

Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Breno Penichet

Case No.: K12-185	Case Name: expedited permit fee	Date Open:	Date Closed:
Complainant(s): Morrow	Subject(s): Bob Ruiz	12-12-12	4-1-13 <i>Monitoring until 8/19/13</i>

Allegation(s):

Information was received that Town of Medley (town) Electrical Inspector Bob Ruiz (Ruiz), was receiving three hundred and fifty dollars (\$350.00) from contractors obtaining electrical permits from the town's Building and Zoning Departments. The fee was being charged by the town on top of the regular permit fees, and then being given directly to Ruiz with no part of it going to the town.

Vice Mayor Griselia Digiacomio (Digiacomio) brought the matter before the town council and they voted to fire Ruiz.

Mayor Martel and councilmember Morrow, who voted to keep Ruiz, asked that an investigation be conducted in order to afford Ruiz due process.

Relevant Ordinances:

Section 2-11.1 (g), Miami-Dade Conflict of Interest and Code of Ethics Ordinance, *Exploitation of official position*

Investigation:

Interviews

Michael Pizzi, former Town Attorney
Medley Town Hall
7777 NW 72nd Avenue
Medley Fl. 33166
(305) 887-9541

COE Investigators interviewed Town Attorney Michael Pizzi (Pizzi) in his office. Pizzi advised that he was assigned by the Mayor and Town Council to investigate this matter and report his findings to them.

Pizzi advised the town does have an “expedited permit fee.” This fee is payable to the town and the council has never authorized the entire payment be made to any sub-contractor or inspector. The fee should be paid to the town and the applicable inspector should receive whatever percentage as per their agreement(s), the Town Code or laws provided for. Pizzi advised that his investigation revealed that all the payments issued to Ruiz were authorized by the Building Official Bill Annese, along with the then Mayor.

Pizzi advised that others in the building department received similar payments from fees.

1. Richard: Annese for Structural reviews¹
2. Bob Conde: Plumbing review
3. Manny Jurado: Mechanical reviews

Prior to late 2011 the payments were less, they started to increase to \$350.00 sometime in early 2012.

In November 2012 a memo went out from the Legal Department stopping all payments for expedited permit fees.

Pizzi provided a copy of the memo he submitted to the Mayor and Town Council documenting his Investigation. (See Attached)

Document/Audio/Video Review:

¹ Richard Annese is the brother of the Building Official Bill Annese; an independent investigation will be initiated in order to determine if the State Nepotism Law was violated.

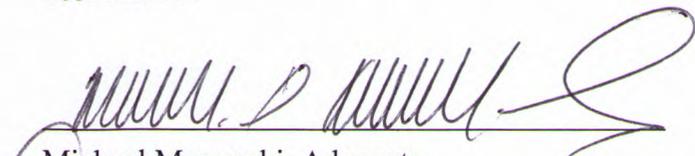
Conclusion(s):

Advocate Michael Murawski advised that no further action would be taken since there does not appear to be any Ethics related violations. Accordingly, it is recommended that the above case be closed.

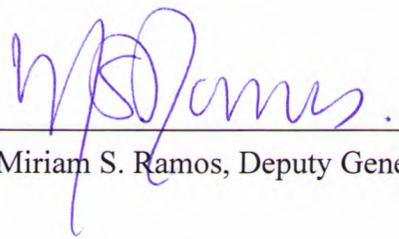


Breno Penichet, CCF Investigator

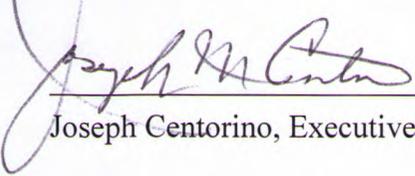
Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



8/20/13

Joseph Centorino, Executive Director