITHDRAWN : The Appeal, having been withdrawn, will be removed from the Board's docket.

- H.2 Hearing of Appeal on behalf of Marvin Antill, Sanitation Supervisor, relative to his one (1) day suspension, effective July 16, 2013.

Janeen Richard, Assistant City Attorney asked for a Continuance of this hearing, as her primary witness was unavailable for today's meeting, due to an emergency. Chairman Silverman asked if there was any objection to a continuance in this matter.

Michael Braverman, Attorney on behalf of Mr. Antill, appeared before the Board and responded in the negative.

Following discussion, the Board entered a motion to GRANT A CONTINUANCE on behalf of the Department, 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, Baños and Harris

- H.3 Hearing of Appeal on behalf of Sabine Raymovil, Police Officer, relative to her 20-hour suspension, effective April 3, 2013.

CONTINUED

- H.4 Hearing of Appeal on behalf of Constant Rosemond, Police Officer, relative to his 10-hour suspension, effective May 6, 2013.

CONTINUED

ADJOURNMENT:

There being no further business before the Board, the meeting Adjourned at 10:05 am.

SIGNATURE:

Gerald Silverman, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary