

OFFICE OF THE INDEPENDENT ADVOCATE
REPORT OF INVESTIGATION

K #: K07-015

Date Opened: 1/22/2007

Date Closed: 2/27/2007

Name of investigator: Breno Penichet

**Possible Exploitation of Official Position by Town of Miami Lakes (TML)
Councilman Richard Pulido.**

Allegation:

This Investigation is predicated upon information received in the form of an E-mail addressed to COE director Robert Meyers, stating that Councilman Richard Pulido who is a realtor is attempting to present legislation that may benefit Realtors by allowing signs to be placed in the public swales in order to advertise home sales.

COE Investigators reviewed the information provided by Ms. Miriam Mendoza (hondlady@bellsouth.net). In the E-Mail sent by Ms. Mendoza, she wrote that Pulido is a new Councilman that is a realtor, before becoming a City official he (Pulido) was the Chairman of the Education Advisory Committee and very much involved in Town matters, why now that he is in his position does he bring this matter forward. Ms. Mendoza further writes that on the December 12, 2006 at the Commission meeting Pulido placed the item on the agenda titled "Home Sales Economic Relief" under New Business, 16.C (Agenda attached). Ms. Mendoza goes on to state that Pulido is also president of his home owners association (HOA) and is setting a bad example. Ms. Mendoza also wrote that Pulido brought with him to the meeting other Realtors to support him in this cause.

COE Investigators spoke to Ms. Mendoza via Telephone along with her husband Gus Azella, 305-364-6100. Both Ms. Mendoza and Mr. Azella verified the above information and felt that Pulido is using his position to gain an economic advantage by passing this Ordinance to allow realtors to place signs on the public right of way on the days that they are holding open house. Ms. Mendoza also advised that pulido and his supporters were extremely rude toward the Mayor and in fact there were some strong words exchanged between them during the meeting. Ms. Mendoza advised a workshop was scheduled on this issue on February 15, 2007. Note: COE Investigators listened to an audio tape of the December 12, 2006 council meeting that was provided by Mayor Slaton, and found that the information stated by Ms. Mendoza was not accurate, the discussion was normal and in fact the item was tabled and turned to town staff in order for it to become part of the Town Development Code: Article 9.0. **Signs.**

- COE Investigators attended a work shop presented by TML staff, on February 15, 2007. The work shop included a power point presentation by Ms. Maria Crowley Director of Planning and zoning. During the presentation the new sign ordinance was presented along with a comparison of the previous used Dade County Code. The new Code covers real state signs and the areas they can be used and how they can be utilized. A discussion among the council members followed the presentation and it was agreed that item would again be discussed in the February 20, 2007 zoning meeting.
- COE Investigators Interviewed Mayor Wayne Slaton, 15700 NW 67 Ave, S#302 Miami Lakes, Fl 33014. (305) 364-6100. Mayor Slaton advised that he became aware of the item when he received the agenda for the December 12, 2006 council meeting, the agenda is usually published seven days prior to the meeting and this particular item had a memo attached. Mayor Slaton advised usually after

the item is discussed then it results in an ordinance if it appears that it has a good chance of passing. Since this item was part of a broader subject it was decided at the meeting to turn it over to town staff and incorporate it into the Land Development Code. Mayor Slaton advised that he did not feel that he had to allow the expert brought in by Councilman Pulido due to the fact that they had not filled out a card and was not a town resident besides he felt the item did not have strong support as it was posed. Mayor Slaton provided copies of the memo from Pilido and audio tape of the meeting. (all have made part of this file)

- COE Investigators Interviewed Councilman Richard Pulido, 15700 NW 67 Ave, S#302 Miami Lakes, FL 33014. (305) 364-6100. Mr. Pulido was advised as to the nature of the complaint. Pulido advised he has been a councilman since October, 2006 prior to that he was involved with the Youth activities and Educational committee. Mr. Pulido advised that prior to being in office he had no way of introducing any type of legislation and he only concerned himself with matters of education and youth related because that was his main focus since he was and still is an educator. Mr. Pulido advised that he now works as a Professor for St. Thomas University and prior to that he taught at Columbus H.S. Mr. Pulido advised that he is a realtor but now as well as at the time he proposed the legislation he did not have any listings in Miami Lakes, his area (farm) is the Moors which is north east of the town. Mr. Pulido provided a copy of a letter he received from Coldwell Banker Community Foundation, Dated November 14, 2006 basically complaining about the **“inability to use directional signs is directly affecting the real estate market within Miami Lakes.”** The letter also provided copies of ordinance’ passed by other Cities through out the country. Mr. Pulido advised that the letter and phone calls from several other realtors that also reside in the town prompted him to put this matter forward, not so much for the

realtors but also to help the home owners so they can have the best chance to be able to show the property and get as much as they can. Mr. Pulido felt that the home owner should be given the opportunity to gain the best position when selling their property.

CONCLUSION:

Complaint is unfounded.