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MIAMI-DADE COUNTY, FLA.
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MIAMI-DADE
COMMISSION ON ETHICS & PUBLIC TRUST

In re:

C 16-38

Art Noriega

PUBLIC REPORT AND FINAL ORDER

Complainant Elvis Cruz (Cruz) filed this complaint against Art Noriega (Noriega), the CEO of the Miami Parking Authority (MPA). Cruz alleged that Noriega violated the Citizens' Bill of Rights by making a false statement to the assembled membership of Miami Neighborhoods United (MNU) at a meeting held on October 18, 2016.

Discussion at the meeting involved the "Pay to Park" signs installed by the MPA along NE 4th Court. Cruz alleged that Noriega falsely stated that Juvenal Santana (Santana), the Deputy Director of the City of Miami's Public Works Department, had approved the "Pay to Park" signs along NE 4th Court. Cruz claimed that Noriega's statement was proven to be false when Santana stated in an e-mail on October 19, 2016, that the "Pay to Park" signs were installed *without* the proper approvals and must be removed.

Investigation revealed that another MPA employee, Humberto Escandón (Escandón) never submitted the paperwork to Santana. Escandón installed the signs in August without submitting the paperwork and getting Santana's approval. He thought that it would be okay since Santana had e-mailed him asking why the area was not regulated; he assumed Santana would approve the signs.

The investigation determined that Noriega reasonably relied on information from MPA Senior Manager of Operations Humberto Escandón that the regulation of the parking at the N.E. 4th Avenue location had been approved when in fact it was not. While the statement made by Noriega to the MNU meeting was inaccurate, it was made as a result of an administrative misunderstanding. There was no evidence that the statement was made intentionally to deceive.

On February 8, 2017, the Ethics Commission accepted the Advocate's recommendation and found No Probable Cause to the allegations in the complaint and dismissed it.

Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C16-38 against Art Noriega is concluded.

C16-38

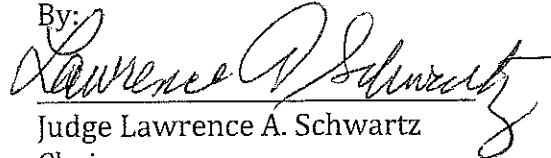
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Final Order

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on this 8th day of February, 2017.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Judge Lawrence A. Schwartz
Chairman

Signed on : 2-22-2017