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**MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST**

In re: Muñoz v. Herrera
_____ /

C 13-01

**PUBLIC REPORT
AND
FINAL DISMISSAL ORDER**

Christina Muñoz, a recently terminated Doral city employee, filed the above-referenced complaint against Barbara Herrera, City Clerk in the city of Doral. The complainant alluded to Ms. Herrera's alleged delays in responding to public records requests. If true, this failure to act might violate the County Ethics Code at Sec. 2-11.1 (g), *exploitation of official position*, which states that a municipal employee may not use her official position to secure special privileges or exemptions for herself or others.

Pursuant to the Code of Miami-Dade County at Secs. 2-1068 and 2-11.1 (y), the Ethics Commission has jurisdiction to enforce the County Ethics Code at Sec. 2-11.1 (g) against municipal employees. However, the County Code at Sec. 2-1067 specifically prohibits the Ethics Commission from serving "as a personnel board resolving personnel matters involving County and municipal employees."

Complainant Muñoz was employed in the city of Doral until December 11, 2012, when she was terminated following an altercation with her supervisor, the respondent Barbara Herrera. This altercation appears to have followed several

other miscommunications between the parties, one or more of which may have resulted in unintentional delays in providing public records.

As part of a negotiation settlement with the city of Doral, the complainant withdrew the above-referenced complaint on February 1, 2013, and requested that the Ethics Commission dismiss it with prejudice.

On February 20, 2013, the Ethics Commission dismissed the complaint against Barbara Herrera with prejudice.

Therefore it is:

ORDERED AND ADJUDGED THAT the complaint against Barbara Herrera is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on February 20, 2013.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:


Charlton Copeland
Chair

Signed on this date: 2/20/2013