



Miami-Dade Commission on Ethics & Public Trust

Report of Preliminary Inquiry

Investigators: Manuel W. Diaz

Case No.: PI 13-014	Case Name: Mayor Chauffeur	Date Open:	Date Closed:
Complainant(s): N/A	Subject(s): Mayor Lucie Tondreau	August 30, 2013	November 19, 2013

Allegation(s):

Miami-Dade Commission on Ethics and Public Trust Executive Director Joseph Centorino received information that the North Miami Police Department has a Sergeant assigned full-time as a chauffeur/bodyguard/personal valet for Mayor Lucie Tondreau (Tondreau). It was further alleged that the driver has taken the Mayor's children to school.

An investigation was initiated to determine if Tondreau used her position to receive a benefit that she was not entitled to.

Relevant Ordinances:

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 Subsections (b) (1) through (6) and (b) (13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or her 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:

Interviews

Steven Johnson (Johnson) - City Manager, City of North Miami (NM)

The NM City Manager was contacted. He confirmed that Tondreau had an officer assigned to drive her during a recent period of time. He explained that NM had received a number of telephone calls threatening employees who worked at city hall. In response to the threats, he conferred with Police Chief Marc Elias Jr. (Elias) and a decision was made to assign police security to city hall.

Johnson spoke to Tondreau regarding the threats. According to Johnson, Tondreau expressed concern as to her individual safety, as a result of the threats and the negative backlash from the recent municipal election. Johnson, after conferring with Elias, determined that it would be prudent to provide police security to Tondreau.

Johnson added that the city hall threats coincided with a two-week period when Tondreau was scheduled to visit schools to meet with students and for a book bag giveaway. The program was initiated by former NM Mayor Andre Pierre, Tondreau's predecessor.

Johnson was not aware that Tondreau's child/children were transported to school by the officer. He expressed concern and said that he would discuss the matter with Elias. Johnson advised the security assignment has since been discontinued. Johnson, as a result of the threats, has authorized the employment of armed security for city hall.

Johnson advised that he has decided to include a "Sergeant at Arms" position as part of the Police Department's FY 2013-2014 budget. He is currently reviewing the "Sergeant at Arms" policies of other municipalities.

Johnson added that Tondreau was the only elected official who expressed concern over personal safety. He offered that if other officials would have contacted him expressing the same concerns, he would have considered similar security assignments.

Marc Elias Jr. (Elias) – NM Police Chief

Elias confirmed that he and Johnson discussed and agreed that security should be provided during the period that Tondreau visited the schools to meet with the students and hand out book bags. On one occasion, he accompanied Tondreau to provide security. During that occasion, Tondreau was scheduled to visit the school that her child attends. Since Tondreau's child attended the school, Elias decided to transport the child to the school along with Tondreau. Elias explained that he drove Tondreau on one of the occasions. On other occasions other members of the Police Department drove her.

Lucie Tondreau – NM Mayor

Tondreau was interviewed at the COE. Present representing the mayor was Michelle A. Delancy, Esq. COE Investigators explained the allegation. Tondreau provided the following explanation.

During the first two weeks of the school year, she decided to follow a precedent set by former Mayor Pierre and visit schools in and around NM. She scheduled about 30 visits during a two week period. Tondreau was driven to and from the schools by a member of the police department.

Tondreau acknowledged that on one occasion Elias drove her. On that day she was scheduled to visit four (4) schools. The first visit was scheduled at her child's school at 8:30 a.m. Instead of having her child take the bus to the school, Elias recommended that they give the child a ride to the school.

Tondreau added that she was aware of the threat recently made to city employees. She was concerned and expressed her concerns to Johnson. She felt that the threats were made directly to her because she was the newly elected mayor and that she was black, female and Haitian.

Tondreau advised that she used the police escort only when going to and from official NM functions or activities where she represented the City. She denied using the police escort for non-City related business.

Documents Reviewed

City of North Miami – Code of Ordinances Sec. 25 – City Manager – Powers and duties.

The section describes the powers and duties of the NM City Manger

(Copy in file)

North Miami Police Department - Case Number : 2013-00032108

The North Miami Police Report – Summary – dated September 5, 2012

In the narrative, the witness advised that an unknown individual has called the City a number of times complaining about his water bill. The caller emphasized that the problem was caused by Haitian and Cuban personnel working at the City. The caller stated that the Haitian and Cubans are going to have a war on their hands and “they” (unknown persons) are going to storm the building.

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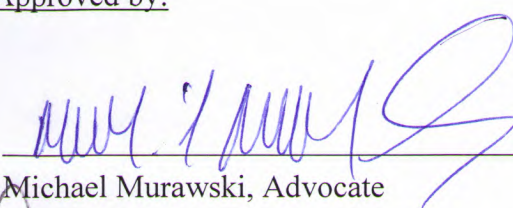
City of North Miami Council Meeting (Copy in file)

Conclusions:

Based upon the available evidence, there is no basis for filing an ethics complaint, this matter is closed without further action.


Manuel W. Diaz, COE Investigator

Approved by:


Michael Murawski, Advocate


Miriam S. Ramos, Deputy General Counsel


Joseph Centorino, Executive Director


Date