

JUN 10 2026

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

COMMISSION ON ETHICS

In re MICHAEL JOSEPH,

Respondent.

Complaint No. 26-097

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

On Friday, June 5, 2026, the Commission on Ethics met in executive session and considered this complaint for legal sufficiency pursuant to Commission Rule 34-5.002, F.A.C. The Commission's review was limited to questions of jurisdiction of the Commission and of the adequacy of the details of the complaint to allege a violation of the Code of Ethics for Public Officers and Employees. No factual investigation preceded the review, and therefore the Commission's conclusions do not reflect on the accuracy of the allegations of the complaint.

The Commission voted to dismiss the complaint for lack of legal sufficiency, based on the following analysis:

1. This complaint was filed by Ignacio M. Alvarez (Complainant) of Coral Gables, Florida.¹
2. Respondent, Michael Joseph, allegedly serves as Mayor of North Miami Beach.
3. The complaint alleges that Respondent misused his public position by improperly communicating and interfering with City staff, in violation of the City Charter.

¹ Complainant is also an attorney at the law firm that conducted the official investigation of these matters for the City.

4. Complainant also alleges that Respondent interfered with proper and independent procurement procedures by direct advocacy of certain vendors to City staff, and through facilitating improper communications between certain vendors and City staff. The complaint further alleges that Respondent directly expressed his dissatisfaction with procurement decisions concerning vendor selection related to the IT department.

5. In addition, Complainant alleges that Respondent "referred" certain vendors for procurement opportunities.

6. Complainant alleges that there were several irregularities with Respondent's travel and p-card transactions. These included late reconciliations, airline and lodging upgrade charges that were inconsistent with city policy, and a suggested variance for normal procedure in that senior staff handled many of the "questionable" transactions. The complainant specifically alleges that, Respondent's Japan trip, which cost \$4,000.00 dollars plus an additional \$3,000.00 in airline upgrades, was improperly charged to city p-cards contrary to the City Charter and policy. Complainant further alleges that Respondent made other unauthorized p-card purchases such as \$200.00 of flowers for an event honoring the City Clerk.

7. Complainant also alleges that Respondent ordered the manipulation of official records and that he became incensed when an employee refused. Specifically, it is alleged that Respondent ordered an employee to disconnect recording equipment during an interview, leave the office, and edit or alter an official recording to remove a section of the recording where a candidate was reading from notes to benefit the candidate. It is alleged that IT policy prohibits the altering of public records. Upon refusal by the employee, it is alleged that Respondent responded to the refusal with profanity and threats of retaliation. This behavior allegedly lasted for 40-50 minutes.

8. Complainant further alleges that Respondent administratively interfered with an employee such that she was isolated and removed normal workflows at Respondent's direction, which is alleged to be outside of his authority under the City Charter. Direction was also allegedly given by Respondent that the employee was not to communicate with Respondent.

9. The complaint contains several other allegations, but these allegations either implicate the conduct of individuals other than Respondent or in some cases, not enough information is provided to determine to whom the conduct is being attributed. As such, these allegations are not legally sufficient to form the basis of an investigation by the commission regarding this complaint, which must remain solely focused on the alleged conduct of Respondent.

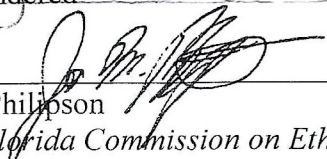
10. The Commission on Ethics has jurisdiction to investigate only those allegations "based upon personal knowledge or information other than hearsay." See Chapter 2024-53, Laws of Florida (amending Section 112.324(1)(a), Florida Statutes, to require an allegation to be "based upon personal knowledge or information other than hearsay" to be sufficient for investigation). Here, it appears that Complainant does not have personal knowledge or bases the allegations on information other than hearsay for some of the allegations. All of the allegations in the complaint are presented in the form of statements that are attributed to interview subjects. Some of these statements are summaries of statements made during the city sponsored investigation of the matters and others are quotes from the interview subjects. All of the allegations are therefore based on hearsay without an exception and for that reason alone cannot form the basis of an investigation by the commission. We emphasize that this determination does not address whether the allegations, if accepted as true, could create a violation of the prohibitions over which the Commission has jurisdiction, but only whether the allegations are

based on personal knowledge or information other than hearsay, as is now required by Section 112.324(1)(a).

Accordingly, this complaint is hereby dismissed for failure to constitute a legally sufficient complaint with the issuance of this public report.

ORDERED by the State of Florida Commission on Ethics meeting in executive session on Friday, June 5, 2026.

June 10, 2026
Date Rendered


Jon M. Philipson
Chair, Florida Commission on Ethics

JMP/mdt

cc: Mr. Michael Joseph, Respondent
Mr. Ignacio M. Alvarez, Complainant