



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

**Investigative Report**

Investigator: Robert Steinback

Case PI15-025	Case Name: Ruth Rodriguez	Date Open: July 17, 2015	<b>CASE</b> Date Closed:
Complainant(s): Ruth Rodriguez	Subject(s): Board of County Commissioners Auditor's Office		<b>CLOSED</b> Date: 1/12/2016

**Allegation(s):**

Complainant Ruth Rodriguez (Rodriguez) claimed she was the victim of retaliation that resulted in an offered promotion being rescinded. Rodriguez said the retaliation came in response to her having identified and recouped \$420,000 in wrongly accounted taxing district funds, but that her discovery may have jeopardized the position of her then-boss, Donald Tock, and that blame for the miscalculated accounts was wrongfully placed on her, scuttling her promotion.

**Relevant Ordinances:**

Complainant alleges a violation of Sec. 2-11.1 (g) of the Conflict of Interest and Code of Ethics Ordinance: Exploitation of official position prohibited. *No person [covered] by this ordinance shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions ...*

[REDACTED]

**Investigation:**

*Interviews*

**Ruth Rodriguez**, accountant 4 with Public Works and Waste Management, on Sept. 28, 2015, in person.

Rodriguez said she originally got a promotion to work with the County Commission Auditor's office in April 2015. She gave her two weeks' notice to her immediate supervisor and began to clean out her office at Public Works. But then she received a call from her new office to postpone the move.

When Public Works and Solid Waste merged in 2012, Rodriguez said her group ended up in Solid Waste. She said she was the controller for the SW, but with the merger was offered the position of assistant controller. In July 2014, she got a call from Donald Tock (now retired), who was special taxing director for public works.

Rodriguez had met with Tock's unit and worked there for a time in April 2014. She said she found many errors, incorrect calculations and misappropriated funding. The problem was that the taxing assessments were too low, creating a deficit in the accounts. That prompted a need to correct the deficits over the next two years by raising the assessments.

Rodriguez said one particular taxing district complained to Tock about the miscalculations. Rodriguez claims that thanks to her efforts, she was able to recoup \$420,000, money that was collected since 2007 but not distributed. Rodriguez says she got pushback over what she had found (and she claims Tock was asked to resign as a result). She said the collection methodology was changed, but the blame was put on her for the miscalculation itself.

Rodriguez said her supervisor, Aleisha Daniels, finally said, "I can't work with you." Rodriguez said she had had personal issues with Daniels in the past. That comment came on a Friday. By the next Monday Rodriguez got a new job offer, which is when she gave her two week notice to Daniels. She claims this is when the campaign against her began.

Rodriguez claims that by Day 3, calls were being placed to the new department saying she was not competent. Rodriguez said that Daniels at one point told her, "Are you sure you got the job?" She was supposed to start the job on April 20, 2015. Rodriguez said a bit later that it was Daniels who called her would-be new director and told him that "she's incompetent." Rodriguez said that when she called HR about the holdup, HR claimed it never received her two-week notice.

The news of the Special Taxing District accounting mix-up eventually hit the press. According to Rodriguez, Daniels suggested that Rodriguez was the one leaking information to the *New Times* newspaper. Other stories were published in the press which talked about millions in Special Taxing District assessments being wrongly accounted.

Rodriguez met with Deputy County Mayor Alina Hudak (Hudak) and her assistant Amy Cabrera on the matter. Hudak claimed “a reporter said her name was mentioned.” Hudak did not directly accuse Rodriguez of being the leak source. Hudak said she would talk to her chief of staff.

Rodriguez said that she missed “a month or two” on employee leave, then went back to the taxing district job.

**Charles Anderson** (Anderson), head of the Board of County Commission Auditor’s office, by telephone Dec. 7, 2015.

Anderson said Rodriguez was considered for a position in his office, but that it was rescinded “based on what was going on at the time in her division,” meaning the unfolding scandal about the miscalculated taxes with Special Taxing Districts. He had received word from her current office that the department was being audited for irregularities regarding the special taxing districts, and that Rodriguez appeared to be high enough in the hierarchy to be part of the problem. “We were told to put a hold on the paperwork” due to the audit that was underway.

“It was alleged at the time that she was part of the problem in that unit,” Anderson said, adding that this was “the word I got from the department.”

Anderson said he wanted to wait until Cathy Jackson, the director of Audit and Management Services, completed an audit of that division. Anderson said he would make a copy of the report and have it hand delivered to me.

Anderson said Jackson’s report did not name Rodriguez specifically, but apparently did not offer reassurance that she was not involved in her department’s problems. “The report cited a number of problems within that unit,” Anderson said.

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

**Office of the Inspector General (OIG) Complaint Sheet – Intake section**

Original complaint filed by Rodriguez with OIG on May 30, 2015. Attached: Memo to COE Executive Director Joseph Centorino referring case to COE.

**Printout of “My Career Tools” page** for Rodriguez, supplied by Rodriguez, showing that she was hired by the Board of County Commissioners Budget Coordinator office as of April 14, 20125.

**Press accounts** of Special Taxing District problems:

- *Miami Herald*, June 29, 2015
- Eye on Miami blog, April 18, 2015
- Political Cortadito blog, June 3, 2015

**Employment history** records for Rodriguez, obtained from Eliel Flores, Miami-Dade County Human Resources, showing

- Personnel Change Document detailing subject's promotion to chief of Public Works Finance Division, December 21, 2009
- Subject's assignment to position for Public Works and Waste Management Department (following merger of departments).
- Subject's status as Accountant 4 as of Dec. 17, 2012
- Copy of Guidelines to Layoff Procedures signed by subject, January 4, 2013.
- Personnel Change Document detailing subject's change in division assignment.

**Copy of Final Audit Report**, Miami-Dade County Public Works and Waste Management Department Special Taxing Districts, August 27, 2015. Received from Charles Anderson, head of the Commission Auditor's office.

**Analysis**

(Signature)



Robert Steinback, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director