



Miami-Dade Commission on Ethics & Public Trust

Preliminary Investigative Report

Investigator: Nilda Olmo

Case: PI 17-06	Case Name: Michael Grieco-Gift Disclosure	Date Opened: 01/17/2017	CASE CLOSED 4/13/17
Complainant(s): Anonymous	Subject(s): Michael Grieco, Commissioner City of Miami Beach	Date Submitted: 04/11/2017	

Allegation(s):

The Commission on Ethics (COE) received anonymous information claiming that Miami Beach Commissioner Michael Grieco (Grieco) failed to disclose gifts on his quarterly gift disclosure forms. The information mentioned that Grieco received a VIP Fontainebleau parking pass and parking stickers from towing companies that have contracts with the City of Miami Beach. The information also alleged that Grieco obtained tickets to high-priced gala affairs, all of which he failed to disclose.

Relevant Law:

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1(e) (1) *Gifts*. The term "gifts" shall refer to the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise or in any other form, without adequate and lawful consideration...

Investigation:

Interviews

Miami Beach has two City-authorized towing companies, Beach Towing and Tremont Towing. Both companies provide service to private and public entities in the City. Representatives from both companies were interviewed and provided the following information:

Tony Rivera

Managing Partner, Beach Towing

Tony Rivera (Rivera) explained that Beach Towing has towing service contracts with private property owners throughout the City. Beach towing provides the property owners/management with decals or stickers for the tenants to place on their vehicles, identifying them as tenants, and authorizing them to park on the premises. Private property owners enter into an agreement with the tow company to have unauthorized vehicles towed from their property.

Rivera mentioned that their policy is the same for everyone, and they show no preferential treatment to elected officials or anyone else. When a vehicle is parked illegally, the car will be towed. He denied that Beach Towing provided Grieco with a VIP pass or any other sticker allowing him to park with the privilege of not being towed.

Manny Diaz

Vice President, Tremont Towing

Manny Diaz (Diaz) is the General Manager for Tremont Towing and explained the procedure for obtaining stickers or hangers. When Tremont enters into an agreement or contract with the private entity, business, building, condos, etc., they provide them with unique color-coded stickers or hangers that identify the property; they also show the expiration date.

Tremont account holders give out the stickers to their tenants and/or employees to be displayed on their vehicles, allowing them to park in designated, legal spaces. These stickers are not generic, are unique to the account holder, and are not transferable. Diaz mentioned it would be unethical to show special privilege to anyone, and they would lose their contract if that were to occur. Diaz further stated that Tremont did not give Grieco a VIP pass, sticker or hanger.

This investigator contacted the Fontainebleau Hotel's executive office. The person answering the phone identified herself only by her first name, "America". She mentioned that her records showed Grieco did have a pass, but would not elaborate as to when this pass was given out or who authorized it. At that point, she referred me to their Legal Department for questions pertaining to any particular individual and/or public record requests.

Note: The anonymous information did not provide photographs of the stickers or VIP pass in question, nor the exact date(s) when they were allegedly on Respondent's vehicle. No date was mentioned specifying which "high-priced gala(s)" were being referenced.

The Fontainebleau Hotel Valet service/parking concession was also contacted. The valet parking charges are as follows: \$25.00 flat rate for up to 5 hours. Overnight parking is approximately \$47.00. As per Valet, VIP passes are authorized by the Executive Office and are usually given out, among others, to "frequent visitors" and/or "executive circle."

Saul Frances, Parking Director
Parking Department Administration
City of Miami Beach

Saul Frances (Frances) was interviewed regarding the use and procedure for issuing "G" permits. "G" permits are City-wide parking permits issued to Mayor and Commissioners, as well as to those holding certain executive staff positions. "G" permits are not generic. The permit bears the City of Miami Beach logo, a unique sequence number and month and year of expiration. The permits are renewed annually.

Mayor and Commissioners receive two "G"-permit decals (in case they own more than one vehicle), as well as an access card, that allow the user to park in municipal garages. They can park legally in any City-wide space or location in City lots, on-street and off-street metered parking and residential zones, not honored in private properties. The "G" permits are non-transferrable and once they are adhered to the windshield, attempting to remove them will result the decal tearing.

Michael Grieco
Commissioner, City of Miami Beach

Michael Grieco (Grieco) was accompanied by his attorney, Juan Carlos "JC" Planas, when he was interviewed by COE investigators. After being advised of the allegations, he provided the following information.

Regarding the allegations pertaining to the VIP pass and the towing sticker he stated that both the sticker and the VIP pass were given to him prior to his Commission term. Grieco mentioned that he did obtain a pass for preferred guests at the Fontainebleau since he did frequent the hotel as well as the night club, LIV. The manager for LIV at the time provided the pass. He stated that he has not used the VIP pass since being elected, and, furthermore, when attending any function or event at the Fontainebleau, he pays for parking and does not receive preferential treatment.

Before becoming a Commissioner in 2013, Grieco rented office space for his private practice at 119 Washington Ave., Miami Beach. Tremont Towing was the contracted towing company for the office building at the time (see attachments). The building had a private parking garage and management provided tenants with stickers to be placed on their vehicles.

A monthly fee was charged for use of the parking space and the sticker was placed on the vehicle identifying them as tenants.

Upon contacting Grieco regarding this sticker, he mentioned that the sticker had expired and had no value but he would immediately remove it from his vehicle.

Regarding the City-issued "G"-permit sticker (see attachments), Grieco explained that said permit allows him to park in any legal City-wide parking lot, meter or City-designated parking space. The City provides two "G"-permit-stickers to their elected officials, should they own more than one vehicle.

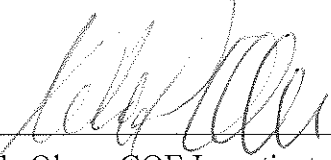
Grieco assured that he places great emphasis on keeping a very accurate, precise account of all gifts received, and consistently files quarterly gift disclosure, regardless of the value. Grieco was cooperative and volunteered to produce copies of all gift disclosures. He also provided a copy of the "G"-permit decal.

Records Review/Attachments:

- Quarterly Gift Disclosures. COE staff reviewed Grieco's quarterly gift disclosure forms from 2013 to 2016. The records reflect a lengthy, detailed summary of gifts received, including those under \$100.00.
- Copy of "G"-permit decal issued to Grieco by the City of Miami Beach.
- Photographs of office complex located at 119 Washington Avenue, Miami Beach.

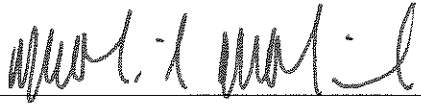
Conclusion:

After consultation with the Ethics Commission's Advocate, it was determined that there was insufficient evidence to corroborate the anonymous information and this matter should be closed with no further action.

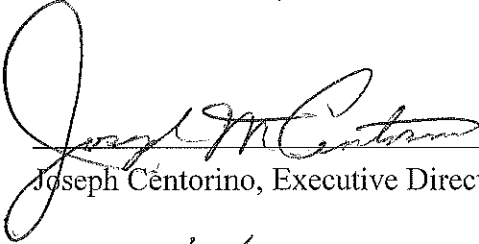


Nilda Olmo, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director

Date: 4/13/17