

Mary Scott Russell, Mayor South Miami, Florida

Case Number: K06-010

Re: Mr. Dick Ward contacted COE Investigators and advised that Mayor Mary Scott Russell had used city funds to pay for an airline ticket for her son. The airline ticket was for her son to travel with her to a "Dade Days" conference held in Tallahassee, Florida. Mr. Ward provided City of South Miami printouts which documented that the expenditure was made from the funds budgeted for the Dade Days event and subsequently reimbursed from Ms. Russell's discretionary account.

COE Investigators initiated an investigation to determine if Mayor Mary Scott Russell improperly used City funds to pay for the airline ticket for her son.

Investigation:

1. The documents provided by Mr. Ward were reviewed. One document indicates that the City of South Miami purchased an airline ticket, from the City's General Fund Account Travel and Conference. The reference line indicates "Max Russell Dade Days." The cost of the airline ticket was \$300.40. A second document indicates that the General Fund / Travel and Per Diem / Mayor's Expense Petty Cash fund reimbursed the City's General Fund for the cost of the airline ticket.
2. COE Investigators contacted South Miami Finance Director Adriana Hussin. Ms. Hussin confirmed that the Mayor's reimbursement of the General Fund as described above. She advised that copies of the documentation are available through the City Clerk.
3. COE Investigators contacted the South Miami City Clerk and requested documentation for the expenditure.
4. COE Investigators contacted City Manager Maria Davis concerning the expenditure. Manager Davis advised that she was aware of the expenditure. She advised that, to her knowledge, there was no city policy as to the use of discretionary accounts prohibiting the Mayor from purchasing the airline ticket for her son.
5. COE Investigators contacted Mr. Luis Figueredo, NaginGallopFigueredo, attorneys for the City of South Miami. In a letter to the COE, Mr. Figueredo confirmed that the City had purchased the ticket for the Mayor's son from the Dade Days account, and that the Mayor had instructed the Clerk to reimburse the Dade Days account from her discretionary account.
6. Mr. Figueredo advised Investigators that he had inquired with the City Manager, researched City of South Miami Administrative Policies and the City Charter and could find no policy that prohibited the Mayor from using her discretionary account to purchase the airline ticket for her son.
7. COE Investigators requested copies of the activity listings of the discretionary accounts of all employees and/or elected officials of the City of South Miami for 2005.

Findings:

1. Mayor Mary Scott Russell utilized her discretionary account to purchase an airline ticket for her son to accompany her to "Dade Days" in Tallahassee on April 5-7, 2005.
2. There are no policies in the City of South Miami governing the use of discretionary accounts by the Mayor, Commissioners or employees.

Name & Signature:	Sylvia Batista, Investigator Manuel W. Diaz, Investigator	Date: Item #:	3/3/06
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Interview of Mary Scott Russell – 3/1/06

COE investigators Sylvia Batista and Manuel Diaz interviewed Ms. Russell at her home. Ms. Russell explained that she paid for her ten year old son's air travel to Dade Days from her discretionary account because the City has no restrictions on the use of the accounts. Additionally, her son's travel was a necessary expense in order for her to do her job as Mayor because she was unable to find a place to leave him. Ms. Russell explained that she had tried unsuccessfully to find someone to take care of her son while she attended the event, which was a required part of her job as Mayor of the City. Ms. Russell explained that her son's ticket was purchased with funds from the Dade Days account and that as soon as she realized this, she instructed the Clerk to reimburse the Dade Days account from her discretionary account. Ms. Russell confirmed that she ultimately used her discretionary account to pay for her son's airline ticket to Tallahassee for the Dade Days event. Ms. Russell stated that she did not think there would be any problem in using her discretionary account for such purposes since the City has no prohibition on such use. Ms. Russell added that she rarely uses her discretionary account for meals or for making donations to her various causes, therefore she did not anticipate that there would be a problem in using the account to purchase her son's ticket. She further stated that some City Commissioners have sent resident representatives in their place using Dade Days money.

Ms. Russell, who was unsuccessful in her recent bid for Mayor, stated that the City should adopt policies related to the use of the discretionary accounts in order to avoid these types of situations in the future. She discussed the issue with Maria Davis after she learned of the complaint against her.

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