



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Breno Penichet

Case No.: K12-190	Case Name: Barreiro Campaign Headquarters	Date Open:	Date Closed:
Complainant(s): Anonymous	Subject(s): Miami-Dade County Commissioner Bruno Barreiro	Dec. 26, 2012	Sept. 24, 2013

Allegation(s):

It was alleged that Miami-Dade County Commissioner Bruno Barreiro (Barreiro) leased space for his campaign headquarters from Munilla Construction Management (MCM) and that Barreiro voted to award a contract to MCM, to build a test track for Metrorail cars, during the time he was renting the space.

A Miami Herald article identified the property in question as 1429 SW 1st Street Miami, FL. The article went on to explain the reason the situation came to light was a result of an investigation conducted by a rival company that was bidding against MCM for a City of Miami project.

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 Subsection (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 herself or others...”

Prohibition on transacting business with the County, Sec. 2-11.1(d), Miami-Dade Conflict of Interest and Code of Ethics Ordinance:

“...no person included in the terms defined in Subsection(b)(1) shall vote on or participate in any way in any matter presented to the Board of County Commissioner if said person has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the Board of County Commissioners: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor, or creditor, if in any instance the transaction or matter would affect the person defined in Subsection (b)(1) in a manner distinct from the manner in which it would affect the public generally...”

Prohibition of certain business transactions, Sec. 2-11.1(u), Miami-Dade Conflict of Interest and Code of Ethics Ordinance:

“No person who is serving as an elected County official...shall enter into a business transaction with any person or entity that has a contract with Miami-Dade County or any shareholder, partner, officer, director or employee of said contractor, unless said business transaction is an arms-length transaction made in the ordinary course of business...As used herein, ‘business transaction’ shall mean any contract wherein persons either sell, buy, deal, exchange, rent lend or barter real, personal or intangible property, money or any other thing of value or render services for value.”

Investigation:

Interviews

Bruno A. Barreiro
Miami-Dade County Commissioner- District 5
111 NW 1st Street
Miami, FL
(305) 642-2228

Barreiro voluntarily agreed to be interviewed and provide information concerning this investigation. Barreiro advised that he is acquainted with the owners of MCM and is friends with the Pedro Munilla (Munilla). Barreiro advised the reason that particular locale was chosen was because it was very reasonably priced, close to his Commission office and his private business, convenient for the elderly volunteers to go and work there, it did not require a long term lease and was a perfect size. Barreiro advised that Loreta Sanchez his Deputy Treasurer and Chief Campaign Aide was the one that was in charge of the campaign headquarters. He said that all he did was approve the use of the space and authorize the payments. Barreiro advised that his campaign paid rent for all the time they occupied the space. Barreiro advised he would have Sanchez contact me when she returned from her vacation.

Loreta M. Sanchez
Deputy Treasurer/Aide, Commissioner Barreiro
P.O. Box 015644
Miami, FL 33101
(305) 642-2228

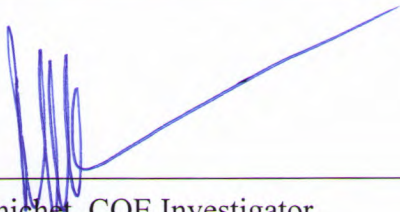
Sanchez voluntarily agreed to be interviewed and provide information concerning this investigation. Sanchez corroborated what Barreiro had said. Sanchez advised that as the Deputy Treasurer and Chief Campaign Aide, she was in charge of the campaign headquarters. The Commissioner approved the space and authorized the payments. Sanchez advised that the campaign paid rent for all the time they occupied the space. She advised they only occupied the first floor and as far as she knew the second floor belonged to MCM. Sanchez provided a copy of the short term lease signed by both parties.

Document/Audio/Video Review:

1. Miami Herald article dated 12/23/2012, Local section "Questions swirl around contract." The article alleged that Commissioner Barreiro may have received a benefit while he voted to give a contract to build a test track for Metrorail cars.
2. Barreiro's financial disclosure form for 2010, showing assets and liabilities. No information on the form links Barreiro to Munilla.
3. Appointment of campaign treasurer, along with two (2) deputy treasurers
4. Lease contract for 1429 SW 1st Street. Showing owner of property as "1401 Professional Center LLC." Showing terms of lease as 6/15/2012 to 8/31/2012 with a monthly rent of \$ 700.00 per month.
5. Three listings for active Florida corporations FEI/EIN 592277998, 262735016, 592373403.
6. Property information print-out for 1429 SW 1st Street, Miami, FL.
7. Barreiro's Campaign Treasurer's Reports showing the payments for the rent.

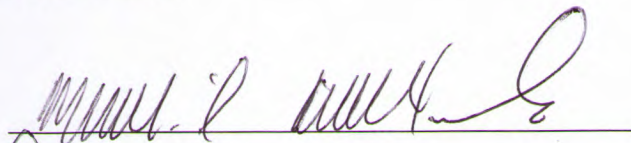
Conclusion(s):

Advocate Michael Murawski advised that no further action would be taken on this case. There is no evidence to conclude that Commissioner Barreiro engaged in any "quid pro quo" arrangement with the Munilla family or intervened on their behalf concerning the contracts with Miami-Dade County. There is also no evidence that Commissioner Barreiro exploited his official position to obtain favorable terms for his campaign headquarters. The rent paid by his campaign is consistent with other rentals in the area indicating that the arrangement was an "arms-length" transaction. Furthermore, there is no evidence that Barreiro was affected in a manner distinct from the public generally and therefore was not prohibited from voting on MCM's item.

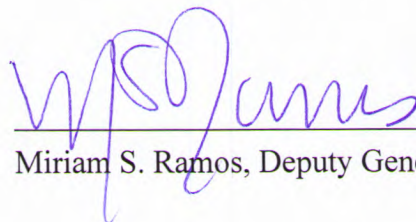


Breno Penichet, COE Investigator

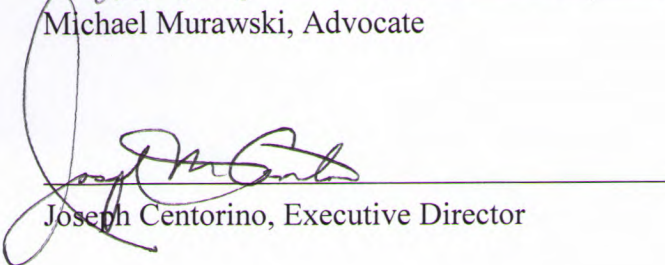
Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

10/4/13
Date