



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Breno Penichet

Case No: K13-012	Case Name: City of Doral Commissioner Sandra Ruiz	Date Open:	Date Closed:
Complainant(s): Anonymous	Subject(s): Sandra Ruiz	January 31, 2013	September 27, 2013

Allegation(s):

The Commission on Ethics (COE) received an anonymous letter alleging that City of Doral Vice Mayor Sandra Ruiz (Ruiz) was interfering with the day to day operations of the City. In the letter, the writer stated that Ruiz imposes herself on the staff and tries to intimidate them. Ruiz has verbally attacked the City Clerk and has attempted to re-hire employees that have been fired, in direct violation of City Charter. The letter goes on to state that Ruiz had problems with the interim City Manager, Merritt Stierheim (Stierheim) prior to his leaving the City.

Relevant Ordinances:

Exploitation of official position, Sec. 2-11.1(g), Miami-Dade Conflict of Interest and Code of Ethics Ordinance,
“No person included in the terms defined in Subsections (b)(1) through (6) and (b)(13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others...”

Interference with administration, Sec. 4.02 (i), City of Doral Charter, “Except for the purposes of inquiries and investigations made in good faith, the Council or its members shall deal with officers and employees of the City who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately. (ii), “A criminal conviction for willful violation of this Section shall be grounds for removal from office of any Member of the Council.”

Investigation:

Interviews

Merritt Stierheim

On February 27, 2013, Stierheim voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Stierheim advised that he was the interim city manager. His main function outside of running the day to day operation was to assist the Mayor in the selection of a permanent manager. Stierheim advised that he found the department directors as well as the staff to be very professional and competent. Stierheim advised that he did find political interference within the administration, particularly by Ruiz. Stierheim advised that she interfered with the employees, and on many occasions went directly to the employees instead of the department director or the City Manager. Stierheim advised that he wrote a memo to the Mayor and the members of the council, asking them to make any request for services or information through his office. Stierheim advised that the level of hostility between the City Clerk and Ruiz was very high. Ruiz would interfere with the Clerk’s Office staff and would have private meetings with staff members. This behavior made it very uncomfortable for all concerned. Stierheim advised that he tendered his resignation once the Mayor advised him that he had chosen a permanent replacement.

Eliza Rassi
Finance Director
City of Doral
8401NW 53rd Terr.
Doral, Florida 33166
(305) 593-6725

On March 28, 2013, Eliza Rassi (Rassi) voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Rassi advised that Ruiz did go to her department and requested that one of her employees provide payroll information. Rassi advised that the employee notified Ruiz that only the Department Director could provide the information and that she should contact Rassi. Rassi advised that Ruiz did contact her and was provided with the information she was entitled to. Rassi advised that she has never heard Ruiz directly threaten any employee. Rassi advised that the employee involved was Alex Tejerizo.

Alex Tejerizo
Finance Clerk
City of Doral
8401NW 53rd Terr.
Doral, Florida 33166
(305) 593-6725

On March 28, 2013, Alex Tejerizo (Tejerizo) voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Tejerizo advised that Ruiz walked up to him and requested to know the salary for the City Clerk. Tejerizo advised that he told Ruiz that he could not provide that information she would have to get it from Rassi. Ruiz left without any problems. Tejerizo advised the next day Ruiz returned and she seemed upset but was not threatening or belligerent; all she wanted was the information. Tejerizo advised that Ruiz never advised why she needed the information, or used her position to pressure him. Up to the time of the interview no adverse action had been taken against him.

Barbara Herrera
City Clerk
City of Doral
8401NW 53rd Terr.
Doral, Florida 33166
(305) 593-6730

On March 28, 2013, Barbara Herrera (Herrera) voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Herrera advised that she has a history with Ruiz from when she was on the council previously. Herrera advised that Ruiz asks for public records and expects to have them right away. Herrera advised that many times her requests are complicated and take time for the research and the other steps that must be taken. Herrera advised that Ruiz has on several occasions made threats to have Herrera fired. Herrera advised that she works for the Mayor and the Council and understands her position, but will not allow anyone to compromise her position no matter what the consequences are. Herrera advised that Ruiz knows very well that she needs to go through the Department Directors or the City Manager when she needs any type of information.

Barbara Hernandez
Parks and Recreation Director
City of Doral
8401NW 53rd Terr.
Doral, Florida 33166
(305) 593-6600

On March 28, 2013, Barbara Hernandez (Hernandez) voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Hernandez advised that Ruiz approached two (2) employees of the Parks & Recreation Department (PRD) while they were working in a warehouse owned by the City. Ruiz told the employees that the place was a mess and she recommended a friend that could set up the warehouse in order. Ruiz told the employees not to discuss the conversation with their supervisors. Hernandez also advised that

in another instance, Ruiz had two outside vendors contact the PRD and attempt to negotiate for summer camps at city parks. Ruiz had been told by Hernandez previously that the summer program had been in place for some time, and that there was a previously-approved list of vendors.

Bettina Rodriguez Aguilera
Councilwoman
City of Doral
8401NW 53rd Terr.
Doral, Florida 33166
(305) 593-6600

On March 28, 2013, Bettina Rodriguez-Aguilera (Rodriguez-Aguilera) voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Rodriguez-Aguilera advised that she is now a councilwoman but at one time had worked directly for the council and was always being confronted by Ruiz. Rodriguez-Aguilera advised that, on more than one occasion, Ruiz threatened to have her fired and was rude and belligerent. Rodriguez-Aguilera advised that since Ruiz has come back to the council, she has had problems with several department directors because she is always going to the employees instead of the directors or manager.

Mark Taxes
Assistant City Manager
City of Doral
8401NW 53rd Terr.
Doral, Florida 33166
(305) 593-6725

On March 28, 2013, Mark Taxes (Taxes) voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Taxes advised that Ruiz does have conflicts with many persons in City Hall. Taxes advised that he has not had many problems with Ruiz because he tries to be fair with every one and if at all possible he works with all the parties. Taxes advised that he was leaving the City of Doral for a new job with another City.

Joe Carollo
City Manager
City of Doral
8401NW 53rd Terr.
Doral, Florida 33166
(305) 593-6725

On March 28, 2013, Joe Carollo (Carollo) voluntarily agreed to meet with COE investigators and provide information regarding this investigation. Carollo advised that he has received

complaints regarding Ruiz and the disruption of the different departments. Carollo has discussed with Ruiz the problems her behavior is causing and the fact that she is disrupting the day to day operations of the City. Carollo advised that Ruiz would set meetings with staff and then not show up; also, she is always requesting documents which take up a lot of staff time. Carollo advised that Ruiz took it upon herself to have a friend of hers call him to discuss upcoming summer programs, by-passing City rules. Carollo advised that he has discussed this matter with Ruiz but no progress has been made.

COE investigators requested to meet with Ruiz via her attorney, but as of this date have not received any reply.

Document/Audio/Video Review:

1. Anonymous letter dated 1/28/2013 from employee.
2. Doral City Code, section 4.02.(c)(i).
3. Memo from Interim City Manager Merritt Stierheim to Mayor and City Council, Reference” Councilmember requests”, dated 12/26/2012.
4. Letter of resignation of Interim City Manager Merritt Stierheim, 1/9/2013.
5. Memo from Parks & Recreation Director Barbara Hernandez to City Manager Joe Carollo, Reference conversation with Vice Mayor Ruiz, dated 3/15/2013.
6. E-mail from Finance Director Eliza Rassi, Reference Mayor & Council Member requests, dated 12/26/2012.
7. E-mail to City Manager advising of a meeting set by Ruiz, for which she did not appear.
8. E-mail from Ruiz to Clerk requesting records, dated 4/11/2013.
9. Letter from concerned citizen reference conspiracy to fire the Clerk by Ruiz.

Conclusion(s):

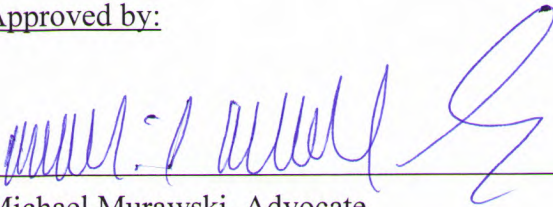
After discussion with Advocate Michael Murawski, he advised that that no further action would be taken on this case. The majority of witnesses are in agreement that Ruiz can be overbearing and rude but that does not establish an ethics violation.

As a result of the interviews it appears that Ruiz does contact City employees and requests they perform some type of tasks for her, instead of going to their department directors. This creates a problem for the staff. Ruiz has been advised that she should not be dealing with the staff but should be dealing with the department directors or the City manager. It should be noted that Ruiz has contact with staff and directors as well, but it is always to demand some type of action i.e. public record request etc.

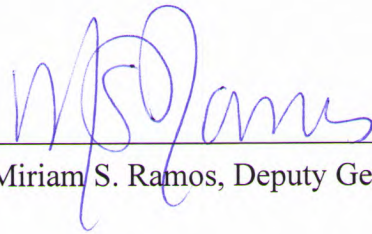


Breno Penichet, COE Investigator

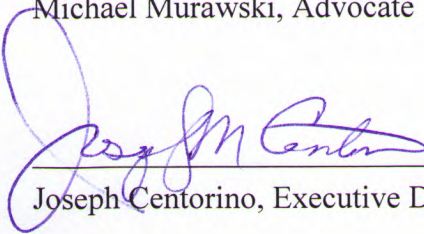
Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

11/12/13

Date