



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

**Investigative Report**

**Investigator:** Sylvia Batista

<b>Case No.:</b>	<b>Case Name:</b>	<b>Date Open:</b>	<b>Date Completed:</b>
C13-033/ K13-142	Azze v. Hernandez, et al.		
<b>Complainant(s):</b> Jose Azze	<b>Subject(s):</b> Mayor of City of Hialeah, Carlos Hernandez; and Pablo Bermudez, Director of Parks and Recreation.	11/01/13	02/12/14

**Allegation(s):**

Jose Azze (Azze), a former employee of the City of Hialeah, filed a complaint with the COE alleging that respondents have failed to provide him with the public records that he requested on 09/11/13 and 09/13/13.

**Relevant Law:**

Citizens' Bill of Rights (A)(3) – Public Records.  
“All audits, reports, minutes, documents and other public records of the County and the municipalities and their boards, agencies, departments and authorities shall be open for inspection at reasonable times and places convenient to the public.”

**Investigation:**

***Interviews/Contacts***

11/06/13 – Contact e-mail to Marbelys L. Rubio-Fatjo, Esq., Acting City Clerk of the City of Hialeah.

11/12/13 – Telephone conversation with City Clerk regarding request for public records made by Azze.

11/18/13 – COE investigator picked up public records from the City Clerk’s office. Carmen Hernandez, Acting Deputy City Clerk, advised that these are all of the records responsive to Azze’s public records requests.

Complainant was provided with a set of the documents which he picked up from the Clerk.

**11/25/13 – William Grodnick, City Attorney**

William Grodnick (Grodnick) said that Azze has submitted many public records requests to the City regarding the field use permit issued to El Duke Sports Association, LLC (El Duke). Grodnick said that the permit issued to El Duke (Field Use Permit No. 902) goes back to when the City needed to improve Babcock Park. Grodnick explained that City staff has exhausted themselves trying to find all the records that Azze wants and has provided Azze with all existing documentation that he has requested on the subject. There were items that Azze requested that were not provided because they do not exist such as the notices involving tournaments. Grodnick said he does not think they (Parks) were given the notices by El Duke.

**12/10/13 – Pablo Bermudez, Director of Parks & Recreation –**

Pablo Bermudez (Bemudez) was asked about Azze’s public records requests. Bermudez said that Azze is convinced that the City is holding something back, but as far as he knows, Azze has been given all existing documents on the matter. Bermudez said that he took a great deal of time to locate the records requested by Azze and believes that he has been provided with everything that he requested.

**Conclusion(s):**

On 11/18/13 the COE received and reviewed the documents produced by the City in response to Azze’s public records request. A set of the documents were provided to Azze. Turned over to Advocate for probable cause recommendation.