

## REPORT OF INVESTIGATION

K #: 09-081

Date Opened: 7/14/2009

Date Closed: 8/24/2009

Name of investigator: Breno P. Penichet

### **Allegation:**

This investigation was predicated upon the receipt of information from Mr. Rolando Gonzalez who alleged that Sweetwater Mayor Manuel Morono had violated Ethics rules and possibly Florida Statutes by towing vehicles from his own City and using his Authority to get contracts for his towing company.

Section 2-11.1 of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. (g) Exploitation of official position prohibited. No person included in the terms defined in Subsections (b)(1) through (6) shall use or attempt to use his official position to secure special privileges or exemptions for himself 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:**

On 14 July 2009 COE Investigator B. Penichet received a phone call from Mr. Rolando Gonzalez, via the COE hot line. Gonzalez advised that he is the owner of a Tow Truck company " All 4 One " and was recently arrested in South Miami Dade County and that Mayor Manuel Morono had towed his truck as part of a Police sting.

Gonzalez further stated that on the same day he observed Morono tow several other vehicles from the scene and that Morono himself had driven one of the tow trucks. Arrangements were made to meet with Gonzalez at a latter time so further information could be obtained.

COE Investigator Penichet conducted a corporation's check and revealed the following, Southeast towing Inc. 13905 SW 252 St. Princeton Fl. 33032, President; Manuel Morono is an active Florida corporation.

A public records check also revealed that the complainant Rolando Gonzalez has a past for:

1. Soliciting an unauthorized tow
2. Burglary/ occupied conveyance
3. Battery / simple
4. Criminal mischief 4cts
5. Civil infraction/ boating violation

On July 14 2009 COE Investigators Art Skinner and Breno Penichet Interviewed Mr. Rolando Gonzalez regarding this investigation. Gonzalez advised that he is the owner of a towing company and was driving on a road in the south end of Miami-Dade County when he stopped at the scene of an accident to render aid. Gonzalez advised that he saw two (2) young ladies by the side of the road and decided to try to help them. He asked them if they needed a tow and then he called his friend Edgar Rodriguez, from Zuni Towing. Gonzalez advised that he was well aware that he was not supposed to get involved and that he should have let the Police handle the towing per the rotation list but felt "sorry" for the girls being so young they reminded him of his daughter. Gonzalez advised that on the scene was another lady also waiting for her friend to come and give the ladies a tow. Gonzalez stated all three were arrested due to the fact the accident was a Police sting, at this point Gonzalez advised that Manuel Morono was called and

requested by the Police to remove the vehicles (tow) to his yard and hold them for the police investigation.

Gonzalez was questioned as to whether Morono was using City of Sweetwater equipment? Or was he towing and vehicles involved in an Investigation in the City of Sweetwater? Gonzalez advised that Morono's only role was to remove the vehicle at the direction of the Miami-Dade Police Detectives on the scene.

Gonzalez advised that he felt Morono should not have been there because he should have been running the City not towing vehicles; also Morono uses his position to obtain contracts for his company. COE Investigator Penichet requested Gonzalez provide further proof of this allegation but up to this date no information has been provided.

On July 29 2009 COE Investigators Art Skinner and Breno Penichet Interviewed Mayor Manuel M. Morono in his office at City Hall. Morono advised that he is the president of southeast towing that is his full time profession. Morono advised that he is a strong Mayor but is not required to be at the City a specific number of hours, although he puts in more than his fair share and is always available to conduct city business at any time his presence is required. Morono advised that he is very familiar with Mr. Gonzalez's case because he has spoken to him about it and has tried to explain the situation the best he could but Gonzalez just wont understand. Morono advised that he is a Miami-Dade County vendor and is on the rotation list for the Police Department. Morono advised that he does not tow any vehicles for the City of Sweetwater Police or any other City Department that he does store some City vehicles on his yard for **Free** because they do not fit in the City lot. Morono advised he does not use his position to secure any type of contract for his company and in fact he only drives when he is short of drivers.

On July 29 2009 COE Investigators Skinner and Penichet Interviewed Chief Roberto Fulgeira, regarding the towing contracts. Chief Fulgeira advised that the Police have

their own dispatcher and when they need towing they call Excalibur Towing Service Corp. Chief Fulgeira advised that a verbal agreement exists with the company and it is working perfectly thus far.

**CONCLUSION:**

All the Information obtained was discussed with the Advocate; he determined that there was no violation of our Ordinance.

Case Closed.