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Miami-Dade County Commission on Ethics and Public Trust

Memo

To: File

From: Karl Ross and Sylvia Batista, ethics investigators

Date: Jan. 13, 2011

Re: K10-102 North Bay Village Sunshine Issue (Schwartz firing)

Close-out memo: The above-captioned investigation arose out of COE case K10-064 examining the activities of certain North Bay Village elected officials while they were staying at Governance House in Tallahassee. It was alleged that during this trip, two of the three officials – former commissioners Reinaldo Trujillo and George Kane – violated the Florida open meetings or Sunshine Law by conspiring to remove then City Manager Matthew Schwartz from his post as a reaction to the resignation of the city’s police chief – allegedly under pressure from Schwartz. After preliminary investigation, this matter was referred to detectives at the Miami-Dade County Police Public Corruption Investigations Bureau (PCIB) in late August for further inquiry.

COE was subsequently advised by lead PCIB Det. Luis Rodriguez that the investigation was terminated by the Miami-Dade County State Attorney’s Office after it was learned that former Mayor Oscar Alfonso, a witness in the case, had politicized the investigation by using a copy of a state attorney’s office subpoena to make political materials aimed at discrediting Trujillo, who was running for mayor last November and subsequently lost by a slim margin. Rodriguez expressed that the case was never completed because prosecutors and investigators were so upset by the actions of the former mayor, which they believe tainted the investigation.