



**CASE
CLOSED**

Date: 5/9/19

Miami-Dade Commission on Ethics & Public Trust
Investigative Report

Investigator: Nilda Olmo
Complainant: Anonymous
Date Opened: 11-09-18

Case No.: PI 18-56
Subject/Case Name: Orlando Uribe- MDPROS
Date Submitted: 03/08/19

Allegation(s):

On or about October 2018, the COE received an anonymous call alleging abuse of power by an unnamed employee running a Baseball academy during working hours and renting the field, forbidding the use by the public.

On or about November 2018, a second call was received by COE staff. This time, the same anonymous caller provided the employee's name and park location. The caller indicated Orlando Uribe, a County employee assigned to Ruben Dario Park, located at 9825 West Flagler Street, was working outside employment during County time. This time, the caller alleged the person was running a soccer league and making between \$1,000.00-\$2,000.00 per week in outside employment.

On 12/17/2018, a third call was received with additional allegations against several other park personnel. The caller identified Enrique Castro as the "manager" and stated he allows not only Uribe to work outside employment during working hours but also alleging the following:¹

1. Carrasco allows an employee by the name of Rivera to sell candy to children at the Recreation Center.
2. Carrasco allows Josefa Castro to work less hours.²
3. Employees are routinely allowed to take unearned vacation time.³
4. Employees clock in, leave and return hours later to clock out.⁴

¹The last name provided by the caller is inaccurate, Enrique's last name is Carrasco.

² The last name provided by the caller is inaccurate, Josefa's last name is Castillo

³ Employees not identified.

⁴ Employees not identified.

Relevant Law:

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec 2-11.1(k) ***Prohibition on outside employment.*** No person included in the terms defined in Subsection (b)(5) [departmental personnel] and (6) [employees] shall receive any compensation for his or her services as an officer or employee of the County, from any source other than the County, except as may be permitted by Section 2-11 of this Code of Ordinances.

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec 2-11.1(j). ***Conflicting employment prohibited.*** No person included in the terms defined in Subsections (b)(1) through (6) (13) shall accept other employment which would impair his or her independence of judgement in the performance of his or her public duties.

Investigation:

Enrique Carrasco- Parks, Recreation & Open Spaces (PROS)

PROS Recreation Specialist 1

9825 West Flagler St, Miami, FL 33174

Enrique Carrasco (Carrasco) voluntarily agreed to be interviewed regarding the allegations contained herein. He stated he has been assigned to Ruben Dario Park since 2016, and prior to that he worked at Tropical Park.

Carrasco indicated Uribe was a part-time employee assigned to Ruben Dario Park as a Park Service Aide, "Uribe is one of my best workers." He stated he [Uribe] was a good person, very responsible, that took his job very serious, "he takes care of the park as his own." Carrasco mentioned Uribe was an excellent employee in charge of maintenance and overall upkeep of the park. He continued by saying Uribe continuously undertakes any task, "always with the park's best interest in mind."

As to the allegations, Carrasco indicated Uribe has never worked outside employment during County time. He stated Uribe partakes/assists in an adult soccer league run by Johnny Herrera who rents the park for several hours on the weekend to host soccer games. He mentioned Uribe's involvement/participation with said league takes place outside his work schedule, "as he works on a part-time basis."

Juventus Academy (JA) also rents the park on a regular basis, but Carrasco stated Uribe does not coach nor is he affiliated with the Academy in any way.⁵ He explained Uribe, as part of his responsibilities, interacts with coaches/league personnel ensuring the park is left in order/good condition after games and addressing any other issues that may arise.

At the time of the interview Uribe did not have outside employment authorization. Upon contacting Carrasco, he immediately submitted Uribe's Request for Approval of Outside Employment. On February 20, 2019, Lisset Prado, Administrative Secretary, Human Resources Division, confirmed Uribe's Outside Employment was approved by the Department's Director.

⁵ Juventus Academy rents the park Monday-Thursday and during 4-5 months on Saturdays and Sundays.

As to the allegations pertaining to Park Service Aide Castillo not working all her hours, employees taking vacation time not earned and workers clocking in, leaving and returning to clock out, Carrasco denied these allegations, indicating time is accurately kept and no one takes unauthorized hours.

Carrasco indicated he never witnessed Rivera selling candy to children at the recreation center. As to the employees clocking in and leaving, he explained certain employees make rounds or check on issues at other parks, adding that those hours are justified with the employees working their scheduled hours, "there is no misuse of hours."

**Christian Driussi-Owner Juventus Academy Miami
Managing & Coaching Director**

Christian Driussi (Driussi) was interviewed regarding the allegations against Uribe and his involvement with the academy. Driussi stated he owns and operates JA, a year-round soccer training academy that offers competitive and recreational programs for youths. He stated the Academy rents space from Ruben Dario Park Monday-Thursday for approximately 3 hours between 5:30PM-8:30PM and from November-February on weekends, usually playing before an adult soccer league.

Driussi indicated that although he knows Uribe and sees him at the park, he is in no way affiliated with JA, "he has never participated or coached in the Academy." The only involvement/dialogue with Uribe revolves around the park (field), assuring it is kept in order, or inquiring about possible lighting or irrigation issues, "issues dealing with the park and its maintenance," Driussi mentioned Uribe has never received any form of payment from JA.

**Samantha Rivera-Park, Recreation & Open Spaces
Park Service Aide-Ruben Dario Park
9825 West Flagler St, Miami, FL 33174**

Samantha Rivera (Rivera) was interviewed and questioned regarding the allegations pertaining to selling candy to children at the recreation center. She indicated she is a part-time Service Aide working between 1:30PM-6:00PM.

Rivera denied the allegations and indicated that sometimes throughout the school year's fundraising events, kids bring boxes of chocolates and sell them to friends, park patrons, etc. She mentioned buying candy from the kids as did others. She recalled on one or two occasions having been asked by the kids to hold the box of chocolates while they participated in activities or played in the park. In a couple of occasions, she was approached by kids wanting to buy the chocolates. She has given them the bars and placed the money in the envelope and returning it to the child or the parent upon being picked up.

**Josefa Castillo-Park Recreation & Open Spaces
Park Service Aide-Ruben Dario Park
9825 West Flagler St, Miami, Fl 33174**

Josefa Castillo (Castillo) also works as a Park Service Aide with Miami-Dade County for approximately 6 years. Castillo expressed her concern about bringing up unfounded allegations and possible consequences, "harming one's reputation and hard work."

She stated that as a 64-year-old hard working employee that follows the rules, she feels offended. Further stating, "the person is not thinking of the possible consequences and negative affect on the employees, the supervisor and the park."

As to the allegations, Castillo indicated her hours are checked and verified by her supervisor Enrique Carrasco. As to Uribe, she indicated everyone refers to him as "el viejo" [the old man], in a caring and admiring manner. He was described as a problem solver that goes above and beyond the call of duty, taking care of the park making sure all is in order, at times, even performing tasks outside of his job description, i.e., fixing a machine and taking care of unforeseen issues. "He is the park's handyman, always with the park's best interest in mind." "He loves the park and works very hard. "He is liked and admired by everyone."

As to Rivera selling candy at the recreation center she has, "never seen that." She stated that everyone works regular hours and she has never witnessed employees working anything less than their required hours.

Castillo stated that there are a couple of employees that as part of their responsibilities clock in and upon the supervisor's request may find the need to leave the park to make rounds or to tend to situations that may arise at other parks under Carrasco's supervision.

**Johnny Herrera (Juan Carlos Herrera)
Soccer Master Club**

Johnny Herrera (Herrera) was President of Soccer Master Club, Inc. A Florida Division of Corporation Sunbiz search revealed the company with an effective date of January 29, 2014 dissolved in September 2016 and listed Uribe as the VP.

Herrera was questioned regarding the allegation and relationship with Uribe. He stated the relationship dates back decades, when playing professional soccer. He mentioned they share a special love for soccer.

Herrera indicated he rents Ruben Dario Park on week-ends for his adult soccer team/league. As to the allegations brought forth in the complaint regarding Uribe's earnings as a soccer coach, he indicated the team not only pays for park rental fee, as do other teams, but they also incur other expenses including but not limited to, purchasing trophies, referee fees, and hiring someone to clean up after games, "after numerous expenses, not much profit is made." He added that if the allegations were true, there would be no need for Uribe to work doing maintenance at the park.

Herrera mentioned the team plays from 6:00PM-10:00PM on Saturdays, previously also playing on Sundays between 12/1:00PM to 4:00PM.⁶ Uribe contributes his experience and knowledge by participating and assisting with organizing and helping with game scheduling/managing the league, equipment and any related issues having to do with the team. Per Herrera, assured Uribe takes his job as park aide very serious and any work with the league is after working his County hours, "not jeopardizing his part-time job".

Uribe was described as a dedicated, hard-worker who spends many hours at the park even after concluding his shift. "He loves the sport [soccer] and the park."

Orlando Uribe-Park, Recreation & Open Spaces
Ruben Dario Park
9825 West Flagler St, Miami, FL 33174

Orlando Uribe (Uribe) played professional soccer for different countries including Brazil and the US. He currently works part-time as a Park Service Aide at Ruben Dario Park for Miami-Dade County.

Uribe mentioned among his responsibilities is assuring the park is well kept. He indicated his main responsibility is maintenance, but he also resolves any emergency or unforeseen problems relating to lighting, machinery, irrigation/field and even plumbing issues.

He stated soccer was his passion and at 75 years old he still has immense love for the sport. He said soccer brings people of all ages together and he enjoys sharing his knowledge and experience as a professional soccer player teaching/helping others discover the great sport. Uribe mentioned the park was his second home and he takes pride in making sure it is properly maintained for everyone's enjoyment.

As to the accusations, he denied working outside employment during County time. He said any involvement was after County working hours. He mentioned getting along with his co-workers and enjoying his time at the park.

Uribe stated he works part-time between 21-25 hours a week:
Mondays, Thursdays and Fridays from approximately 4:00PM-9:00PM
Saturdays 12:00PM-5:00PM
Sundays 8:00AM-11:00AM

Note: There were several inconsistencies with the complaint. One of the contact numbers provided by the caller was incorrect. This Investigator was able to reach the caller after numerous attempts, at which point, she indicated she did not wish to continue with the complaint and reiterated her desire to remain anonymous.


⁶ Herrera indicated the team has not played on Sundays since late last year, on or about December 2018.

Documents/Exhibit Review:

- Miami-Dade County Employee Search
 1. Enrique Carrasco
 2. Orlando Uribe
 3. Josefa Castillo
 4. Samantha Rivera
- Juventus Academy Background Search
- Approved Outside Employment Form-Orlando Uribe
- Division of Corporations-Sunbiz Search
- Soccer Master Club

Conclusion:

After discussion with the Ethics Advocate it was determined that this matter would be closed with no further action. The inquiry failed to disclose any evidence that corroborated the anonymously made allegations. However, we are recommending that PROS administration engage with COE to discuss the advisability of permitting the continued involvement of Uribe with Soccer Master Club specifically in light of the COE's recent opinion in INQ19-31 (attached).

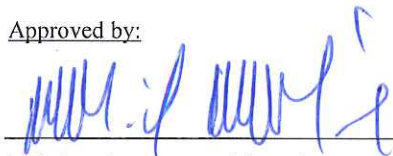


Nilda Olmo, COE Investigator

5/8/19

Date

Approved by:



Michael Murawski, Advocate

 5/8/19

José Arrojo, Executive Director