



For Immediate Release: September 20, 2011
Contact: Joseph Centorino, Executive Director
(305) 350-0613 or centori@miamidade.gov

NBV Mayor settles ethics violations

The mayor of North Bay Village today settled charges filed by the Miami-Dade Commission on Ethics and Public Trust (COE) that she violated the County Ethics Code by filing inaccurate financial disclosure forms two times. The investigation of the complaint (**C 11-22**) found that a year ago, Corina Esquijarosa filed a Statement of Financial Interests for 2009 along with qualifying papers to run for the mayor's post, which she eventually won. Investigators found that she listed a property owned by her and her husband, but failed to report the rental income from the downtown Miami unit. She also neglected to list the mortgage in the "liabilities" section of the form. After being contacted by Ethics Commission investigators in April, Mayor Esquijarosa filed an amendment to the form, but that, too, was erroneous and incomplete because it didn't list the rental income or the mortgage. As part of the agreement, COE will dismiss Count 1 of the complaint while Mayor Esquijarosa admits to Count 2. She will pay a fine of \$500 and accept a Letter of Instruction.

A former Homestead city manager has settled a complaint (**C 11-21**) that charged him with "exploitation of official position" when he ordered reductions in bills generated by the city's electric utility. In one case, Sergio Purrinos told the general services director to "clear the account" of a customer who owed nearly \$10,500 for electricity that was stolen by use of a meter-by-pass device. In another instance, Purrinos ordered the lien on a house for unpaid utility bills to be reduced by one thousand dollars at the request of the realtor handling the sale. As part of the settlement, Purrinos agrees not to contest the allegations of Count 2 of the Complaint. The Ethics Commission will dismiss Count 1 and waive the fine but will issue a Letter of Instruction.

The Ethics Commission found Probable Cause that a police officer in North Miami violated the ethics code by profiting from security measures taken at City Hall. According to the complaint (**C 11-30**), Officer James Mesidor, who also owns a security company, subcontracted work to install cameras in Mayor Andre Pierre's office with one firm and conduct security sweeps of the building with another company. Mesidor submitted invoices from his company, but was told that, as an employee, he could not do business with the city. The investigation found that Mesidor had his nephew submit the invoice under a different company's name and deposited the payment in its account. Officer Mesidor received a check from the third company, from which he paid the subcontractors, and then earned a profit of \$1,688.

No probable cause was found on a complaint (**C 11-23**) filed by a security supervisor for Miami-Dade Transit who accused the agency's chief of security and security manager of whistle blower retaliation and exploitation of official position. Charles Wellons, Jr., claimed he was suspended for five days after complaining about security breaches within the department. However, the investigation found that the disciplinary action was taken because Wellons was insubordinate and that the supervisors followed the recommendation of the County's Office of Civil Rights and Labor Relations.

A complaint (**C 11-31**) lodged against Miami Beach Mayor Mattie Bower by one of her opponents in the November elections was found not legally sufficient. David Crystal charged that, in 2006 and 2007, then-City Commissioner Bower exploited her official position to inflate her pension. However, the Ethics Commission's statute of limitations is three years, and since the alleged actions took place longer than that, the complaint was dismissed for lack of legal sufficiency.

A complaint (**C 11-25**) filed against various officials in a County labor union (AFSCME Local 199) alleging retaliation for a charge of sexual harassment was determined to be legally insufficient. The Ethics Commission does not have jurisdiction over personnel matters, including such alleged retaliation, so the case was dismissed.

The Ethics Commission issued a Letter of Instruction regarding citizen comments at public meetings to be broadly distributed to all elected officials in the County. It stems from a complaint (**C 11-27**) that was filed against the mayor of Miami Lakes and dismissed last month as not legally sufficient. Rather than limit the advice to one municipality, the Commission determined that a recent ruling from the First District Court of Appeal should be shared. It explains that public participation at regular meetings of officials is valuable but not obligatory under Florida's Government in the Sunshine Law. Allowing time for public comment is only mandated for public hearings when a governing body is adopting a law or ordinance.

In other action today, the COE confirmed that a hearing on complaints against former North Miami Beach Mayor Myron Rosner charging exploitation of official position will begin at **9 a.m. on Thursday, September 22, 2011, in room 820, 19 W. Flagler St.** The complaints (**C 09-02 & C 09-04**) allege that Rosner, who was a licensed building contractor and a member of the Miami-Dade County Board of Rules and Appeals, proposed and completed several additions to his private home that required zoning variances. But, while a member of the City Council, Rosner discussed his displeasure about the variance process with the city manager at the time, who allegedly told his staff to resolve the issue. Building permits were issued for the improvements that included expansion of the residence, several awnings, a swimming pool, patios and a driveway, screening and electrical wiring, in violation of the city code.

The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

###