



## Miami-Dade Commission on Ethics & Public Trust

### Preliminary Inquiry Report

**Investigator:** Breno Penichet

<b>Case</b> PI15-002	<b>Case Name:</b> City of South Miami	<b>Date Open:</b> February 10, 2015	
<b>Complainant(s):</b> Yvonne Beckman	<b>Subject(s):</b> Philip Stoddard		

#### Allegation(s):

The COE received information from Yvonne Beckman (Beckman) a resident of the City of South Miami. Beckman alleged that City of South Miami Mayor Philip Stoddard (Stoddard) provided false and misleading information regarding a city ordinance he was proposing, dealing with parking issues for apartment units. Beckman also questioned the increased activity in what she referred to as "Lot Splitting" in RS3 residential zones.

#### Relevant Ordinances:

##### **Citizens' Bill of Rights**

**2. Truth in Government.** No County or municipal official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.

**Investigation:**

*Interviews*

COE Investigators reviewed the information provided along with the attached documents. It appeared from the information that an ordinance was proposed by Stoddard addressing parking requirements as it pertained to multi-dwelling units within the City of South Miami. The Mayor's memo utilized data taken from U.S. Census Bureau, using information from 2010 found in a specific search engine.

According to the allegations by Beckman, the Mayor quoted in his cover letter to the ordinance, findings from the 2010 Census to justify the law change. Beckman advised that the information was fact checked, and it is nowhere to be found in the Census reports. Beckman advised that Stoddard was publicly asked about it at a commission meeting, but Stoddard carried on and ignored the resident. Beckman also advised that none of the other commissioners followed up and requested clarification.

Yvonne Beckman  
5871 SW 83<sup>rd</sup> Street  
South Miami, Florida 33143

Yvonne Beckman (Beckman) was contacted concerning the allegations made against the Mayor. Beckman voluntarily agreed to speak with COE investigators and provide information regarding this investigation. According to Beckman, Stoddard wants to propose a law to reduce parking requirements throughout the city.

Beckman also stated that City of South Miami has been granting what she calls "lot splitting" in RS3 low density zoning districts. Beckman alleges that someone, possibly the Mayor, is allowing developers to come in and build medium to high density housing contrary to the City's Land Development code. Beckman also advised that she felt some Sunshine Law violations were occurring because this process was going "too smoothly."

I asked her for specific instances and names but she was unable to provide any. I suggested that she along with anyone else in her group that felt the need for answers to write a letter to the City Attorney asking for clarification to their inquiries. I also advised her that many of her allegations appeared to be outside of our jurisdiction. Beckman advised that she has spoken to Robert Steinbeck about some of the problems in the City of South Miami.

Beckman also spoke about her concern regarding the changes made on a form used to apply for a hearing before the City Commission, (Application for Hearing before The City Commission) that is given out to persons requesting Plat changes. According to Beckman the form now has an added box for "tentative/final plat".

Mr. Philip Stoddard  
Mayor  
City of South Miami  
Miami, Florida

Stoddard was contacted and advised of the nature of the investigation. Stoddard voluntarily agreed to speak with COE investigators and provide information regarding this investigation. Stoddard stated that to his knowledge there was no deception taking place, he simply felt that in some areas the City may be overbuilding parking spaces, and it was time to take a look at the matter. Stoddard advised that when he wrote the letter and the ordinance he used data that was obtained from a website listed on the letter itself (itis.fiu.edu). Stoddard advised there was a discussion on the dais between several of the members and in fact the process was reset so some of the Commissioners could conduct their own investigations. Stoddard advised as to the form that is an administrative matter and he has nothing to do with that.

***Document/Audio/Video Review:***

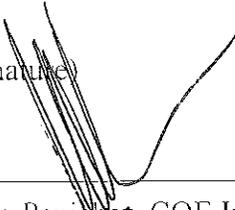
1. Letter and supporting documents presented by Mayor dated 1/25/2015.
2. E-Mail form Beckman dated 2/19/2015 concerning lot splitting and change in zoning application.
3. E-Mail form Beckman dated 2/6/2015 concerning parking requirement changes.

**Conclusion(s):**

As a result of reviewing of the documents provided, interviews by COE investigators and information obtained from the City of South Miami, there does not appear to be any Ethics related violations. I reviewed the form and all that was added was an extra box showing if there was tentative/ final Plat. A review of the search engine showed the data used by the Mayor in the letter accompanying the ordinance was accurate. A review of several commission meetings also made clear the parking issue was discussed by the commissioners.

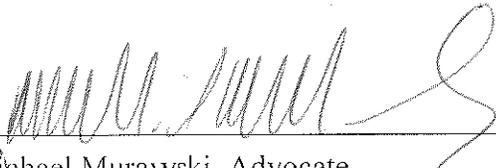
Advocate Michael Murawski advised that no further action would be taken. Accordingly, it is recommended that this case be closed.

(Signature)

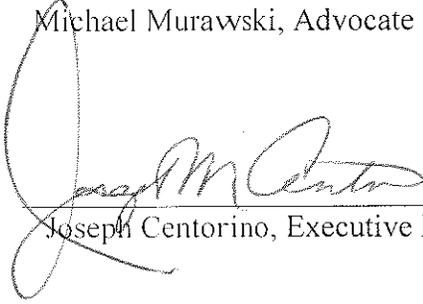


Breno Penichet, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director

3/16/15  
Date Closed