



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

**CASE
CLOSED**

Investigator: Nilda Olmo

Case: PI 16-12B	Case Name: Ximena Morales	<u>Date Opened:</u> Date: April 14, 2016	6/14/2016
Complainant(s): Internal Service Department	Subject(s): Ximena Morales, Internal Service Department.		

Allegation(s):

On March 23, 2016, the Commission on Ethics & Public Trust (COE) received a referral from the Miami-Dade County Office of the Inspector General (OIG) regarding the misappropriation and mishandling of funds by Ximena Morales (Morales), Ref. IG15-09-A.

Relevant Law:

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1 (g) ***Exploitation of official position prohibited.*** No person included in the terms defined in Subsection (b) (1) through (6) and (b) (13) shall use or attempt to use his or her official position to secure privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

Investigation:
Records Review

According to the information provided by OIG, Morales has been employed with Miami-Dade County since 2001. Prior to becoming a Parking Lot Attendant Supervisor in 2010, she was an Account Clerk and Parking Lot Attendant. As a Parking Lot Attendant Supervisor, she is responsible for supervising approximately 18 Parking Lot Attendants at various County parking facilities. She is also responsible for writing the Parking Lot Attendant's employment evaluations. Her duties included collecting daily parking revenues from automated pay on foot parking fee terminals and from the Parking Lot Attendants. She also collected monthly parking revenues deposited into an office drop safe by Parking Office employees. Morales was responsible for reconciling these collections and preparing the bank deposits related thereto.

As noted in the OIG report, at the request of ISD, the OIG worked in conjunction with Miami-Dade Police Department and initiated an investigation into the handling of parking fees collected by the ISD's Parking Office staff and the suspected misappropriation of funds.

The report referred to the COE focuses particularly on Parking Lot Attendant Supervisor, Ximena Morales. As stated on the report, Morales admitted she knew the co-workers failed to make daily remittances of the collected monthly parking fees and instead of forwarding the funds at the end of the day (shift), the employees held on to said funds and turned them in on a monthly basis. Furthermore, Morales failed to report the employees, therefore, contributing to County funds being mishandled. In addition, she would obtain small personal loans of County funds from the Parking Lot Attendants. Monies were taken from their case drawers.

The Attendants were under her direct supervision, and part of her responsibilities included writing the employees performance evaluations. Morales admitted borrowing the money, but assured she replaced it the following morning.

Evidence relating to the crime of theft was provided to the Miami-Dade State Attorney's Office, and after consulting with the prosecutors, Lead Detective and OIG Investigator, they determined that due to the lack of reliable accounting records from the Parking Office as well as the equal opportunity all of the employees had to steal the money, the charge of theft could not be proven beyond a reasonable doubt, against Morales.

However, there was enough evidence showing Morales did violate various employment personnel rules. Furthermore, she admitted that she was aware of the Account Clerks not remitting monthly parking fee revenues on a daily basis.

After concluding the investigation, OIG recommend that ISD upon reviewing OIG findings, provide them with its determination on administrative action within 30 days.

Attachments:

- OIG Final Report.
- Ximena Morales's response Letter to the draft report of the Investigation.
- Tara C. Smith, Director-ISD, Response to OIG Final Report.

Investigations:

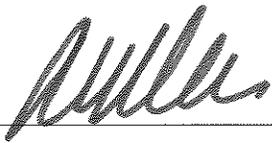
Upon review of the above-captioned referral, this Investigator contacted Miguel Iturrey (Iturrey), Division Director, Administration & Business Services, ISD. I was informed that they were in the process of administrative disciplinary actions to address OIG findings regarding Morales.

On April 16, 2016, in response to OIG Final Report, ISD provided us with the Final Disposition that resulted in Morales's being issued a Last Chance Agreement with a ten-day unpaid suspension and a demotion to her previous classification.

Conclusion:

After consultation with the Advocate, he determined that since appropriate administrative action has been taken the filing of an ethics complaint was not warranted. Accordingly, this case is closed.

(Signature)



Nilda Olmo
COE Investigator

Approved by:



Michael Murawski, Advocate



6/14/16

Joseph Centorino, Executive Director