

**OFFICE OF THE INDEPENDENT ADVOCATE  
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST**



REPORT OF INVESTIGATION

#K11-064

Date Opened: 05/09/11

Date Closed: 09/02/11

Investigator: Sylvia Batista

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A story appeared in The Miami Herald regarding the City of North Miami's purchase and installation of surveillance cameras in Mayor Andre Pierre's office. According to the article, Mayor Pierre told North Miami Police Chief Stephen Johnson that he suspected someone was breaking into his office and needed surveillance cameras installed. Chief Johnson subsequently approved and submitted two invoices to the City from MEZ Security Services ("MEZ")—one invoice for the cameras, equipment, and labor for a total of \$2,735, and another invoice for professional services rendered in the sum of \$3,200. MEZ Security Services is owned by James Mesidor, a North Miami police officer.

After City staff raised concerns over the invoices in an e-mail dated July 29, 2010, an \$8,285 invoice was submitted by KHI Technologies Corp. (KHI) for the same items and services listed on the invoices from MEZ. City staff raised concerns over the KHI invoice, and refused to pay it without the approval of City



Manager Russell Benford (Benford). The City Manager gave the authorization to pay the invoice.

The COE's issue relates to a violation of the Conflict of Interest and Code of Ethics Ordinance Section 2-11.1(c)(1) and (4), *Prohibition on transacting business with the County/City* and Section 2-11.1(g), *Exploitation of official position*.

**Investigation:**

**5/25/11 - Carlos Perez, City of North Miami Finance Director –**

This investigator questioned Carlos Perez (Perez) on the subject matter. Perez stated that when he received the first two invoices from MEZ, he noted that they could not be approved for payment for various reasons, but mainly because MEZ is owned by James Mesidor who is a police officer in the NMPD.

Perez wrote the 7/29/10 memorandum to the City Manager advising him of his concerns over the invoices. Perez advised that there was a third invoice from MEZ that never made its way to his office probably because of the issues he raised with the first two invoices. Perez said that his office was contacted by Mesidor's father., in regard to the City's payment of the invoices. Perez advised that the City Manager agreed with his concerns over the MEZ invoices and said that they may have to find another way of paying the invoices because the work had to be done.

Perez is aware that after the MEZ invoices were denied for payment, an invoice from KHI for the same items and services was submitted to the City for payment. Perez explained that the invoice from KHI was in the same amount as the total of the three MEZ invoices (\$8,285). Perez does not know who the principals of KHI are and how



they may be related to Mesidor and MEZ. Perez explained that a staff member e-mailed the City Manager expressing his concern over the KHI invoice stating that he did not feel comfortable processing the payment without his written approval. Perez said that the manager gave his written approval to pay the KHI invoice. Perez advised that the KHI invoice in the sum of \$8,285 was paid with money from the Law Enforcement Trust Fund (LETF). Perez said that he does not understand why this purchase would qualify as a law enforcement investigation.

Perez advised that he has heard through the rumor mill that the cameras have been removed. Perez said that he does not know why the cameras were removed, or whether any of the money paid to KHI will be refunded to the City.

Research - 6/2/11:

This investigator located the names of the KHI principals: Adrian King and Joy King (listed as associates for James A. Mesidor).

**6/3/11 – Russell Benford, City Manager –**

City Manager Benford rendered a verbal statement concerning the subject matter. Benford stated that he was not involved in the purchase of the security cameras from MEZ. Benford explained that the cameras were recently removed from the Mayor's office. He stated that he did not see the cameras and does not know whether they recorded audio as well as video.

Benford explained that sometime after or during the installation of the cameras, Mesidor came into his office with two white men who were security experts to discuss security at City Hall. Benford does not recall the name of the men or the name of their company. The two men informed Benford about locating bugs and how to block the bugs



by using a white noise machine. White noise machines make enough background noise so that whatever conversations are taking place will be not be audible. Benford said that he had a long discussion with the men regarding security. Benford explained that he was interested in what they had to say, but that he was not concerned with purchasing cameras and other security equipment.

Benford said that he takes security breaches very seriously. He explained that they did not know who broke into the Mayor's office, but the purchase of the cameras was rushed because it was not safe. The locks were not broken so it appeared the person used a key. Benford advised that the Mayor told him of his suspicion that someone had broken into his office. Benford told the police chief to handle it however they wanted, and they said they would take care of it. Benford never saw the cameras being installed and was unaware that the company which invoiced the cameras and related services (MEZ) belonged to a City of North Miami police officer. Benford said that he did not know that Mesidor was going to do the work—he assumed that the two security experts who came in with Mesidor would be doing it. He said that to his knowledge no one was caught in the suspected break-in.

Benford explained that after seeing the e-mail from Raymond Bachik regarding the KHI invoice, he checked with Chief Johnson and confirmed that the work had been done. Benford said that he assumed the invoice from KHI was for the same work billed by MEZ. Mr. Benford said that he thought this was obvious. Benford gave his written authorization to process the KHI invoice.

Benford advised that he does not know whether LETF was used to pay the KHI invoice. Benford explained that this is a police issue and he stayed out of it as much as



possible while making sure that the offices were secure. He said that he does not get involved in the payment of invoices unless it is for a very large sum.

Benford explained that a purchase like this could sometimes go through a bidding process, but because it involved the police department and needed immediate attention, it did not need to.

**6/13/11 – Chief Stephen E. Johnson, NMPD**

Chief Johnson rendered a verbal statement to this investigator and the Advocate concerning the aforementioned matter.

Chief Johnson advised that the security breach in the Mayor's office was in May or June of 2010. The Chief explained that Mayor Pierre came to him to advise him of the breach. Chief Johnson recognized that there were a couple of ways to handle the breach, but he decided to bring in a private firm and use LETF funds. The Chief explained that he could have done the investigation in-house, but the Mayor informed him that the prior Chief conducted a scan to search for bugs in his office and did not find anything.

Chief Johnson said that the Mayor wanted to capture the break-in on video that would display the date and time. Whoever was breaking in was using a key so they decided to keep their investigation covert. Chief Johnson decided to assign Mesidor to facilitate the installation of the security cameras. The Chief explained that he picked Mesidor because he knew that he operated a private security company (MEZ). Chief Johnson explained that Mesidor went through the approval process and filled out a vendor form to do the work. When Mesidor did this, he was advised by someone in purchasing that he could not do business with the City.



The Chief advised that Mesidor submitted three invoices to the police department. Two of the invoices were forwarded to Perez who said in a memorandum to the Manager that he could not approve them for payment because Mesidor was a City employee.

Chief Johnson advised that he told Mesidor that he could not do the work, and he did not. Chief Johnson said he believes two white guys did the installation.

Chief Johnson explained that the installation of the cameras in the Mayor's office happened in July of 2010, but he is not sure if the work was done by 7/8/10 (the date of MEZ's invoices).

Chief Johnson explained that when Perez saw the invoices, the rumors began quickly because they had not told him or anyone what they were doing. The Chief explained that the Mayor had no confidence in allowing the NMPD to investigate the breach. They could have called another police department to investigate. Chief Johnson said that he told Mayor Pierre that he would be contacted by either Mesidor or Felix Guaderama (Guaderama) to arrange doing the work related to the breach. Mesidor and Guaderama are two police officers who do outside work in the security field. Guaderama was busy and could not do it. Based on that, Chief Johnson told Mesidor to contact the Mayor.

Chief Johnson said that Mesidor did not know that he could not do the work. When Mesidor found out that he could not do the work, he got the other company (KHI) to do it. Chief Johnson was told by the FDLE investigator that the owners of KHI, the Kings, are related to Mesidor.



Chief Johnson explained that the Mayor had given him enough information to warrant the use of the cameras. If the cameras have the capability to mark the date and time, no one can debate the activity captured on camera.

Chief Johnson explained that he and the Mayor left it to Mesidor to handle. However, he and the Mayor did not know that Mesidor could not do the work. When Mesidor found out that he could not do the work, he gave it to KHI and told them to do it. Chief Johnson stated that Mesidor made no money from the security cameras and other security services provided by KHI.

**06/28/11 – Officer James Mesidor, NMPD–**

Officer Mesidor rendered a voluntary verbal statement to this investigator and the Advocate. Mesidor advised that he was approached by Chief Johnson who told him that the Mayor needed a job done to protect the security of his office at City Hall. The Chief explained to him that the Mayor complained that someone went into his locked office after hours. Mesidor explained that the Chief asked him because he knows that he owns a security company. Mesidor advised that his company is JM Protective Services d/b/a MEZ Security Services. Mesidor said that the Chief told him that the Mayor needs inconspicuous cameras installed in his office. Mesidor said that he asked the Chief whether his company could do the job, and the Chief said that he could. Mesidor explained that he went to the Mayor's office to see what needed to be done. Mesidor advised that he contracted a security company as subcontractor for MEZ. Mesidor advised that the company he contacted is called Protection First and is owned by Jake Berner (Berner). Berner can be reached at (954) 822-1555. Mesidor said that Protection First provided the cameras and installed them in the Mayor's office.



Mesidor advised that he subcontracted James Toth (Toth) to do the security sweeps at City Hall. Mesidor explained that Toth was recommended by someone at Protection First. Mesidor said that each subcontractor provided him with their respective invoices after completing the work. Mesidor explained that he needed to subcontract the work out because MEZ Security does not have the capability to do such complex work.

Mesidor said that after the work was completed by the subcontractors, he submitted the invoices from MEZ to the City for payment, and filed out a vendors application through Chief Johnson's secretary, Lorraine. Mesidor explained that he was assigned a vendor's number, but was also told for the first time that he could not do business with the City. Mesidor explained that for this reason his invoices were not approved for payment by the City.

Mesidor explained that the work had been done and invoiced and they needed to find a way for the City to pay. Mesidor said that he reached out to his nephew, King, who owns KHI Technologies. Mesidor advised that KHI Technologies created an invoice for the same services and sums that had been invoiced by MEZ and submitted it to the City for payment. Mesidor said that Chief Johnson and the City Manager were aware of the arrangement made with KHI.

Mesidor advised that the City paid KHI the full invoiced amount of \$8,285.00. Mesidor was asked about the check for \$8,135.00 payable to him written by KHI the day after depositing the City's payment. Mesidor explained that KHI paid him by check which he cashed and used to pay the subcontractors. Mesidor explained that there was money left over, approximately \$1,600, which was retained by his nephew because he



has been unemployed for awhile. Mesidor stated that he did not make any money from the City.

Mesidor said that he would be able to provide the OIA with copies of the invoices from the subcontractors. Mesidor's e-mail address is [jmesidor@mezsecurity.com](mailto:jmesidor@mezsecurity.com).

Mesidor was advised of his obligation to file an outside employment statement listing the sources and compensation received in his outside employment.

**06/29/11 – Jake Berner, Protection First Security –**

OIA investigator contacted Berner by telephone. Berner advised that he knew Mesidor from before and was aware that Mesidor had a security company. Mesidor told him of the job that needed to be done in City Hall. Berner said that he installed the cameras and gave his invoice to Mesidor. Berner said that Mesidor asked about a security sweep, and one of his "guys" put him in touch with Toth.

Berner said that he was angry at Mesidor because he was paid 100 days late. Berner explained that Mesidor finally paid the full amount of his invoice in cash. Berner does not remember what the sum of the invoice was, and thinks that he no longer has it in his records.

Allison Berner contacted this investigator and e-mailed a copy of the invoice from Protection First to MEZ for the work done in the Mayor's office. The total of the invoice is \$2,746.16.

**06/30/11 – James Toth, SweepTeam.com –**

OIA investigator contacted James Toth (Toth) by telephone. Toth advised that he did two or three security sweeps in City Hall offices, but he does not remember who occupied them. Toth said that he was taken to City Hall by Mesidor. Toth explained



that he gave Mesidor an invoice on two occasions and both times there was a problem with payment. Toth said that he thinks he charged less than \$1500 for each sweep. Toth explained that he was met on the road by Mesidor on two occasions and handed cash payments. Toth said that he got paid what he billed.

Toth said that he was referred to Mesidor by an Israeli camera man who works with the guys doing the installation of the cameras. Toth said that he was very upset that it took Mesidor such a long time to pay him. Toth said that he did not keep copies of any reports or invoices for his services.

**07/01/11** – Mesidor provided the OIA with copies of three invoices from the two subcontractors. The following reflects the sums invoiced and paid:

TOTAL OF 3 MEZ INVOICES .....	\$8,285.00
KHI INVOICE .....	\$8,285.00
PAID BY CITY TO KHI ON 8/20/10 .....	\$8,285.00
SUM RETAINED BY KHI .....	<u>\$ 150.00</u>
PAID BY KHI TO MESIDOR .....	\$8,135.00
PAID BY MESIDOR TO PROTECTION FIRST.....	\$2,746.16
PAID BY MESIDOR TO JAMES TOTH. ....	<u>\$3,700.00</u>
RESIDUAL AMOUNT PAID BACK TO KHI.....	\$1,688.84

**08/31/11 – Adrian James King, Owner of K.H.I. Technologies Corp. –**

OIA investigator contacted King by telephone. King said that he is the owner of KHI. King said that he did not recall the details, but acknowledged that he had provided his uncle, Mesidor, with an invoice from KHI to the City for materials and labor provided



by subcontractors hired by Mesidor. King acknowledged that the KHI invoice was paid for by the City. When asked about the check given by KHI to Mesidor, King asked to see a copy of it, and stated that he did receive money from Mesidor after giving him the check, but he does not recall the exact sum and does not have any documentation that would reflect the sum.

King was provided with a copy of the check payable to Mesidor and was contacted by this investigator the following day. King said that he had not looked at the e-mail, but can confirm that he did receive some money from Mesidor, but does not recall the exact sum.

**Conclusion:**

Case is turned over to the Advocate for evaluation.