



**Miami-Dade Commission on Ethics & Public Trust**

**Investigative Report**

**Investigator:** Breno Penichet

|                                     |   |  |                                      |
|-------------------------------------|---|--|--------------------------------------|
| <b>Case No.</b><br>K12-188          | <b>Case Name:</b><br>Bay Harbor Island<br>Council woman | <b>Date Open:</b><br>December 24, 2012 | <b>Date Closed:</b><br>June 03, 2013 |
| <b>Complainant(s):</b><br>Anonymous | <b>Subject(s):</b><br>Stephanie Bruder                  |  |                                      |

**Allegation(s):**

Anonymous complaint alleging that Town of Bay Harbor Islands Councilwoman, Stephanie Bruder (Bruder), used or attempted to use her official position to avoid paying a fee.

**Relevant Ordinances:**

Exploitation of official position, Sec. 2-11.1(g), Miami-Dade Conflict of Interest and Code of Ethics Ordinance,

“No person included in the terms defined in Subsections (b)(1) through (6) and (b)(13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or others...”

**Investigation:**

COE Executive Director Joe Centorino received a phone call from a man who stated that his name was "Tony" (he did not provide a last name or phone number). "Tony" advised he had a complaint against Bruder. "Tony" stated that while in the Delta Sky Club at Fort Lauderdale/Hollywood International Airport, the morning of December 21, 2012 between 8 and 10 am, he witnessed an incident involving Bruder. "Tony" stated that Bruder, her husband and family were in the lounge, which is private and requires membership to enter. Bruder became involved in a loud verbal altercation with a female attendant regarding whether she owed a fee for an extra person in their party, referred to by Bruder as her son's nurse. Apparently, the club's rules allow certain guests but not others without an additional fee. The attendant told Bruder that there would be an additional charge for the extra person. Bruder, according to the witness, went into a loud tantrum, screaming at the attendant, threatening her with a law suit, and, in the course of the argument, made several references to her public position, saying words to the effect, "you don't know who I am." The witness believed Bruder referred to herself as a "City Manager," but was not 100% sure and said it was possible Bruder said "City Council." "Tony" stated that it was apparent, from what he and others heard, that Bruder was using her position to get some special favor from the club. At some point, a male attendant joined the discussion, which went on for several minutes. During the incident, Bruder threatened to sue under the "Americans with Disabilities Act" (ADA). It appeared, from what "Tony" observed, that the attendants finally relented and did not charge for the extra person in Bruder's party.

COE Investigator Penichet contacted Nicole Sauce (Sauce), Regional Manager Corporate Security Delta Air Lines, (407)714-9311. Sauce was briefed on the investigation and she set up a meeting with the two (2) employees involved in the altercation with Bruder, along with their supervisor for the early part of 2013.



**Interviews:**

Christine Cantin  
Delta Airlines Sky Club  
Fort Lauderdale /Hollywood International Airport.

On January 25, 2013, Christine Cantin (Cantin) voluntarily agreed to meet with COE investigator Penichet and provide information regarding this investigation. Cantin advised that on the morning of December 21, 2012, while working the counter at the Delta Airlines Sky Club, she came in contact with Bruder. This occurred when Cantin attempted to charge Bruder a fee for the extra person in her party. Cantin stated that Bruder became agitated and loud. Bruder stated, several times that she was a city commissioner and that the person with her was her son's nurse. Bruder also told Cantin that she was well versed on the ADA and would file a law suit if necessary. Cantin advised that she called her supervisor and asked Bruder to wait until the matter could be resolved. Cantin advised that the supervisor never arrived and that Bruder, along with her party, left to catch their flight. Cantin advised that Bruder volunteered to pay the fee, but since threats to file a lawsuit were made Cantin felt it was prudent to wait for the supervisor to arrive and settle the matter.

Robert Howe  
Delta Airlines Sky Club  
Fort Lauderdale /Hollywood International Airport.

On January 25, 2013, Robert Howe (Howe) voluntarily agreed to meet with COE investigator Penichet and provide information regarding this investigation. Howe advised that on the morning of December 21, 2012, while working the counter at the Delta Airlines Sky Club, he came in contact with Bruder. Howe stated that he observed Bruder walk into the lounge with another female and head towards the rear. Howe called Bruder to the front and advised that he would need to charge for the extra person in the party. Howe advised that's when Bruder became agitated, loud, and stated several times that she was a city commissioner and that the person with her was her son's nurse. Bruder also made the comment that she was well versed on the ADA and would file a lawsuit if necessary. Howe advised that, at that point, it was decided to call the supervisor and Bruder was asked to wait until the matter could be resolved. Howe advised the supervisor never arrived and Bruder, along with her party, left to catch their flight. Howe confirmed that Bruder volunteered to pay the fee after the incident, but since the threat to file a lawsuit was made he and Cantin felt it was prudent to wait for the supervisor to arrive and settle the matter.



Ginella Alvarez  
Supervisor  
Delta Airlines Sky Club  
Fort Lauderdale /Hollywood International Airport.

On January 25, 2013, Ginella Alvarez (Alvarez) voluntarily agreed to meet with COE investigator Penichet and provide information regarding this investigation. Alvarez advised that on December 21, 2012, while working as the shift supervisor Delta Airlines Fort Lauderdale /Hollywood International Airport, she was requested to respond to the counter at the Sky Club regarding an irate customer. Alvarez advised she was delayed and did not make it in time. Alvarez advised that she had no other involvement.

Stephanie Bruder  
1281 94<sup>th</sup> Street  
Bay Harbor Islands, Florida

On May 31, 2013, Stephanie Bruder (Bruder) voluntarily agreed to meet with COE investigator Penichet accompanied by her attorney, Joe Geller and provide information regarding this investigation. Bruder advised that on the morning of December 21, 2012, she along with her husband, son, two daughters, and her son's nurse were traveling for the holidays. Bruder stated that her husband and the children (all minors) proceeded to the Delta Airlines Sky Club in order to wait for their flight. Bruder advised that she, along with the nurse, took a few minutes to pick up special food for her son who suffers from a very rare type of Type 1 Diabetes and seizures. Bruder advised that when she and the nurse entered the lounge she went to the back where her family was sitting. Bruder stated she was called to the front counter and advised by Howe that he would need to charge a fee for the extra person in her party. Bruder admitted that she became agitated, and stated that the person traveling with them was her son's nurse and was very necessary because of her son's delicate condition. Bruder stated that she did say that she was a city commissioner several times, and that the person with her was her son's nurse. Bruder also made the comment that she was well versed on the ADA and would file a lawsuit if necessary. Bruder advised that she only used her title to show that she would not lie and that as a public servant she knew the law dealing with disabled persons. Bruder advised that at that point it was decided to call the supervisor and wait until the matter could be resolved. Bruder advised the supervisor never arrived and she, along with her party, left to catch their flight. Bruder advised that she volunteered to pay the extra fee but the staff wanted to wait for the supervisor to arrive and settle the matter.

**Document/Audio/Video Review:**

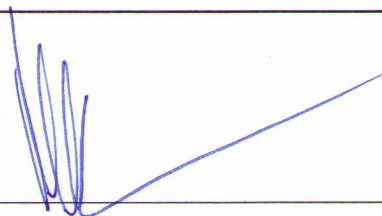
E-mail from Joe Geller attorney for Bruder.

**Conclusion(s):**

As a result of the interviews it appears that Bruder did not attempt to exploit her position, she only referred to it in an attempt to lend credibility to her claim that what she was stating was in fact the truth.

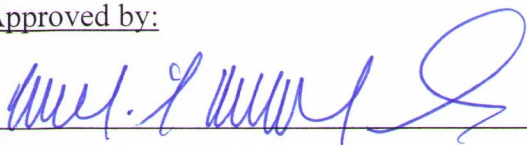
Bruder offered to pay the fee for the extra person in her party but the staff did not accept it because of the circumstances. Bruder advised that she is now much more aware that her public office is not to be used for anything other than to serve the interest of her constituents. As such, I recommend this investigation be closed.

Advocate Michael Murawski advised that no further action would be taken since there does not appear to be any ethics related violations.



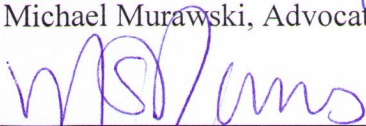
Breno Penichet, COE Investigator

Approved by:



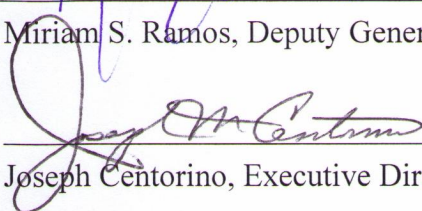
Michael Murawski, Advocate

6/27/13  
Date



Miriam S. Ramos, Deputy General Counsel

6/27/13  
Date



Joseph Centorino, Executive Director

6/27/13  
Date