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**Commission on Ethics &  
Public Trust  
Miami-Dade County**

# Memorandum

To: File

From: Michael Murawski, Advocate  
Breno Penichet, Investigator

Date: May 24, 2007

Re: City of West Miami Pay Raises; K07-050

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This Investigation was predicated by information received by COE Investigator M. Diaz from a reliable source. He advised that several City Commissioners had possibly met and agreed to support a salary raise for themselves. The discussions were possibly done in violation of the sunshine law. The rationale for this was that the Item was placed on the agenda the previous day, without being properly advertised. After a heated debate and some controversy a resolution was passed (3-2 vote) to hold an election.

COE Investigator Penichet contacted Felix Diaz, City Clerk who provided a copy of Resolution #2007-07, passed April 4, 2007. Calling for a referendum election on the pay question on June 26, 2007. According to Mr. Diaz only after the election if approved can this legislation take effect. Mr. Diaz further stated this Resolution was reviewed and approved by the City Attorney.

Mr. Diaz contacted COE Investigator Penichet and advised that on May 2, 2007 the Commission passed Resolution #2007-10 rescinding the previous resolution to hold the election. Mr. Diaz provided a copy of it.

The allegation concerning the violation of the sunshine law will be forwarded to the State Attorney's Office for possible follow up.

After taking into consideration the information and statements obtained in this investigation, there does not appear to be any indication that any ordinance within our Jurisdiction has been violated.

For that reason this matter is closed.