

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT  
OF FLORIDA IN AND FOR THE COUNTY OF MIAMI-DADE

FINAL REPORT  
OF THE  
MIAMI-DADE COUNTY GRAND JURY

INQUIRY REGARDING  
THE MIAMI-DADE COUNTY  
DEPARTMENT OF PLANNING,  
DEVELOPMENT AND REGULATION

FALL TERM A.D. 1997

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# **INQUIRY REGARDING THE MIAMI-DADE COUNTY DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION**

## **I. INTRODUCTION**

Our grand jury service began with our commitment to complete an investigation begun by our predecessor grand jury. This investigation related to the Miami-Dade County Department of Planning, Development and Regulation (PDR) and concerned “favored treatment, improper actions and incorrect motivations” within that agency. With the issuance of our Interim Report and accompanying indictments, we have completed the portion of this commitment relating to the investigation of “improper actions.” What still remains, and is the subject of our Final Report, is the investigation of “favored treatment” and “incorrect motivations.”

To fully understand the significance of these words requires historical placement and context. During our term and the term of our predecessor grand jury, our community has been rocked by a steady and seemingly endless procession of allegations and arrests involving elected officials and government employees. We have had the extraordinary opportunity to be participants in this process through our Interim Report and Indictments of building officials and others, as well as our Interim Report concerning absentee ballot fraud in our community. At first glance, these two reports may appear to relate to two distinct and different issues. Nothing could be further from the truth. At the heart of both issues lies the source of our community’s loss of confidence and trust in local government. At its heart lies the willingness to believe that governmental corruption is just “business as usual.”

Over the last year in particular, each day seemed to bring with it new revelations, new suspicions and new justifications for this loss of confidence and trust. Festering at its core is the growing belief that government in our community stands not for truth and equality but rather for the favored treatment of the influential and the creation of artificial distinctions between the citizens of our community. A government at its worst makes the rich richer and the potent more powerful. We need only republish the words of our predecessor grand jury to articulate these sentiments:

“Many of us share the belief that our government’s power has been perverted to procure exclusive privileges for a select few. This distrustful legacy creates in us a willingness to believe that all government is corrupt. The recent revelations that important governmental leaders had fallen prey to improper financial enticements seem only to confirm this belief. Each new incident and revelation tore at the very heart of our trust and faith in government. Unfortunately, criminal convictions can only punish discovered acts. They inadequately address the underlying suspicion that a more subtle form of corruption, relating to the favored treatment of the powerful few, still remains untouched. We think that this insidious type of corruption, while generally not criminal in nature, is as destructive to our trust in government as revelations of overt criminal bribery. No official deed is more vile nor official act more repulsive than a breach by government of the public’s trust and the treatment of some citizens as “more equal” than others.”<sup>1</sup>

There are no better examples of this than the “favored treatment” and “incorrect motivations” we too have found to exist within PDR.

## **II. THE PURPOSE OF THE BUILDING DEPARTMENT**

While all of us readily acknowledge the link between public safety and our police officers or firefighters, the fact that this same relationship exists between the South Florida Building Code (SFBC) and public safety is not something we usually recognize. When we think of the building construction process, we usually focus upon the finished structure rather than the method by which it is built. If we think of the county building department at all, it is usually with criticism of the need to get a permit and a subtle feeling that delays and extra costs will usually ensue. In reality, as Hurricane Andrew so terrifyingly proved, the safety of the homes we live in and the structures we work and shop in are extraordinarily dependent upon compliance with this building code. This inter-relationship with public safety is outlined in the preface of the SFBC itself:

“...the people’s safety is the highest law. Its fundamental goals are the preservation of human life and property from fire and other life safety hazards related to buildings and building construction through enlightened and proper design, construction and inspection of all buildings and structures; uniformity in building regulation, the development of better methods of construction based on rational analysis and test; and the establishment of sound basis for the growth of the South Florida area,

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<sup>1</sup> Final Report of the 1997 Spring Term Dade County Grand Jury, (Miami: Spring Term A.D. 1997) p.1.

recognizing both the environmental and economic needs of the community.”

Once the relationship between the SFBC and public safety is apparent, the scope of PDR’s responsibility for our community’s safety becomes equally as clear. Within unincorporated Miami-Dade County, this is the agency to whom we look for consistent and uniform building code application and enforcement, whether we are enclosing an existing garage or building a multi-story skyscraper. Sadly, while PDR has many dedicated and hardworking employees, the agency as a whole appears to have lost or abdicated its function as code protector and enforcer. While most of the present enforcement staff and inspectors do appear to have this mission uppermost in mind, the agency’s management seems to have directed itself more toward responding to the pressures and needs of the private building industry. The flow of events surrounding the construction of the Dadeland Station Retail Complex provides one example of this fundamental loss of focus.

#### **A. Dadeland Station**

In our Interim Report, we returned indictments against the Miami-Dade County Building Official and the engineer of record for their involvement in the opening of the Dadeland Station Retail Complex to the public. We found that serious design defects were known to officials of PDR prior to the Temporary Certificate of Occupancy being issued. We also returned a True Bill finding the Building Official culpably negligent in allowing this to happen. However, the progress of the facility’s construction also highlights a number of instances where the focus of PDR management should have been on the public’s safety. Instead, emphasis was placed upon the need for swift approval. The most egregious examples of this loss of focus occurred after a PDR plans examiner first detected design flaws in the complex’s plans. At each stage of the process that followed, requests for further investigation were ignored.

Even worse was the sequence of events we uncovered that resembled an episode of “*The Twilight Zone*” more than the actions of a public safety agency. For example, one notation contained within the computer records of PDR states that when a small portion

of the plans for the building's joists had been examined it *was found to be one hundred percent wrong*. This computer entry, understandably, also contained a specific request for permission to examine the entire set of building plans; an extremely reasonable and responsible request under the circumstances. Incredibly, the request was denied.

As a part of the process of justification for the structural design that had been found to be "one hundred percent wrong" the calculations for these components were recalculated, the plans altered and then resubmitted to PDR for approval. Every single one of these components *had already been built under the original plans and had already been installed in the building*. These recalculations were not for insignificant nor petty items. For instance, the strength of the concrete in the joists, specified as being 6,000 psi<sup>2</sup> in the plans for their construction was changed to be over 9,000 psi. The plans for the installation of these joists did not provide for them to be shored (supported) during this process. However, the designs for these joists were developed with the assumption that they *would* be shored when installed. This problem was solved simply by changing the installation plans to indicate that the joists were installed with shoring. This was impossible to accomplish six months after installation. Computer records show not only that the plans examiner recognized how ludicrous this sequence of events was, but also that repeated requests for permission to conduct further examinations were made to supervisors and management. These requests appear to have fallen upon deaf ears.

The final, and we feel ominous, entry in the PDR computer records simply states: "owner advised the writer that he will get an independent engineer soon to review the structure." Fortunately, that is exactly what he did. The findings of that independent engineer sparked a review of the complex that uncovered a litany of structural problems, including an indication that some of the walls might not withstand sustained winds of *tropical storm* intensity. This complex has since undergone expensive repairs to its structure that are so extensive they are still incomplete as we issue our report. All of these repairs were deemed necessary for the structure to comply with the minimum standards of the SFBC. All of these repairs were necessary to ensure the safety of persons working,

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<sup>2</sup> pounds per square inch

visiting and shopping in this building. Finally, all of these defects should have been detected and repairs made before PDR allowed this building to be opened to the public almost two years ago. PDR's apparent placement of deadlines imposed by private industry ahead of concerns for public safety has had a financial impact upon more than just the private developer of this complex. To date, more than \$100,000 of our tax dollars have been spent by PDR to investigate the code deficiencies that were uncovered after PDR allowed the building to open to the public.

Another illustration of this loss of focus is an instance that occurred in September 1995 when the building department undertook deliberate actions to assist the building industry that resulted in the Miami-Dade County School System losing millions of dollars.

#### **B. The School Impact Fee Of October 1, 1995**

In recent years, school overcrowding within our public school system has become a well-known problem. It has been blamed for lowering the educational experiences of our children and an increase in potential disciplinary problems within our schools. Increased class size diminishes the ability of our teachers to teach and increases the likelihood that a child's educational deficiencies will go undetected and unaddressed. Clearly, as each new home is built, the needs of the surrounding community for schools, police, firefighters, roads, sewers and other services are increased. To address these needs, local governments have enacted a number of different "impact" fees, paid by the builders of these homes, to offset the additional burden placed upon our tax dollars. In view of its importance to every taxpayer in our community, to us it seems obvious that the efforts of all government agencies should be directed toward the fair and appropriate collection of these impact fees rather than their avoidance. Such was clearly not the case with the local public school impact fee that became effective on October 1, 1995.

On May 2, 1995, the Dade County Board of County Commissioners enacted an ordinance, effective September 14, 1995, providing for additional fees to be levied upon all new residential construction for which a permit was issued on or after October 1, 1995. These school impact fees were substantial. For example, if the permit for the construction of a 2,000 square foot house were to be issued on or after that date, it would cost almost



\$2,500 more than the exact same home would cost if the permit was issued on or before September 30, 1995.

Not surprisingly, by enacting this ordinance, the Board of County Commissioners created an extraordinary demand for permits to be issued before October 1, 1995. The extent of the demand is clearly shown when the actual number of permits issued by PDR for new residential construction is compared with the numbers for preceding and subsequent years:

Number of New Residential Building Permits Issued by PDR

	<u>1994</u>	<u>1995</u>	<u>1996</u>
August	520	368	432
September	558	<b>3,582</b>	401
October	149	56	263
November	249	73	450
December	<u>386</u>	<u>113</u>	<u>303</u>
Total	1,862	4,192	1,849

As this analysis reveals, the demands placed upon PDR for permits in the month of September 1995 increased *over 500 percent* from the same month in 1994. Interestingly, the total number of permits issued in September 1996 declined by almost the exact same percentage. This indicates to us that the increase experienced in September 1995 related solely to the effective date of the school impact fee. It also indicates to us that many of the permits issued during September 1995 related solely to the legal avoidance of the impact fee and was unrelated to a sudden increase in the sale of new homes. In fact, we suspect that many of these permits were for houses for which builders had little, if any, intention of building for a period of many months or even years.

We must stress that the vast majority of the computer records we have analyzed do not indicate any illegal action by the private building industry's push for permit approval in September 1995. It would not be unexpected for private industry to seek to maximize its profits through all legal means, even to the extent of exploiting loopholes within governmental systems and agencies. However, the job of preventing and closing these loopholes belongs to our government. In light of this, we were surprised to learn that the extraordinary increase in the need for issuance of permits was met with an equally

extraordinary effort on the part of PDR to ensure that permits were issued in time to avoid the payment of the school impact fee. While we understand the purported necessity of providing appropriate services to the building industry, we are troubled by the contrast of our elected officials ordering a fee to build more schools while an agency of that same government works overtime to help the industry avoid having to pay it. The true cost to the children of Miami-Dade County for DPR's actions during September 1995 is revealed when we consider the actual funds that might have been available to our school system *but for* the actions of PDR:

School Impact Fees For:

Permits Issued for Last Two Weeks of September 1995:	\$ 26,591,249
Permits Issued Last Week of September 1995:	\$ 15,518,638

Even more troubling to us is what happened on Saturday, September 30, 1995, a day when all agencies needed for permit issuance are normally closed and the last possible day for a permit to be issued to avoid the impact fee. On that day, county employees involved in the permitting process were required by their superiors to work overtime, for the sole purpose of ensuring as many permits as possible would be issued before the October 1, 1995 deadline. In addition to the increased costs that were incurred by this overtime, *in that single day*, the children of Miami-Dade County lost a total of \$10,670,616 meant for their school system. Put into perspective, according to testimony we have heard, and assuming this money was used for portable classrooms, we lost funding that could have provided additional classroom space for over 4,300 children in our public school system. For a governmental agency to so overtly place private interests above community needs is reprehensible, immoral and inexcusable.

According to testimony we have heard this term, one of the major complaints about PDR centers around the extensive delays associated with the process of obtaining a building permit. Witness after witness berated PDR for these delays which can range from as little as six (6) weeks to as long as six to eight *months* from the time of the application for the permit to its issuance. Considering this testimony, we were shocked to see the extent to which PDR went to assist builders in avoiding the school impact fee when we

discovered that a substantial number of the permits issued on Saturday, September 30, 1995 had applications that were dated *that same week*:

<u>Days Between Permit Application and Permit Issuance</u>	<u>Percentage of Permits Issued on September 30, 1995</u>
1-7 days	<b>36 percent</b>
8-15 days	4 percent
16-30 days	6 percent
31-365 days	10 percent
more than 1 year	<b>44 percent</b>

Our analysis also revealed a substantial number of permits issued that Saturday which had been pending in PDR for over one year. This is highly unusual since the vast majority of dormant permit applications expire within 60 days. Certainly *these* permit applications did not warrant the extraordinary efforts of PDR to ensure issuance on a Saturday. Upon closer examination we discovered an even more extraordinary favor that PDR performed for these permit holders. The applications for many of these permits predated the effective date of the changes made to the SFBC as a result of Hurricane Andrew and recommended by the 1992 Spring Term Dade County Grand Jury. The date of *application* for a permit controlled the applicability of this new code. The date of *issuance* of the permit controlled the applicability of the school impact fee. Thus, when PDR allowed these permits to be issued on these dormant applications that Saturday it prevented *both* the new code changes and the school impact fee from applying to these homes.

With the assistance of PDR, we assume the holders of these permits saved thousands, if not hundreds of thousands of dollars. We certainly hope they passed these savings on to the buyers of these homes, despite being under no legal obligation to do so. However, our outrage centers upon the actions of PDR in permitting this to occur. As a result of PDR's deliberate actions, the buyers of these home would be provided with less protection in the case of a hurricane and more overcrowding in their children's schools. This is the legacy of the actions taken by PDR in September 1995. Finally, we note that we could not find a single permit issued during this Saturday session that belonged to a

homeowner or an owner/contractor; another indication of the improper focus inherent in this action.

### **III. EXPEDITES AND EXPEDITORS**

In the construction industry, the saying that “time is money” is tantamount to a credo. Any delays associated with the building process translate directly into increased costs. Every day, interest on bank loans, employee salaries, rent and other overhead still must be paid. Since the price for construction is usually fixed before any work begins and final payment occurs only upon the project’s completion, it is clear that every additional cost incurred directly affects the net profits to be made. Against this backdrop, the time it takes PDR to process a set of plans and issue a permit is understandably a source of irritation, if not outright hostility, within the building industry. The time delays and difficulties experienced in Miami-Dade County’s permitting process have actually spawned a new growth industry of Expeditors (also known as runners). Disgusted with the time delays associated with the permitting process, these expeditors are hired by builders to push or “run” the plans through the system rather than let them sit on someone’s desk due to problems or natural delays. The fact that it makes great fiscal sense for private industry to hire a runner to keep the construction process moving is direct proof of the inefficiencies of the current permitting process.

Interestingly, this system has also apparently elevated runners to the status of lobbyists for a set of plans. Either through familiarity with staff or through direct intervention with supervisors, witnesses have told us of instances where, through these contacts, the process of obtaining a permit was made faster through “expedites” within PDR itself. Witnesses have told us of a number of instances where a well placed telephone call or conversation can result in one set of plans being moved “to the head of the line.” These internal “expedites” not only place favoritism directly within the functions of PDR, but also increase the delays inherent in the system for the “other” plans or permits by disrupting the process itself. The effects upon PDR staff and the efficient functioning of the system can be significant. For example, an audit performed by the Dade County Audit and Management Services Department revealed that “expedites” of this type

consume an average of 25 percent of plans processors' time. Although this audit was issued almost three years ago, numerous witnesses presently involved in the processing of permits told us that the impact of these expedited workloads still places additional burdens and delays upon the processing of plans for all "other" permit applicants.

Even more appalling, in our opinion, is the fact that while private citizens and private industry are forced to limp along with the current system, there is one entity that manages to avoid having to wait in line at all. That entity is Miami-Dade County itself. By specific policy directives and memoranda, every county project is automatically treated as an expedite and automatically moved to the front of the line. We feel that if Miami-Dade County was forced to "walk the line" and experience the effects of its system upon itself, there would be a stronger desire and resolve to address the current inefficiencies of the permitting process. We also feel that, until this renewed commitment and desire for change occurs, the many justifiable complaints we have heard from both within and without the building industry, as well as the mass of confusion we witnessed when we visited PDR during our term, will continue to exist.

#### **IV. COMPUTER SECURITY**

DPR's computer system reflects the status of all applications for permits and the status of ongoing construction. The work of highly trained examiners who review plans, as well as inspectors who check on actual construction, is presented and preserved through these records. We note that upper management has sought to bring in highly trained professionals, their job descriptions indicating the importance placed upon specialized knowledge in their respective fields. Examiners and inspectors make decisions based upon their expert knowledge of the SFBC and their decisions are reviewable by the Building Official and can be appealed to the Board of Rules and Appeals.

With so much importance and financial emphasis placed upon the issuance of permits, Temporary Certificates of Occupancy and Certificates of Occupancy, one would think that the integrity of this record keeping system would be of paramount concern. Unfortunately, this is apparently not so. Substantial errors, deletions and falsifications have been discovered within the computer system used to track and archive all building

records. In one instance of deliberate falsification detected in 1996, almost 2,000 records relating to permits and inspections were altered. As a result, the county, and thus the taxpayers, may have to pay for the inspection of hundreds of homes whose inspection reports were altered to indicate "passed" when the buildings had actually "failed." Still unresolved is the matter of financial responsibility for repairs if building violations are detected after re-inspections are performed.

We are particularly outraged by the apparent managerial apathy within PDR revealed by our examination of this matter. Information relating to this problem first became known within PDR in the summer of 1995. An audit of the work of the person believed responsible was ordered at that time. That audit *should* have raised serious questions concerning that person's computer security access. Nevertheless, we could detect no direct supervisory response to this problem. As a result, the conduct in question was allowed to continue unchecked until the summer of 1996. Upper management finally responded only when new concerns had been raised by department supervisors. By that time, almost 2,000 records had been falsified. Even then, the department delayed turning the matter over to law enforcement until November 1996. Unbelievably, we could find no record of who ordered that audit in 1995. We could find no one within PDR's upper management that could specifically recall this matter nor anyone who admitted to being the one who ordered that audit in 1995. To this day, these questions of responsibility have not been adequately addressed. Clearly, while our local law enforcement agencies will continue to vigorously investigate this matter, many valuable leads and opportunities have been forever lost or rendered stale. We can only wonder if the events in 1995 were the result of mere ineptitude or deliberate intent.

We feel managerial apathy allowed computer security in PDR to become far too lax and with far too little oversight. The danger of this apathy, highlighted by the example just described, is clear. With easy access to the computer screens relating to plans or inspections of ongoing construction, an unauthorized person can actually change permit applications or inspection status results without fear of detection. An unscrupulous individual could make these changes for his or her own profit. Worse, an untrained individual can actually affect public safety by rendering a decision regarding the review of

plans and the inspection of construction. While we recognize the need for clerical staff to make frequent entries to the computers, under no circumstances should a system exist where unqualified individuals can render “defacto” decisions on such important issues.

In our Interim Report we described a particularly egregious example of this problem when we exposed the efforts of PDR’s Assistant Director of Permitting and Zoning to circumvent the important requirements that only qualified individuals review building plans. He took the bizarre step of directing zoning clerks, lacking any of the qualifications, training or experience required of plans examiners, to perform these reviews. He permitted them to make decisions concerning the need for building plans to be examined in such areas as plumbing, structural, electrical and mechanical. The only “benefit” of this decision would be to decrease the time needed to obtain a building permit. Thus, once again, speed was deemed to be far more important than the safety and welfare of the public.

## **V. GUIDELINES FOR CHANGES AND RECOMMENDATIONS**

We note that since the investigation of this topic began, county government has taken steps to remedy some of the problems outlined here. Specifically, we are pleased to learn that the county has decided to separate the zoning function of PDR from the permitting and inspection process. This will help remove some of the political “overlap” that can occasionally occur between these two functions. Some efforts have already begun to increase the security of PDR’s computer system. There are plans underway to reorganize public traffic patterns within PDR to help eliminate the confusion citizens face when seeking to obtain building permits. A decision has also been made to expand the use of existing computer technology by providing hand-held computers for building inspectors so that they can input inspection results directly from the field. All of these efforts are obviously to be applauded, now that they are finally beginning to occur. Just as obviously, more extensive revisions and remedies are still needed. For instance, during our visit to the offices of PDR a few weeks ago we found ourselves able to wander unnoticed past completely empty workstations, each with a PDR computer terminal turned on and each with a keyboard that we could have used.

In making recommendations for needed change, we do not wish to substitute our judgment for those working with the system every day. Nor do we believe that we somehow hold the only solutions to these problems and concerns. Accordingly, we have chosen to offer the following as general guidelines and principles that we recommend be utilized throughout this redesign process:

- The *only* reason for the existence of PDR is to protect the safety and the welfare of our community. This is the sole justification for the inherent delays necessarily brought to the construction process. The scope of PDR's mission in this regard can range from the prevention of nuisances or uncontrolled growth to ensuring our buildings and homes are safe and can withstand the forces of nature. As a community we know only too well the result of underestimating these forces. Therefore, we recommend that while any new processes and procedures within PDR should attempt to be responsive to the needs and realities of the marketplace, these needs must never be placed above the safety of the public.
- Providing special treatment to a select few can be as harmful to our community's trust in government as would evidence of outright bribery. We therefore recommend that all actions and policies of PDR be designed to eliminate preferential treatment except in those cases where actual hardship is present. Toward this end, PDR's system must be designed so that county projects and those of private industry are treated in exactly the same fashion.
- PDR and its system of oversight, plans review, permitting and inspection must be depoliticized if confidence in the agency is ever to be restored. We therefore recommend that strict protocols and ethical standards be developed, mandated, regulated and enforced for everyone participating in this process.
- The integrity, consistency and reliability of PDR's oversight and enforcement processes must be strengthened and restored. We therefore recommend that decisions on technical matters be restricted, especially at the management level, to only licensed and/or certified personnel. We think it is of paramount importance, and simple common sense, that decisions relating to the safety and welfare of our community be



made by individuals possessing the proper licenses and technical expertise and not by those who merely possess the necessary connections.

- No governmental agency should ever work at cross-purposes with the interests of the community as a whole. We find the actions of PDR with regard to the school impact fee of 1995 to be a particularly egregious example of this conflicted and immoral situation. We trust this incident will remain foremost in the minds of our Miami-Dade County Commissioners should they again seek to implement an ordinance of this type. Any such efforts must therefore include an implementation plan to prevent a reoccurrence. We also recommend that similar concerns be raised whenever amendments are made to the SFBC.
- During our term many witnesses described the plans review process being used as a “back up system” by some in the private sector who wish county employees to “proof” their plans and designs and then correct them. This action is not only irresponsible but also adds time and delays to the review process. PDR is in a wonderful position to monitor and ensure the competency and professionalism of the licensed architects and engineers its personnel come in contact with on a daily basis. We therefore recommend that PDR take a leading role in preventing this improper usage by recording such instances and, if necessary, reporting them to the Florida Department of Business and Professional Regulation.

## **VI. CONCLUSION**

Although our inquiry into the “favored treatment, improper actions and incorrect motivations” begun by our predecessor grand jury is now complete, the mission facing our community leaders and our elected officials of restoring trust in government has only just begun. Highlighting the seriousness of that mission is the fact that while our investigations and reports may relate only to a single governmental agency, our findings, our outrage and our concerns relate to them all.

It is of paramount importance that trust in our local government and its agencies be restored. It is the primary function of our community leaders and elected officials to ensure this occurs. However, they must remember that the restoration of trust is a lengthy

process that must be earned with time and consistency. It will not be obtained with a few well spoken words nor through actions that lack conviction and evaporate when the lights and cameras are turned off. Government must ensure equality of treatment and purity of purpose. The people's trust can only be restored when they truly believe that their government operates consistently in that fashion.

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
ROSSINY ST. CLAIR (A), JUAN JOSE MARIN (B) and CARLTON BANNISTER (C)	First Degree Murder Attempted First Degree Murder Armed Kidnapping Armed Kidnapping	True Bill
MAXIMO N. VALLADARES	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Armed Burglary	True Bill
JEROME N. HAWES	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
DANIEL PATRICK AIKEN, also known as PATRICK AIKEN, ROLAND DAVID AIKEN and ERIC LIVINGSTON MORRIS	First Degree Murder	True Bill
LEON WOODS	First Degree Murder	True Bill
MARY ANN LEVARITY	Attempted First Degree Murder	True Bill
TERRILL AILEP	First Degree Murder Kidnapping with a Weapon Armed Robbery	True Bill
RUBEN FLOWERS	First Degree Murder Robbery using Deadly Weapon or Firearm Armed Robbery	True Bill
NORMAN ALEXANDER REID	First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bill
MARY CORTES, also known as "ROOSTER", REGINALD EUGENE WATTS and ODELYN GARCIA, also known as "BEBE"	First Degree Murder Armed Robbery Armed Burglary Conspiracy to Commit a First Degree Felony	True Bill
STEVE MATTHEW and EZRA NAYLOR	First Degree Murder	True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
STEVE ATKINSON, also known as TRAVIS SNOW	First Degree Murder Attempted First Degree Murder	True Bill
MIGUEL ANGEL GONZALEZ "A", FREDDY ELTON CAMPBELL "B" and MARK SILVERMAN "C"	First Degree Murder "A", "B" & "C" Burglary with Assault or Battery Therein While Armed "A", "B" & "C" Attempted Armed Robbery "A", "B" & "C" Unlawful Possession of a Firearm by a Convicted Felon "B"	True Bill
LAWRENCE PAULK	First Degree Murder Burglary with Assault or Battery Therein While Armed Burglary with Assault Therein Shooting or Throwing Deadly Missile Aggravated Battery	True Bill
GREGORY ANTHONY RIVERA	First Degree Murder Robbery Using Deadly Weapon Firearm Aggravated Battery Grand Theft Third Degree/Vehicle	True Bill
JORGE SOLER	First Degree Murder Violation of Injunction Against Domestic Violence	True Bill
TROY SAMUEL SMITH	First Degree Murder Robbery	True Bill
HERBERT LAMAR BRANTLEY, also known as HERBERT LAMAR BRANTLEY, III	First Degree Murder Armed Robbery Armed Carjacking Armed Burglary	True Bill
GEODIS GONZALEZ	First Degree Murder Armed Robbery	True Bill
JOSE APONTE	First Degree Murder	True Bill
YOSVANY HERNANDEZ	First Degree Murder Armed Burglary	

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>True Bill INDICTMENT RETURNED</u>
SAMMY LOUIS POLLARD (A), EARL TINSLEY (B) and THADDEUS SURRENCY (C)	Armed Robbery  First Degree Murder (A) (C) Robbery Using Deadly Weapon or Firearm (A) (C) Burglary With Assault or Battery Therein While Armed (A) (C) Accessory After the Fact (B)	      True Bill
EVANS CELESTINE	First Degree Murder	True Bill
RUDOLFO RAMIREZ	First Degree Murder Armed Robbery	True Bill
NATHAN FARBER	First Degree Murder Armed Burglary Resisting an Officer Without Violence Carrying a Concealed Weapon Carrying a Concealed Weapon	    True Bill
HUMBERTO PENA FERNANDEZ	First Degree Murder	True Bill
RHETT ALLEN FULLER	First Degree Murder	True Bill
PAUL DAVID AHERN	First Degree Murder First Degree Murder Attempted First Degree Murder of a Law Enforcement Officer Attempted First Degree Murder Aggravated Assault with a Firearm Aggravated Assault with a Firearm Shooting or Throwing Deadly Missile Shooting or Throwing Deadly Missile Shooting or Throwing Deadly Missile Shooting or Throwing Deadly Missile Shooting or Throwing Deadly Missile Shooting or Throwing Deadly Missile Shooting or Throwing Deadly Missile Arson First Degree Criminal Mischief over \$1,000	                    True Bill
MELVIN PAUL KISER	First Degree Murder Carrying a Concealed Firearm	 True Bill

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
MAYCO SIMON and DARRYO SHANDALE KINNON	Burglary with Assault or Battery Therein Strong Arm Robbery	True Bill
ARSINIO JAMEL LANNIGAN	Kidnapping Attempted Sexual Battery	True Bill
MAURICE HEATH	First Degree Murder	True Bill
DERRICK GRANTLEY and TRAVIS LEE ROLLINS	Armed Robbery Armed Robbery Burglary with Assault Therein Kidnapping with a Weapon Kidnapping with a Weapon Sexual Battery-Deadly Weapon or Force Sexual Battery-Deadly Weapon or Force Sexual Battery-Deadly Weapon or Force Sexual Battery-Deadly Weapon or Force Aggravated Battery Robbery / Carjacking / Armed	True Bill
TARDRICK CHARLES HOLIDAY	First Degree Murder Armed Robbery	True Bill
WILLIAM GOLFIN, also known as "BOOTSIE", and HERBERT LAMAR BRANTLEY, also known as HERBERT LAMAR BRANTLEY, III	First Degree Murder (A&B) Armed Robbery (A&B) Armed Carjacking (A&B) Armed Burglary (A&B) Unlawful Possession of a Firearm by a Convicted Felon (B)	True Bill
ROSENDO DE LA TORRE and ARIAN CAMEJO JIMENEZ	First Degree Murder Aggravated Battery with a Firearm Falsely Personating Officer Armed Burglary Armed Robbery Armed Robbery Attempted Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense Unlawful Possession of a Firearm by a Convicted Felon	True Bill

<b><u>NAME OF DEFENDANT</u></b>	<b><u>CHARGE</u></b>	<b><u>INDICTMENT RETURNED</u></b>
ERNEST PATRICK PRICE	First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense Unlawful Possession of a Firearm by a Convicted Felon	True Bill
SHAWN SINGLETARY (A), JONATHAN SAWYER (B), MARSELL JOHNSON (C) and MARKITA CHESTNUT (D)	First Degree Murder (A, B, C) Attempted First Degree Murder (A, B, C) Accessory After the Fact (D)	True Bill
MARC KENSON THERESIAS	First Degree Murder Robbery Using Deadly Weapon or Firearm Robbery Using Deadly Weapon or Firearm	True Bill
DAMIEN HARVEY COOPER	First Degree Murder	True Bill
LUIS ALBERTO PEREZ, TAMMY LYNN CRAKER and LEONARD JON CRAVER	First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed Attempted Armed Robbery Attempted Armed Robbery	True Bill
JOCELYN ALCE	First Degree Murder	True Bill
IGNACIO MIGUEL RESTREPO and RAUL J. FONSECA	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Shooting or Throwing Deadly Missile Discharging a Firearm from a Vehicle	True Bill
MICHAEL D. SEIBERT	First Degree Murder	True Bill
RICHARD KLEIN	Organized Fraud - Scheme to Defraud	True Bill
REINALDO VILAR	Official Misconduct Official Misconduct Official Misconduct Official Misconduct Intellectual Property Offense	True Bill

<b><u>NAME OF DEFENDANT</u></b>	<b><u>CHARGE</u></b>	<b><u>INDICTMENT RETURNED</u></b>
CARLOS VALDES	Official Misconduct	True Bill
LEE MARTIN	Culpable Negligence	True Bill
JULIO CESAR MEJIA	First Degree Murder First Degree Murder Aggravated Assault with a Firearm Aggravated Assault with a Firearm Aggravated Stalking	True Bill
NORMAN ALEXANDER REID	First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bill
MARC KENSON THERESIAS (A) and MARC PHALAND DARAGENSON (B)	First Degree Murder Robbery Using Deadly Weapon or Firearm Robbery Using Deadly Weapon or Firearm	True Bill
ANTHONY CASANOVA	First Degree Murder Armed Robbery	True Bill
ANTHONY CASANOVA	Armed Robbery Kidnapping with a Weapon	True Bill
WILLIE ALBERT EDMOND, JR.	First Degree Murder Unlawful Possession of a Weapon while Engaged in a Criminal Offense	True Bill
YAITE GONZALEZ-VALDES	First Degree Murder	True Bill
EDUARDO HANKS, KENNY MERCEDES and JOEL MERCEDES	Attempted Second Degree Murder Aggravated Battery Aggravated Assault Burglary with Assault or Battery Therein While Armed Shooting or Throwing Deadly Missile (Kenny Mercedes only) Criminal Mischief/\$200-\$999.99 (Kenny Mercedes only)	True Bill



**NAME OF DEFENDANT****CHARGE****INDICTMENT  
RETURNED**

OSCAR BLANCO (A), ROBERT CARDOSO (B), JEFFREY DAUGHERTY (C),  
STEVEN DAUGHERTY (D), KRISTIAN DRUMMOND (E),  
MAYNOR DRUMMOND (F), GIOVANNI FERNANDEZ (G),  
DEVARIS FREDERICK (H), CHRISTOPHER GONZALEZ (I),  
FERMIN GONZALEZ (J), HAZIEL GONZALEZ (K), FRANCISCO MOLINA (L),  
JORGE MOLINA (M), JOHNNY MORALES (N), HUMBERTO PEREZ (O),  
CONRADO RUIZ (P), MICHAEL SANCHEZ (Q), JORGE SANPEDRO (R ),  
JOAN SOSA (S), MELVIN SOSA (T), ANDRES SOTO (U),  
JIMMY TORRES (V) and PEDRO VAZQUEZ (W)

Violation of Florida RICO Act	A-W
Conspiracy to Violate Florida's RICO Act	A-W
Unlawful Sale or Delivery of Cannabis	H, M
Possession With Intent to Sell or Deliver Cannabis	H, M
Unlawful Sale or Delivery of Cannabis	M
Possession With Intent to Sell or Deliver Cannabis	M
Unlawful Sale or Delivery of Cannabis	A,H,I,J,M
Possession With Intent to Sell or Deliver Cannabis	A,H,I,J,M
Unlawful Sale or Delivery of Cannabis	E,H,I,J
Possession With Intent to Sell or Deliver Cannabis	E,H,I,J
Unlawful Sale or Delivery of Cannabis	M
Possession With Intent to Sell or Deliver Cannabis	M
Unlawful Sale or Delivery of Cannabis	Q
Possession With Intent to Sell or Deliver Cannabis	Q
Sale, Manufacture, or Delivery of Cocaine	E,M,Q
Possession With Intent to Sell or Deliver Cocaine	E,M,Q
Unlawful Sale or Delivery of Cannabis	H
Possession With Intent to Sell or Deliver Cannabis	H
Unlawful Sale or Delivery of Cannabis	E,H,M
Possession With Intent to Sell or Deliver Cannabis	E,H,M
Sale, Manufacture, or Delivery of Cocaine	E,H,M
Possession with Intent to Sell or Deliver Cocaine	E,H,M
Unlawful Sale or Delivery of Cannabis	K
Possession With Intent to Sell or Deliver Cannabis	K
Unlawful Sale or Delivery of Cannabis	A
Possession With Intent to Sell or Deliver Cannabis	A
Unlawful Sale or Delivery of Cannabis	G,M
Possession With Intent to Sell or Deliver Cannabis	G,M
Unlawful Sale or Delivery of Cannabis	E,G,H,M,Q
Possession With Intent to Sell or Deliver Cannabis	E,G,H,M,Q
Grand Theft	E,M,U
Dealing in Stolen Property	E
Sale, Manufacture, or Delivery of Cocaine	G,K,M,Q
Possession with Intent to Sell or Deliver Cocaine	G,K,M,Q
Unlawful Sale or Delivery of Cannabis	K,M
Possession With Intent to Sell or Deliver Cannabis	K,M

**NAME OF DEFENDANT****CHARGE****INDICTMENT  
RETURNED**

Unlawful Sale or Delivery of Cannabis	E,G
Possession With Intent to Sell or Deliver Cannabis	E,G
Unlawful Sale or Delivery of Cannabis	P
Possession With Intent to Sell or Deliver Cannabis	P
Unlawful Sale or Delivery of Cannabis	E,P
Possession With Intent to Sell or Deliver Cannabis	E,P
Unlawful Sale or Delivery of Cannabis	M
Possession With Intent to Sell or Deliver Cannabis	M
Unlawful Sale or Delivery of Cannabis	M
Possession With Intent to Sell or Deliver Cannabis	M
Unlawful Sale or Delivery of Cannabis	M,Q
Possession With Intent to Sell or Deliver Cannabis	M,Q
Sale, Manufacture, or Delivery of Cocaine	E,G,M,P
Possession With Intent to Sell or Deliver Cocaine	E,G,M,P
Unlawful Sale or Delivery of Cannabis	E,G,M,P
Possession With Intent to Sell or Deliver Cannabis	E,G,M,P
Unlawful Sale or Delivery of Cannabis	G,K,W
Possession With Intent to Sell or Deliver Cannabis	G,K,W
Unlawful Sale or Delivery of Cannabis	W
Possession With Intent to Sell or Deliver Cannabis	W
Unlawful Sale or Delivery of Cannabis	E,K,M,W
Possession With Intent to Sell or Deliver Cannabis	E,K,M,W
Sale, Manufacture, or Delivery of Cocaine	E,K,M,W
Possession With Intent to Sell or Deliver Cocaine	E,K,M,W
Unlawful Sale or Delivery of Cannabis	G,K,M,Q
Possession With Intent to Sell or Deliver Cannabis	G,K,M,Q
Unlawful Sale or Delivery of Cannabis	G,K,M,Q
Possession With Intent to Sell or Deliver Cannabis	G,K,M,Q
Robbery	H
Aggravated Battery	H
Dealing in Stealing Property	H
Unlawful Sale or Delivery of Cannabis	E,F,G,Q,T
Possession With Intent to Sell or Deliver Cannabis	E,F,G,Q,T
Unlawful Sale or Delivery of Cannabis	K,M,Q,W
Possession With Intent to Sell or Deliver Cannabis	K,M,Q,W
Unlawful Sale or Delivery of Cannabis	K,W
Possession With Intent to Sell or Deliver Cannabis	K,W
Unlawful Sale or Delivery of Cannabis	E,F,J
Possession With Intent to Sell or Deliver Cannabis	E,F,J
Unlawful Sale or Delivery of Cannabis	E,F,J
Possession With Intent to Sell or Deliver Cannabis	E,F,J
Unlawful Sale or Delivery of Cannabis	E,H,M
Possession With Intent to Sell or Deliver Cannabis	E,H,M
Unlawful Sale or Delivery of Cannabis	E,F,G,H,M

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
	Possession With Intent to Sell or Deliver Cannabis	E,F,G,H,M
	Unlawful Sale or Delivery of Cannabis	F,M,W
	Possession With Intent to Sell or Deliver Cannabis	F,M,W
	Sale, Manufacture, or Delivery of Cocaine	J,M
	Possession With Intent to Sell or Deliver Cocaine	J,M
	Unlawful Sale or Delivery of Cannabis	J
	Possession With Intent to Sell or Deliver Cannabis	J
	Unlawful Sale or Delivery of Cannabis	J,M
	Possession With Intent to Sell or Deliver Cannabis	J,M
	Unlawful Sale or Delivery of Cannabis	F
	Possession With Intent to Sell or Deliver Cannabis	F
	Sale, Manufacture, or Delivery of Cocaine	M
	Possession With Intent to Sell or Deliver Cocaine	M
	Unlawful Sale or Delivery of Cannabis	F
	Possession With Intent to Sell or Deliver Cannabis	F
	Unlawful Sale or Delivery of Cannabis	J
	Possession With Intent to Sell or Deliver Cannabis	J
	Unlawful Sale or Delivery of Cannabis	E
	Possession With Intent to Sell or Deliver Cannabis	E
	Unlawful Sale or Delivery of Cannabis	E,G,J,M,Q
	Possession With Intent to Sell or Deliver Cannabis	E,G,J,M,Q
	Sale, Manufacture, or Delivery of Cocaine	E,G,H,L,O
	Possession with Intent to Sell or Deliver Cocaine	E,G,H,L,O
	Unlawful Sale or Delivery of Cannabis	O
	Possession With Intent to Sell or Deliver Cannabis	O
	Unlawful Sale or Delivery of Cannabis	E
	Possession With Intent to Sell or Deliver Cannabis	E
	Sale, Manufacture, or Delivery of Cocaine	E
	Possession with Intent to Sell or Deliver Cocaine	E
	Unlawful Sale or Delivery of Cannabis	O
	Possession With Intent to Sell or Deliver Cannabis	O True Bill
JOSE LUIS ALFARO (A) and OSCAR SAMUEL GERDING (B)	First Degree Murder	
	Robbery Using Deadly Weapon or Firearm (B)	
	Kidnapping with a Weapon (B)	
	Accessory After the Fact (A)	True Bill
HENRY GARY THORNTON and ADRIAN LEE ADAMS	First Degree Murder	
	Armed Robbery	
	Unlawful Possession of a Firearm While Engaged in a Criminal Offense	
	Grand Theft Motor Vehicle	True Bill

### ACKNOWLEDGMENTS

Six months ago our only commonality was that individually we were part of a large grand jury pool. By luck of the draw we were selected to serve for the Fall term of 1997 - 98. Initially separated by age, ethnicity, and cultural diversity we soon learned that seeking potential solutions to the problems facing our community was, for us, motivation and desire enough to speak in a single voice. We are most grateful for having the opportunity to be a viable part of the democratic process.

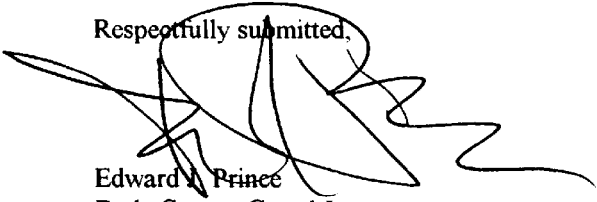
Our mentor in this process was First Deputy Chief Assistant State Attorney Chet J. Zerlin. He was consistently guiding, enlightening and always encouraging us to act in a forthright manner as representatives of the citizens of Miami-Dade County. For that portion of our term dealing with the Building Department, we are indebted to Assistant State Attorney Matthew Hodes for his unrelenting fervor in uncovering and exposing problems with the Building Department.

For the day to day details necessary to the smooth and efficient operation of the grand jury we are grateful for the many services of Rose Anne Dare, Administrative Assistant. Special thanks to our bailiffs Arthur Lewis and Nelido Gil for being so attentive to our numerous needs.

We also wish to convey our thanks to the Honorable Judge Judith L. Kreeger and State Attorney Katherine Fernandez Rundle for their commitment to our community and their encouragement to this jury. To the men and women of the various law enforcement agencies that came before us we are truly grateful. Through their efforts and professional demeanor, we were able to make informed decisions.

To those witnesses who came before us and gave us a first rate education regarding the absentee voting process and the inner workings of the building department, we offer our heartfelt thanks and gratitude.

Respectfully submitted,

  
Edward A. Prince  
Dade County Grand Jury  
Fall Term 1997

ATTEST:

Frances L. Parianous  
Frances L. Parianous  
Clerk

Date: May 27, 1998