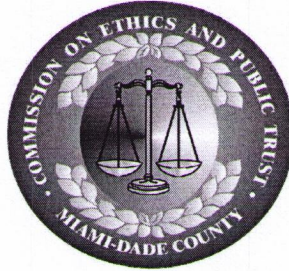


MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

#K11-126

Date Opened: 10/19/11

Date Closed: 10/24/11

Investigator: Sylvia Batista

On October 17, 2011 the COE received a letter from an anonymous source setting forth allegations that Cutler Bay council person, Peggy Bell (Bell) has used her position to influence two past elections.

The first allegation involves the Cutler Bay council election held in November of 2010. Source advised that Bell went to the polls and introduced herself to voters as a council person and handed out her city business card asking people to vote for her preferred candidate, Mary Mixon.

The source additionally advised that shortly after the end of the qualifying period for the May 24, 2011 council election, Bell directed the City Clerk to contact a candidate's employer, M-D Parks & Recreation Dept., to find out if the candidate had been given permission to run for office. The name of the candidate

is Alfie Sergio (Sergio). Sergio, who had already qualified to run, is alleged to have withdrawn from the race due to Bell's interference.

The COE's issue relates to a violation of the Conflict of Interest and Code of Ethics Ordinance Section 2-11.1(g) *Prohibition on exploitation of official position.*

Investigation:

**10/21/11 – Alfie Sergio (305) 233-3150
M-D Parks & Recreation Administrative Assistant
Former candidate for Cutler Bay council**

Sergio rendered a statement by telephone on the subject matter. Sergio said that she had been qualified to run for office by the Clerk of Cutler Bay when the Clerk called to say that a council person was questioning whether she had received permission from her supervisor to run for office. Sergio said that she had received permission from her supervisor, Renne Nottage, to run for office. Sergio advised that the Clerk told her that she should quit her job if she wanted to run for office, but Sergio did not think that her job should preclude her from running for office in Cutler Bay.

Sergio explained that she felt she had to make a quick decision. It was being suggested by the Clerk that she should quit her job if she wanted to run. Sergio said that she did not want to make a big stir and did not want the councilwoman to spend city resources to pursue this by getting a lawyer and making the City pay for it. Sergio said that she felt that the honorable thing for her to do was to step down.

Sergio explained that when she informed her supervisor of her intention to run for office, her supervisor basically said that they knew that she was involved in her community and had hired her under those conditions, so it was fine for her to run for

office. Sergio said that if she would have had to make a choice down the line she would have handle it at that time, but it was too early in the process for her to withdraw, however, she did withdraw.

Sergio advised that sometime after the election, Bell confessed to her that it was she who had raised the question and asked the Clerk to call her employer. Sergio said that Bell blamed it on the Clerk for suggesting that she step down just on the one question about her employment. Sergio said that Bell blamed the Clerk for calling her and making an issue about her qualifications to run. Sergio advised that the Clerk did not mention who the Council member was who had raised the question. Sergio said that the Clerk was just trying to do her job. Sergio said that the Clerk had questioned her on all issues before qualifying her and told her that she met the criteria to run for office. Sergio explained that if after being elected her job would become an issue, she would make the necessary decision, but this was at the very beginning of the process. Sergio said that Bell told her that she actually found out that someone else at Palmetto Bay also works for Miami-Dade County. Sergio said that she could not believe that Bell had done research on the matter.

Sergio said that it was her decision to step down because she did not want to be in the middle of a situation. Sergio said she also spoke to M-D Park's Director who said that it was okay for her to run for office in Cutler Bay as long as there is no conflict of interest. Sergio said that she is an Administrative Assistant for M-D Parks & Recreation Dept. and works in the South Region.

Conclusion:

There is insufficient evidence to support allegations against Council member Bell of misuse of official position to influence the elections. For that reason, no further action will be taken by the COE on this matter.