



**CASE  
CLOSED**

**Miami-Dade Commission on Ethics & Public Trust**

Date: 1-15-20

**Investigative Report**

Investigator: Susannah Nesmith  
Complainant: Anonymous

Case No.: PI19-32  
Subject/Case Name: Humberto Rodriguez

Date Opened: 8/23/19

Date Submitted: 10/23/2019

**Allegation(s):**

The COE received information that Humberto Rodriguez (Rodriguez), a senior security officer at Miami International airport, parked his vehicle in the parking garage while he went on vacation thus avoiding the \$17.00 per day parking fee that the general public is required to pay.

**Relevant Law:**

Sec. 2-11.1 (g) Exploitation of official position prohibited. 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 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:**

A review of records provided by the Aviation Department revealed that on three (3) occasions over the past year, Rodriguez parked his car in the Flamingo garage at the airport while he was on annual leave. The Aviation Department also provided two (2) documents Rodriguez signed (on Nov. 15, 2018 and Sept. 9, 2019) acknowledging that the "Mag Card" that was issued to him which allowed him to "swipe" his way into the garage was only to be used when he was working.

Rodriguez was interviewed by this investigator and Public Advocate Michael Murawski on Sept. 26, 2019. He acknowledged he had parked in the garage on 3 occasions when he was on leave. He also acknowledged that he had been told the official policy was to only use the garage when he was working. He said many people with garage privileges violate the policy but that the security officers are not able to police it because so many people with garage privileges fail to put the required decal on their cars. The security officers can't tell the difference between employees with garage privileges and members of the public if employees aren't following the decal policy.

Rodriguez was offered the opportunity to pay for the parking and said he would, in the future, use the regular entrance and pay for parking whenever he used the garage for personal travel.

**Documents/Exhibit Review:**

PPS Tag Transaction Reports generated by Aviation show that Rodriguez's Mag card was used to enter the garage on 3 occasions when it wasn't again used the same day, or in the case of an overnight shift, the following day to exit the garage. These indicate his car was in the garage from Dec. 5, 2018 to Dec. 9, 2018; Jan. 10, 2019 to Jan. 13, 2019; and May 22, 2019 to May 29, 2019.


Payroll System records indicate that Rodriguez was not working and was instead on annual leave during each of the above time periods.


The two Mag Card Applications Rodriguez signed both include the statement "Mag card privileges may only be used for the duration of the employee's shift."

On Oct. 3, 2019 an invoice was provided to Rodriguez so he could pay \$272 for the time his car was parked in the garage while he was on leave. On Oct. 22, 2019, Rodriguez provided a credit card receipt showing he did in fact pay for that time, as he said he would.

**Conclusion:**

After discussion with the Ethics Advocate, it was determined that this matter would be closed with no further action by COE although Aviation administration has been made aware of Rodriguez's violation of policy. It should be noted that the airport Director is contemplating a change in the parking policy that would essentially remove the restriction that prohibits County Aviation employees from using their employee parking for personal reasons. It was recommended to the Director that he consult with the Ethics Commission prior to establishing such a policy which would give Aviation employees a benefit not available to the general public or to other County employees.

  
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COE Investigator Susannah Nesmith

Approved by:  
  
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Michael Murawski, Advocate

  
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José Arrojo, Executive Director