

**MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST
MEETING SUMMARY
DECEMBER 19, 2007
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Complaints

07-18: The Commission on Ethics ratified the proposed settlement agreement between the Office of the Advocate and Respondent Sergio Rok, a board member with the City of Miami's Downtown Development Authority entered into a contract with his agency when he signed amendments on two occasions on behalf of Flagler First Condominiums as its corporate officer. Respondent Rok plead No Contest to the allegations contained in the complaint and agreed to pay a fine of \$250. Furthermore, the Ethics Commission will issue a General Letter of Instruction as part of the resolution of this complaint.

07-30: The Commission on Ethics found no probable cause and dismissed the complaint against Respondent City of North Miami Beach Councilman Frantz Pierre, who allegedly had a voting conflict by voting on a proposed ordinance when one of the results of the passage of the ordinance was the negotiated dismissal of a lawsuit against the City in which Respondent, along with others, was named as a plaintiff. The Ethics Commission found the Respondent took steps to have his name removed from the lawsuit when he was elected to the City Council and that an ideological interest in a matter does not amount to a voting conflict.

07-31: The Commission on Ethics found no probable cause and dismissed the complaint against former City of Miami Beach Commissioner Michael Gongora who was alleged to have misused his official position to gain special privileges for a private law client who had a dispute with the Complainant. The Ethics Commission found that Respondent Gongora simply forwarded the concerns of his private client to his city aide who then contacted the appropriate City of Miami Beach department responsible for handling the concerns raised by the Respondent's client

07-34: The Ethics Commission rejected the proposed settlement agreement between the Office of the Advocate and Respondent City of Miami Police Chief John Timoney, who allegedly failed to report a gift in connection with his use of a loaner vehicle from Lexus of Kendall for an extended period of time.

07-37 to 07-40: The Commission on Ethics dismissed the complaints for lack of legal sufficiency against Respondents Charles Stafford, deputy court clerk; Judge Jeffrey Rosinek; Alan Adrian Taylor and Harvey Ruvin, Clerk of the Courts, for exploiting their official positions in connection with the Complainant's appeal of a civil case with the Third District Court of Appeal. The Ethics Commission found it had no jurisdiction over the individual respondents named in the complaint.

07-41 and 07-42: The Commission on Ethics dismissed the two complaints against Myriam Kovacs, Commander of the Training Bureau of the Miami-Dade Department of Corrections and Rehabilitation, who allegedly retaliated against the complainant in connection with missing departmental badges. The Ethics Commission found the complaints to be legally insufficiency due to the fact the retaliation charges were not timely filed.

07-43 and 07-44: The Commission on Ethics dismissed the complaints against Dewayne Little, Urban Development Manager for General Services Administration and Elva Marin, Real Estate Manager in the Facilities and Utilities Management Divisions for General Services Administration, for allegedly misusing their official positions by refusing to allow Complainant to participate in the Infill Housing program. The Ethics Commission dismissed the complainant based on lack of legal sufficiency for failing to state a possible violation of the Conflict of Interest ordinance.

Opinions

07-58: The Commission on Ethics opined that the consultant hired to handle the Force Main contract for the Miami-Dade Water and Sewer Department at the South Miami Heights Water Treatment Plant may also provide design services for the transmission pipelines for the reclaimed water. The Ethics Commission found the scope of services under the two agreements would not conflict because there would be no overlapping roles or responsibilities.

07-59: The Commission on Ethics opined that a current contract worker with the Private Rental (Section 8) Unit of the Miami-Dade County Housing Agency may interview for and accept a County position as a Housing Specialist with the Section 8 Unit and, at the same time, continue to qualify for Section 8 vouchers. However, to avoid potential ethics violations, the requester's supervisor should assign another employee to evaluate the requester's continued eligibility to participate in the Section 8 Homeownership Voucher Program.

07-60: The Commission on Ethics opined that the consultant for replacement of the water main under the Rickenbacker Causeway may also provide design services for the transmission pipeline from the Central District Wastewater Treatment Plant to the Village of Key Biscayne. The Ethics Commission found the scope of services under the two agreements would not conflict because there would be no overlapping roles or responsibilities.

07-61: The Commission on Ethics opined that Miami-Dade County Community Action Agency staff in the Self-Help Division involved in the operation of the Low Income Home Energy Assistance program may legally accept fifty dollar gift cards from Florida Power and Light. The Commission on Ethics, concerned about the appearance surrounding the acceptance of these gifts, recommended the employees should refuse the gifts cards or donate them.