

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

K #: 12-160

Date Opened: October 22, 2012

Date Closed: November 1, 2012

Name of Investigator: Manuel W. Diaz

Allegation:

In an email to Miami-Dade County Commission on Ethics and Public Trust Executive Director, Joseph Centorino, Esq., Jose M. Herrera, Esq., (Jose M. Herrera P.A., 2350 Coral Way Suite 201, Miami, Florida 33145) questioned if Town of Miami Lakes (TML) Mayor Michael Pizzi (Pizzi) was required to file a Statement of Financial Interest (Form 1), as Town Attorney, with the Town of Medley (TM), Florida.

Applicable Legislation:

2012 Florida Statutes 112.3145

“(a) “Local officer” means:

3. Any person holding one or more of the following positions: mayor; county or city manager; chief administrative employee of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building code inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator, with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; district school superintendent; community college president; district medical examiner; or purchasing agent having the authority to make any purchase exceeding the threshold amount provided for in s. 287.017 for CATEGORY ONE, on behalf of any political subdivision of the state or any entity thereof.”

Miami Dade County Conflict of Interest and Code of Ethics Ordinance.

Sec 2-11.1 (i) Financial disclosure

(1) All persons and firms included within Subsections (a) and (b)(2), (3) and (4) of this section shall file, no later than 12:00 noon of July 1st of each year, including the July 1st following the last year that person is in office or held such employment, (1) of the following... (b) A current certified financial statement on a form of the type approved for use by state or national banks in Florida listing all assets and liabilities having a value in excess of one thousand dollars (\$1,000.00) and a short description of each...”

Investigation:

Julia Cobb-Costas (Costas), Senior Attorney with the Florida State Commission on Ethics, was contacted. She advised that municipal officials, such as Pizzi, are required to file annually with the Clerk of their municipality. In Miami-Dade County, the Supervisor of Elections (M-DSE) acts as the repository for the filings. Cobb-Costas advised that Pizzi is not required to file a copy of his Form 1 with the TM where he is the Town Attorney. The Form 1 that Pizzi filed as Mayor of the TML fulfills the requirement of filing.

Marjorie Tejada-Castillo (Tejada-Castillo), Town of Miami Lakes Town Clerk, was contacted. She provided a copy of Pizzi’s 2011, Form 1, filed with the M-DSE June 29, 2012. Tejada-Castillo provided a copy of the verification of filing from the Supervisor of Elections office.

Conclusion:

Given no evidence of a violation, the instant case is closed without further action.