

**MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST  
FEBRUARY 26, 2009  
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Complaints

07-21: The Commission on Ethics modified the settlement agreement entered into with Respondent Michael Laventure, Miami-Dade County Firefighter, in connection with not reporting his outside employment and taking deposits as part of his shutter-installation business and not performing said work.

07-28: The Commission on Ethics imposed a fine of \$3,500 and investigative costs of \$1,000 against Respondent Joel Jacobi, Bal Harbour Councilmember, for his failure to timely file his financial disclosure forms and for filing forms which were incomplete and/or inaccurate. Additionally, the Commission on Ethics issued a Letter of Reprimand to Respondent Jacobi.

08-31: The Commission on Ethics dismissed the complaint for lack of probable cause against Town of Miami Lakes Councilwoman Nancy Simon, who was alleged to have circulated a flyer containing negative and derogatory comments about the complainant that was distributed in the community with her picture on flyer and the words "Town of Miami Lakes" beside her picture.

08-32: The Commission on Ethics dismissed two counts of the complaint for lack of probable cause against City of Miami Beach Commissioner Edward Tobin who allegedly had conflicts of interest by participating in a City Neighborhoods Committee meeting. The Ethics Commission dismissed a subsequent count against Respondent Tobin for lack of probable cause which alleged that he violated the Cone of Silence during an ITB Evaluation Committee meeting. The Commission on Ethics dismissed another count of the complaint against Respondent which alleged that he violated financial disclosure requirements by not reporting certain property that he owns.

The Commission on Ethics found probable cause against Respondent Tobin with respect to one count, then dismissed the count, and will issue a Letter of Instruction in connection with an allegation that the Respondent violated the Cone of Silence by leaving a voicemail and engaging in a conversation with the City Manager during the time period in which the Cone of Silence was in effect.

The Commission on Ethics dismissed the complaint for lack of probable cause against Respondent Fred Karlton, City of Miami Beach CIP Board member which alleged he accepted his appointment on this board as a quid pro quo arrangement with Commissioner Tobin for Respondent Karlton's effort to fund a political action committee.

08-33: The Commission on Ethics accepted the proposed settlement agreement entered into between Respondent Pablo Acosta and the Office of the Advocate whereby Respondent stipulated to legal sufficiency, a public cause finding would be waived and a fine of \$1,000 would be paid. Respondent was alleged to have engaged in unregistered lobbying and receiving a contingency fee in connection with his representation of SFM, a City of Miami vendor.

08-34: The Commission on Ethics dismissed a multi-count complaint against Respondent City of Miami Beach Commissioner Edward Tobin and Respondent City of Miami Beach Commissioner DeeDee Weithorn who allegedly exploited their official positions by showing special deference to a prominent resident and successful developer.

## Opinions

09-09: The Commission on Ethics opined that The Corradino Group may perform design services for the Park and Ride Lot in the Florida City. The design work is unrelated to the firm's prior planning work on the South Dade Corridor. The Ethics Commission also opined in the same opinion that Peer Consulting may perform design work on the Park and Ride Lot as long as the firm has completed any related environmental assessments for Miami-Dade Transit or the firm provides unrelated services as a member of the design team.

09-10: The Commission on Ethics opined that Commission on Disability Issues and other boards, in order to comply with the Citizens' Bill of Rights, must take the following steps: 1) Committee and subcommittee meetings must receive the same public notice as meetings of the entire board. However, individual board members who are not members of a particular subcommittee do not have to receive personal notice unless they have requested notice of all meetings from staff; 2) Draft minutes are public records and may be provided to board members as well as members of the public; 3) Board members are not prohibited from corresponding with members of the public regarding issues that may come before the board; 4) A board member may ask the Chairperson to place a particular item on the next agenda. Although a written request between members is permissible, a board may request that such requests be sent in writing to all board members or forwarded through staff and 5) The Code of Miami-Dade County permits a board member to sit on more than one board at a time.

09-11: The Commission on Ethics opined that two members of the Board of Trustees of the Public Health Trust (Public Health Trust), who also sit on the Jackson Memorial Foundation Board, may vote on matters involving the Foundation that come before the Public Health Trust due to the fact the Foundation's sole mission is to support the hospital and that Foundation matters will not affect the members in a manner distinct from the general public.