



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Robert Steinback

Case No.: K13-112	Case Name: Philip Stoddard (Code Enforcement)	Date Open:	Date Closed:
Complainant(s): N/A	Subject(s): Philip Stoddard	Aug. 20, 2013	Sept. 24, 2013

Allegation(s):

This investigation was initiated at the discretion of Investigator Robert Steinback upon hearing discussion in and around South Miami City Hall that South Miami Mayor Philip Stoddard (Stoddard) had directly issued job-related warnings directly to then-Code Enforcement Director Carmen Baker (Baker), thereby bypassing or overriding the charter authority of the City Manager over city employees.

Relevant Ordinances:

Sec. 2-11.1 (g) of the Conflict of Interest and Code of Ethics Ordinance of Miami-Dade County, *Exploitation of official position prohibited*, which states: *No person [covered by this provision] shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.*



Investigation:

Interviews

Stories circulating in and around South Miami City Hall in June and July 2013 and which had become known to this investigator suggested that Stoddard, upset that the city's Code Enforcement department had acted improperly in 2012 when it cited Stoddard for constructing a natural pool on his property without securing the proper permits, had approached Baker and threatened her with firing. As the story was retold, Stoddard believed Code Enforcement officers had somehow tricked him into allowing them access to his property, whereupon they issued the violation notice.

An initial conversation with Baker suggested to this investigator that there might be some validity to the rumored story, and that Baker might have an interest in pursuing the case, and so initiated the opening of this file.

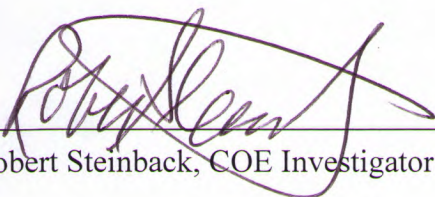
Baker subsequently resigned voluntarily from employment with South Miami. This investigator made at least two unsuccessful attempts to reach Baker to see if she wanted to pursue the matter of Stoddard's alleged threat.

This investigator recently tried again, and successfully reached Baker on Oct. 15, 2013. She indicated that she no longer had any interest in initiating or participating in any complaint against Stoddard or the city.

Conclusion(s):

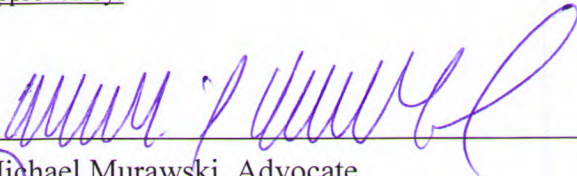
It is the view of this investigator that a complaint of this nature cannot reasonably go forward without the cooperation of the allegedly aggrieved party. At a minimum, the aggrieved party would have to testify regarding the perception that the purported threat was intended and credible.

Baker's choice not to assist in this investigation, in the view of this investigator, effectively quashes it. Therefore, the case is closed without further action.

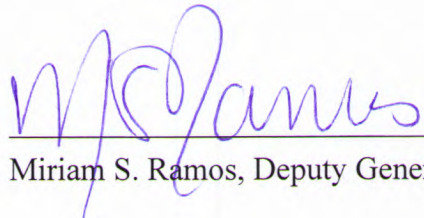


Robert Steinback, COE Investigator

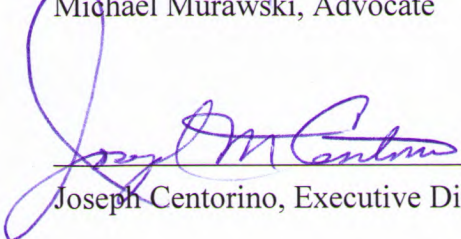
Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

10/16/13

Date