

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

#K12-107

Date Opened: 07/20/12

Date Closed: 3/27/2013

Investigator: Sylvia Batista and Karl Ross

---

On July 20, 2012, the COE received information from an individual named Mike Burke, wherein Mr. Burke voiced concern about the City of Miami Beach-sponsored trip to Basel, Switzerland, taken by Mayor Matilde “Mattie” Bower and then City Manager Jorge Gonzalez, and his family. The trips to Art Basel Switzerland by City officials have been taking place since the start of Art Basel Miami Beach in 2002.

After completing the investigation into this matter, we conclude that there is insufficient evidence to support the filing of an ethics complaint. There is no evidence to believe that anyone knowingly or intentionally committed an ethics violation. Any discrepancies regarding reimbursement for Mayor Bower’s travel appear to be inadvertent and unintentional.

**Investigation:**

The source provided copies of Mayor Bower's (the Mayor's) travel expense report, which totaled \$5,986.61. Supporting documents reflect that the Mayor travelled and expensed two trips: from San Francisco, California, to Zurich, Switzerland and from Malaga, Spain, to Miami. The information reflects that the Mayor paid for her own trip from Miami to San Francisco but expensed a round-trip fare from San Francisco to Zurich and Zurich to Miami. Pursuant to the Mayor's expense report, the cost of this round trip was \$1,444.91. The Mayor took her personal vacation immediately following Art Basel and did not return to Miami from Zurich. As part of her vacation, she travelled from Zurich to Malaga and expensed a separate fare from Malaga to Miami a week later. The Malaga to Miami trip cost an additional \$727.53. In total, the Mayor expensed and was reimbursed \$2,172.44 in air fare to go to and from Art Basel.

**07/26/12 – Mayor Matilde “Mattie” Bower**

The Mayor was asked to explain how she paid and arranged for her overseas travel on City business and personal travel. She advised that she goes to Basel on official business but often combines it with personal travel. The Mayor explained that she lives on a fixed income and that her primary income source is her late husband's monthly pension.

The Mayor said that after her stay in Basel, Switzerland, she flew to Malaga and paid for the flight herself. She said that she traveled with former City Manager Jorge Gonzalez, his wife, Leslie Gonzalez (Mrs. Gonzalez), and their children. The Mayor said her daughter met her and the Gonzalezes in Malaga and accompanied them on a seven-day cruise. The Mayor further stated that she has been traveling around Europe with Jorge Gonzalez and his family for the past several years.

The Mayor confirmed that her secretary, Francis Frances (Frances), made all of the travel arrangements for her to travel to San Francisco and Zurich. Mrs. Gonzalez booked her flight from Zurich to Malaga and also her return flight from Spain. The Mayor remarked that Mrs. Gonzalez has the time to sit at the computer all day and find low-priced fares.

The Mayor said Mrs. Gonzalez also booked the cruise for the Mayor, which Mrs. Gonzalez originally told the Mayor was going to cost \$890. However, Mrs. Gonzalez later found the same cruise for both the Mayor and a guest, in the same cabin, for \$400 per person, so the Mayor decided to bring her daughter Lisa.

The Mayor advised that she paid Mrs. Gonzalez for the cost of the cruise on May 6, 2012, with check No. 2001 for \$800 from her account with Sabadell Bank. The Mayor provided a copy of the check. She advised that she paid Mrs. Gonzalez for the cost of the return flight from Spain after she returned to Miami. The Mayor provided a copy of a check from her personal account for \$716, dated July 12, 2012, made payable to "Leslie Gonzalez," corresponding to the amount that Mrs. Gonzalez told her was the cost of the return flight from Spain.

**07/26/12 - Francis Frances, secretary to the Mayor**

Frances confirmed that she made all of the flight arrangements for the Mayor to travel to Zurich. Frances advised that she booked a round-trip flight from San Francisco to Zurich and Zurich to Miami, even though Frances knew that the Mayor would not be returning to Miami from Zurich. Frances explained that she did this because it was substantially less expensive than booking a one way ticket from San Francisco to Zurich. Frances indicated that a one-way ticket from San Francisco to Zurich was approximately \$2,900, while a round-trip ticket was approximately \$1,400. Frances said she believed that if she contacted the airline and told them the Mayor would not be able to use the return ticket due to unforeseen circumstances, a voucher

or credit would be issued for the unused portion of the ticket. Frances said she was advised to do this by Dimitra Prattas a travel agent used by the sponsors of Art Basel. Frances said the ticket could be used by the Mayor within one year for a return trip from Europe, if she paid an extra fee. Frances advised that she believed she was saving the City money by purchasing a round trip ticket with a “dummy return,” rather than purchasing a more expensive one-way ticket from San Francisco to Zurich, which she could have done and sought full reimbursement.

Frances and the Mayor advised that the reimbursement form was prepared by the Mayor’s office manager, Louis Huang (Huang). Huang typically prepares the reimbursement forms with information and receipts provided by the Mayor and/or her assistant Frances. In this case, Huang signed the reimbursement form on the Mayor behalf, without first reviewing it with her, and then he submitted it to the management and budget office for approval.

#### **07/31/12 – Royal Caribbean Cruise Lines Representative**

COE spoke with a representative of Royal Caribbean Cruise Lines (RCCL) regarding the Mayor’s cruise. RCCL said that the Mayor and her daughter, Lisa, booked their cruise on March 20, 2012, and that it was paid for on a Master Card in the name of “Leslie Swanson” (Mrs. Gonzalez’s maiden name). Two cabins were booked, and the final price of the Mayor’s cabin was \$907.21.

RCCL advised that the cruise was booked through a travel agency in Wilmington, Massachusetts. A separate cabin was booked for Leslie Swanson and Madeline Gonzalez.

**TRIP COST AND REIMBURSEMENTS TO MAYOR BOWER AND GONZALEZ**

| DATE               | DESCRIPTION                                              | COST               | REIMBURSED BY CITY TO MAYOR | REIMBURSED BY MAYOR TO GONZALEZ | EXCESS TO MAYOR |
|--------------------|----------------------------------------------------------|--------------------|-----------------------------|---------------------------------|-----------------|
| 6/7/12             | Miami to San Francisco                                   | \$432 <sup>1</sup> | -0-                         | -0-                             | -0-             |
| 6/11/12<br>6/12/12 | San Francisco to Zurich;<br>Zurich to Miami              | \$1,337.91         | \$1,444.91                  | -0-                             | \$107.00        |
| 6/15/12            | Zurich to Malaga + one night hotel stay in Malaga.       | \$452              | -0-                         | \$452 – Check #2051 pd. 7/23/12 | -0-             |
| 6/16/12<br>6/23/12 | Cruise from Malaga to Valencia, Rome, Florence & Corsica | \$907.21           | -0-                         | \$800 – Check #2001 pd. 5/6/12  | \$107.21        |
| 6/26/12<br>6/27/12 | Malaga to Miami                                          | \$727.53           | \$727.53                    | \$716 – Check #2050 pd. 7/12/12 | \$11.53         |

**Summary:**

We have reviewed the Mayor’s 2012 trip to Zurich, Switzerland, on City business. It appears that the City inadvertently reimbursed the Mayor for two return flights from Europe. The first return flight was purchased as a round-trip ticket from Miami to San Francisco, San Francisco to Zurich and Zurich to Miami. The cost of this roundtrip flight was \$1,769.91. The Zurich to Miami portion of the trip, however, was not used because the Mayor took her personal vacation at this point, which included the cruise. The Mayor paid for her flight from Zurich to Malaga and the cruise.

---

<sup>1</sup> The Mayor provided proof of payment for the Miami to San Francisco flight.

The Mayor's expense report reflects that the air fare cost for the Zurich to Miami trip was a total of \$1,876.91, minus the \$432 sum paid by her for the Miami to San Francisco leg of the trip. The remaining balance of \$1,444.91, plus a one way fare from Malaga, Spain to Miami for \$727.53 (totaling \$2,172.44) was listed on the Mayor's expense report and she was fully reimbursed that amount by the City. However, back-up documents reflect that the first leg of the Mayor's trip actually cost \$1,769.91, minus \$432, for a total of \$1,337.91. Thus, the Mayor was over paid by \$107. The accounting discrepancy is attributable to a charge for preferred seats that was ultimately not purchased.

The second item involves reimbursements made by the Mayor to Mrs. Gonzalez for the cruise and the return flight from Malaga to Miami. The Mayor reimbursed Mrs. Gonzalez \$800 for a cruise based on the amount that Mrs. Gonzalez told her the cruise would cost. However, the cruise ended up costing \$907.21 for the Mayor and her daughter - a difference of \$107.21. The Mayor also reimbursed Mrs. Gonzalez \$716 for the Malaga to Miami trip which actually cost \$727.53. This discrepancy was a nominal sum of \$11.53. Combined, the two underpayments to Mrs. Gonzalez from the Mayor total \$118.74. Thus, the Mayor should reimburse Mrs. Gonzalez \$118.74 to avoid having that amount considered a gift.

Furthermore, because the City had already paid for the return leg (Zurich to Miami) of her trip to Basel, the City should not have reimbursed the Mayor for the cost (\$727.53) of her flight from Malaga to Miami; that part of the trip was attributable solely to the Mayor's personal vacation.

This investigation determined that the accounting errors appeared to be inadvertent, unintentional and of a de minimus nature. The Mayor agreed to reimburse the City for the return fare from Malaga to Miami, plus the over payment for the preferred seat that she did not use, for

a total reimbursement amount to the City of \$834.53. The Mayor also agreed to reimburse an additional \$118.74 to Mrs. Gonzalez.

**Conclusion:**

There is no evidence to support the filing of an ethics complaint against the Mayor; accordingly, this matter is closed without further action.