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**MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST**

In re: Crespo v. Sarnoff & Martinez

C 12-39

**PUBLIC REPORT
AND
FINAL DISMISSAL ORDER**

Al Crespo, a private citizen, filed this complaint against City of Miami Commissioner Marc Sarnoff and City Manager Johnny Martinez. The complaint alleged that respondents abused their power when they allegedly demanded that the Director of Capital Improvements respond to citizens' complaints at 7:00 AM on a Sunday morning.

The facts relate to jovial banter and laudatory comments made to Albert Sosa, the retiring Director of Capital Improvements, who was recognized for his government service at a public meeting in the City of Miami.¹ City Manager Martinez attempted to illustrate the level of Mr. Sosa's dedication to the city with a story involving Commissioner Sarnoff. Purportedly, the City Manager was called on a Sunday morning at 7:00 AM by Commissioner Sarnoff to resolve a complaint brought by ten constituents of Commissioner Sarnoff. Supposedly, the Director of

¹ The September 27, 2012, meeting of the City of Miami Commission sitting as a Planning and Zoning Review Board can be viewed at http://miami.granicus.com/MediaPlayer.php?view_id=2&clip_id=443.

Capital Improvements addressed the issue immediately the same morning. If true, respondents' actions do not violate any sections of the County Ethics Code at Sec. 2-11.1.

Pursuant to the Code of Miami-Dade County at Sec. 2-1068, the jurisdiction of the Ethics Commission extends "to any person required to comply with the County or municipal Code of Ethics Ordinances...." The County Ethics Code at Sec. 2-11.1(a) extends the jurisdiction of the County Ethics Ordinance to municipal elected officials and employees.

Because the allegations filed in this complaint did not point to a violation of an ordinance within the jurisdiction of the Ethics Commission, on October 23, 2012, the Ethics Commission dismissed the complaint for lack of legal sufficiency.

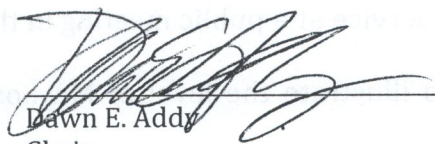
Therefore it is:

ORDERED AND ADJUDGED THAT the complaint against Marc Sarnoff and Johnny Martinez is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on October 23, 2012.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:


Dawn E. Addy
Chair

Signed on this date:

10/30/2012