



Miami-Dade Commission on Ethics & Public Trust

Preliminary Inquiry Report

Investigator: Breno Penichet

Case No.: PI 13-031	Case Name: Aqua Backflow City of North Miami	Date Open:	Date Closed:
Complainant(s): Ellen Abramson	Subject(s): Staff Aqua Backflow	October 16, 2013	12/4/13

Allegation(s):

Received information via e-mail that the City of North Miami (City) was allowing a vendor to use City stationery, when it sent out letters requesting compliance regarding the cross connection control program.

The complainant Ellen Abramson (Abramson) provided copies of the letters sent to her by Aqua Backflow (Aqua), identifying themselves as City vendors authorized to assist with the compliance of the above-mentioned program.

Relevant Ordinances:

Improper or unauthorized use of City letter head by private company conducting business with the City.

Investigation:

Interviews

Ellen Abramson
2345 Magnolia Drive
North Miami, FL 33181

On 10/23/2013, Abramson voluntarily agreed to be interviewed telephonically and provide information concerning this investigation. Abramson advised that she received an official looking letter on 8/15/ 2013 advising her that she had to have an "annual backflow prevention assembly inspection."

The letter went on to explain this action was prompted by a Federal and local mandate, to keep the drinking water safe. Abramson advised that she complied but received additional correspondence from the company and she decided to contact the COE.

Abramson provided the copies of the letters along with other documentation. Abramson believes the company is using the City letterhead without having the proper authorization, and the City may be paying for their services.

Aleem Ghany
Director of Public Works
City of North Miami

On 11/21/2013, Aleem Ghany (Ghany) voluntarily agreed to be interviewed telephonically and provide information concerning this investigation. Ghany is the Director of Public works for the City. Ghany advised that Aqua was a City vendor and had permission to use the City letterhead. Ghany further advised the company charged each resident nine dollars and ninety five cents (\$9.95) for the service; they only monitored the program to insure compliance. Ghany advised that a contract for one year was signed and approved by the City Attorney. Ghany also stated the City did not pay the Company any fees.

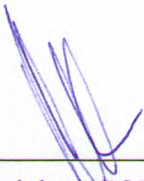
Document/Audio/Video Review:

1. Letter to Abramson, dated 8/15/2013, advising the home owner of the requirement for the test.
2. Copy of check paid by Abramson
3. Picture of Aqua inspection site with stickers.
4. 2nd notice from the company, dated 10/11/2013
5. Copy of the media release, dated 6/14/2013, advising of the Aqua inspection program.
6. Copy of Aqua Prevention Assembly Test Report.
7. Copy of Contract between the City and Aqua, signed 8/21/2012.

Conclusion(s):

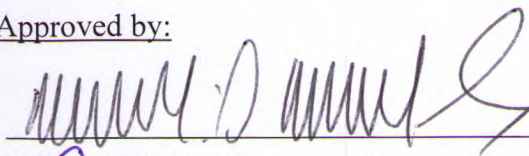
From the information gathered it appears that Aqua had permission to use City letterhead from the City because it was acting as a vendor. Aqua had a valid contract with the City to monitor the inspections.

Advocate Michael Murawski advised that no further action would be taken since there does not appear to be any ethics violations. Accordingly, it is recommended that the above case be closed.

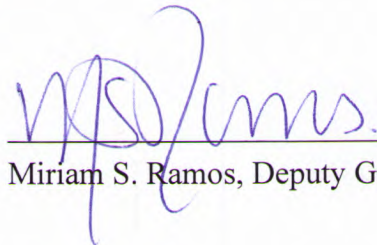


Breno Penichet, COE Investigator

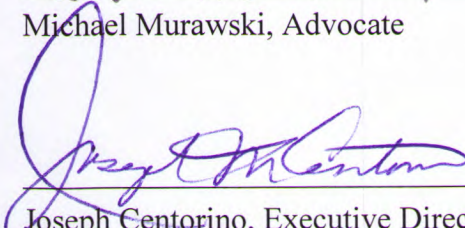
Approved by:

 12/4/13

Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

12/4/13

Date