

# MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

## Meeting of August 13, 2014

The Miami-Dade Commission on Ethics convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on August 13, 2014. Present were Commission Chair Nelson Bellido, Commissioner Judith Bernier and Commissioner Marcia Narine. Also present were Joseph Centorino, Executive Director; Michael Murawski, Advocate; Miriam Ramos, Deputy General Counsel; Gilma Diaz-Greco, Staff Attorney; Rhonda Victor Sibilia, Communications Director; Breno Penichet, Investigator; and Rachelle Ceden Ross, Executive Secretary. Also present: Lillian Ser, Dusty Melton, Joyce Paredes, George Wysong, Miriam Singer, Amos Roundtree, Barbara Nunez, Pedro Betancourt, Marie Clark-Vincent and Al Crespo. The meeting was called to order at 10:02 a.m. A quorum was present.

### I. Approval of Minutes from July 10, 2014

Commissioner Narine moved to approve the minutes of July 10, 2014. The motion was seconded by Commissioner Bernier and unanimously approved (3-0).

### II. Public Comments

Al Crespo repeated a request for a response to a letter citing his concerns over how complaints he filed previously were managed by the Commission and commented on INQ 14-178 as listed in the summary of inquiries.

### III. Request for Opinion

Deputy General Counsel Miriam Ramos presented a proposed clarification of previous interpretations of the Ethics Code regarding military reserve service in the U.S. Armed Forces. Based on a review of administrative rules for the County, the State of Florida and the Federal government, **RQO 13-03** states that military reserve duty is not considered outside employment. That means that Miami-Dade workers who serve in the reserve do not have to request a supervisor's approval for outside employment and do not have to file a financial statement (unless they are in a political position that requires disclosure). Commissioner Bernier made a motion to adopt the Opinion. It was seconded by Commissioner Narine and unanimously approved (3-0).

### IV. Section 8 Request

Commissioner Narine moved to approve two contracts involving County employees seeking to become Section 8 landlords since neither is affiliated with the Miami-Dade Public Housing and Community Development Department. Commissioner Bernier seconded the motion and it passed unanimously (3-0).

### V. Monthly Summary of Inquiries

A Summary of Inquiries issued since the last meeting was presented to Commissioners for review and Staff Attorney Gilma Diaz-Greco highlighted a few to illustrate the different types of questions received. She also introduced a new category of Inquiries for County employees seeking public housing assistance and described a three step approval process which will be shared with the approximately 400 staffers in the Public Housing and Community Development Department through training.

## VI. Miami Beach Lobbyist Appeals

Deputy General Counsel Miriam Ramos suggested waiving the penalty for one Miami Beach lobbyist who failed to file an expenditure statement, believing his former firm would do so. Commissioner Narine moved to approve the waiver. Commissioner Bernier seconded the motion and it was unanimously approved (3-0).

## VII. Executive Director's Report

Community Outreach Coordinator Robert Thompson reported on outreach activities and training sessions for the past year.

Executive Director Joseph Centorino presented a proposed resolution proclaiming October 29, 2014, as Ethical Governance Day 2014. Commissioner Narine made a motion to approve the resolution. Commissioner Bernier seconded the motion and it was unanimously approved (3-0). He also showed the volunteer registration form featuring an illustration by Miami Herald political cartoonist Jim Morin.

Mr. Centorino discussed the proposed extension of Miami-Dade County's "two-year rule" prohibiting elected officials and public employees from lobbying their former governments to a four-year ban on such activity and sought input from Commissioners. Commissioner Narine made a motion to formally support the proposed ordinance. It was seconded by Commissioner Bernier and unanimously approved (3-0).

Mr. Centorino updated efforts to establish an Honor Code, noting that he has met with County Commissioners and the County Attorney's office and is working on the implementing order for the legislation. He said that BCC Chair Rebeca Sosa has agreed to sponsor the resolution, which should go before the County Commission in the next month or two.

## VIII. Complaints

Deputy General Counsel Miriam Ramos presented a proposed Letter of Clarification following the determination of No Probable Cause in **C 13-42**, filed against an attorney for not registering as a lobbyist when she represented companies seeking concessions at Miami International Airport. The Letter instructs the Aviation Department to correct the verbiage in bid solicitation documents and any applicable appendix to mirror the language of the Conflict of Interest and Code of Ethics Ordinance regarding lobbyist registration. Commissioner Bernier moved to approve the Letter. The motion was seconded by Commissioner Narine and unanimously approved (3-0).

The Ethics Commission convened in closed session at 10:50 a.m. The Commission returned to open session at 11:06 a.m. and took the following action:

Commissioner Bernier made a motion to find Probable Cause to a complaint (**C 14-25**) against a member of the Village of Pinecrest Community Center Advisory Committee in 2011, who had neglected to file a financial disclosure form as required by law, even though she was notified several times to do so. Commissioner Narine seconded the motion and it was unanimously approved (3-0). Since the respondent, Joyce Paredes, did comply with the rule two months ago, Commissioner Narine made a motion to dismiss the complaint upon payment of a \$100 assessment for investigative costs. It was seconded by Commissioner Bernier and unanimously approved (3-0).

Commissioner Narine made a motion to accept a proposed settlement with the owner of an architectural firm interested in the redevelopment of the Miami Beach Convention Center who met several times with City Commissioners without registering as a lobbyist. John "Jack" Portman pled no contest to one count of

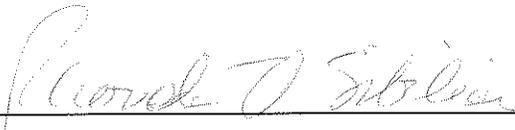
the complaint (C 14-30) and will pay a fine of \$1,000 and investigative costs of \$1,000. Three other counts will be dismissed. Commissioner Bernier seconded the motion and it was unanimously approved (3-0).

#### **IX. Old Business**

Deputy General Counsel Miriam Ramos confirmed that a hearing on C 14-19 would begin at 1 p.m. after the monthly Ethics Commission meeting on October 8, 2014 and, if needed, continued to after the meeting of November 12, 2014.

#### **X. Adjournment**

There being no further business before the Ethics Commission, Commissioner Narine moved to adjourn. The motion was seconded by Commissioner Bernier and it passed unanimously (3-0). The meeting adjourned at 11:12 a.m.



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Prepared by Rhonda Victor Sibilia, Communications Director