

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of January 9, 2014

The Miami-Dade Commission on Ethics convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on January 9, 2014. Present were acting Commission Chair Charlton Copeland, Commissioner Dawn Addy and Commissioner Kerry Rosenthal. 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 Rachele Cedeno Ross, Executive Secretary. Also present: Miami Beach First Assistant City Attorney Gary Held, Attorney Ben Kuehne and South Miami Vice Mayor Josh Liebman. The meeting was called to order at 10:05 a.m. A quorum was present.

I. Approval of Minutes from December 12, 2013

Commissioner Rosenthal moved to approve the minutes. The motion was seconded by Commissioner Addy and passed unanimously (3-0).

II. Section 8 Requests

Commissioner Addy moved to approve one contract involving a County employee seeking to become a Section 8 landlord since she is not an employee of the Miami-Dade Public Housing and Community Development Department. Commissioner Rosenthal seconded the motion and it passed unanimously (3-0).

III. Monthly Summary of Inquiries

A Summary of Inquiries issued since the last meeting was presented to the Commissioners for review.

IV. Executive Director's Report

Executive Director Joseph Centorino reported that plans are in the works for a one-day conference on Campaign Ethics to be held in early May at St. Thomas University. He stated that a draft of an "honor code" to be proposed for County employees will be sent to Ethics Commissioners for their comments and discussion at the next meeting. Also, Mr. Centorino presented a plaque to Commissioner Copeland in honor of his service as Chairman.

V. Complaints

A proposed settlement was presented concerning a complaint (C 13-31) against recently elected Homestead Mayor Jeff Porter that one of his campaign flyers in the November election violated the County's Mandatory Fair Campaign Practices Ordinance. As part of the settlement, Mayor Porter pled No Contest to the allegation, and agreed to pay costs of \$350 and accept a Letter of Instruction regarding the violation. Commissioner Addy made a motion to approve the settlement. It was seconded by Commissioner Rosenthal and unanimously approved (3-0).

The Ethics Commission convened in closed session at 10:19 a.m. The Commission returned to open session at 10:53 a.m. and took the following action:

Commissioner Addy made a motion to find No Probable Cause to a complaint (**C 13-35**) that employees in the Miami Beach City Clerk and Information Technology offices violated the Citizens' Bill of Rights by failing to respond to a public records request in a timely manner. The Commission will issue a Letter of Instruction recommending that the City establish a clearer process and procedure for handling public records requests. The motion was seconded by Commissioner Rosenthal and unanimously approved (**3-0**).

Commissioner Addy made a motion to continue C 13-41 and C 13-50 at the request of the attorney for the respondents, who also waived the time limit. The motion was seconded by Commissioner Rosenthal and unanimously approved (**3-0**).

Commissioner Addy made a motion to find No Legal Sufficiency to a complaint (**C 13-49**) filed against Miami-Dade Circuit Court Judge Robert Luck since judges in the 11th Judicial Circuit are not within the jurisdiction of the Ethics Commission. The motion was seconded by Commissioner Rosenthal and unanimously approved (**3-0**).

Commissioner Rosenthal made a motion to consolidate several complaints (**C 13-33 & 34, C 13-43, 45, 45 & 46**) and grant the Advocate's request for an extension of the 60-day time limit to determine probable cause. The motion was seconded by Commissioner Addy and unanimously approved (**3-0**).

Commissioner Rosenthal made a motion to grant requests of the Advocate and Deputy General Counsel for an extension of the 60-day time limit to determine probable cause for several complaints (**C 13-29, C 13-42, C 13-47 and C 13-48**). The motion was seconded by Commissioner Addy and unanimously approved (**3-0**).

Commissioner Rosenthal made a motion to find No Probable Cause to a complaint (**C 13-36**) against Evan Ross alleging that he lobbied members of the North Miami City Council without registering to do so. The investigation determined there was no pending city action on which to advocate, so no lobbying took place. The motion was seconded by Commissioner Addy and unanimously approved (**3-0**).

VI. Old Business

Advocate Michal Murawski announced that he and respondent's attorney Ben Kuehne agreed on the week of March 3, 2014 to continue the hearing for **C 13-32** – Crespo v. Carollo – if a settlement cannot be reached before then.

VII. Adjournment

There being no further business before the Ethics Commission, Commissioner Rosenthal moved to adjourn. The motion was seconded by Commissioner Addy and it passed unanimously (**3-0**). The meeting adjourned at 11:00 a.m.

Prepared by Rhonda Victor Sibilila, Communications Director