

# MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

## Meeting of October 8, 2014

The Miami-Dade Commission on Ethics convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on October 8, 2014. Present were Commission Chair Nelson Bellido, Commission Vice Chair Lawrence Schwartz, Commissioner Judith Bernier, Commissioner J.C. Bermudez 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; and Rachelle Cedeno Ross, Executive Secretary. Also present: Michelle Delancy, Attorney; Councilwoman Marie Steril; Miami Herald reporter Lance Dixon, Assistant Miami City Attorney George Wysong. The meeting was called to order at 10:01 a.m. A quorum was present.

### **I. Approval of Minutes from September 10, 2014**

Commissioner Bermudez moved to approve the minutes of September 10, 2014. The motion was seconded by Commissioner Narine and unanimously approved (4-0, Bellido not yet arrived).

### **II. Public Comments**

There were no public comments.

### **III. Section 8 Request**

Staff Attorney Gilma Diaz-Greco recommended the approval of one County employee to be a landlord under the federally-funded Section 8 program since neither she nor her family members are on the staff of the Miami-Dade Public Housing and Community Development Department. She also presented a list of six county employees eligible to take part in housing assistance programs. (Bellido arrived)

### **IV. Monthly Summary of Inquiries**

A Summary of Inquiries issued since the last meeting was presented to Commissioners for review and Staff Attorney Diaz-Greco highlighted a few for review.

### **V. Executive Director's Report**

Executive Director Joseph Centorino reported that the Board of County Commissioners (BCC) adopted a resolution the prior day declaring October 29 as Ethical Governance Day 2014; that approximately 200 volunteers have registered to take part so far; showed the full page from the Sept. 27 Miami Herald Op-Ed page dedicated to the event; said, that with the cooperation of the Public Defender and State Attorney, speakers would address detainees at the County Juvenile Detention Center; and announced that a public school teacher would receive an award from the COE on Ethical Governance Day for exceptional work encouraging and inspiring civic involvement by his or her students.

He discussed two proposals that were voted on the day before by the Board of County Commissioners that would affect the Conflict of Interest and Code of Ethics Ordinance. One that would extend the ban on lobbying by former County employees from two to four years after leaving their posts failed by an 8-3 vote of the BCC. A proposed amendment to grant an exception to the Sunshine Law and the County's Code of Silence rule to close

public meetings where vendor negotiations or negotiation strategy sessions take place was approved. Under the revised version, vendor presentations before County selection committees would remain open to the public.

Mr. Centorino invited Ethics Commissioners to attend the Municipal Attorney Luncheon in the COE Conference room at noon on Oct. 21 to hear UM Law School Prof. Scott Rogers discuss his Mindfulness in Law Program.

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## **VI. Complaints**

Deputy General Counsel Miriam Ramos presented a negotiated settlement with North Miami Councilwoman Marie Steril who admitted to an ethics charge (C 14-19) that she exploited her official position by demanding that her mother receive upgrades denied to other buyers when she bought a home through a federally-funded program run by the city. As part of the agreement, Steril will pay nearly \$5,000 in restitution to the City of North Miami. She also agreed to pay \$500 in investigative costs to the Ethics Commission and accept a Letter of Reprimand. After revising the proposal to ensure the funds were paid within five years, Commissioner Schwartz made a motion to approve the settlement. It was seconded by Commissioner Bermudez and unanimously approved (4-0, Narine recused).

Advocate Michael Murawski presented a proposed Letter of Instruction to former Dade Medical College President Ernesto Perez, who last month settled a complaint (C 14-24) that he lobbied officials in Homestead and Coral Gables on behalf of his school without first registering. Commissioner Schwartz made a motion to approve the Letter. It was seconded by Commissioner Bermudez and unanimously approved (5-0).

Following a finding of Probable Cause in August against a member of a Pinecrest Advisory Committee in 2011 who had neglected to file a financial disclosure until the complaint (C 14-25) was filed, Joyce Paredes has complied and paid \$100 for investigative costs. Commissioner Bermudez made a motion to accept the Advocate's motion for dismissal of the complaint with prejudice. It was seconded by Commissioner Schwartz and unanimously approved (5-0).

The Ethics Commission convened in closed session at 10:38 a.m. The Commission returned to open session at 11:50 a.m. and took the following action:

Commissioner Schwartz made a motion to support the Advocate's request for extension of time to make a probable cause determination in C 14-31. It was seconded by Commissioner Narine and unanimously approved (5-0).

Commissioner Schwartz made a motion to find No Probable Cause and dismiss a complaint (C 14-32) charging exploitation of official position by Miami Gardens City Councilman Erhabor Ighodaro, who had been accused of rescheduling an annual city-sponsored march to benefit his campaign for reelection. The investigation found that a committee coordinating the event chose to coincide it with the start of the school year and that the Councilman was not involved in setting the date. Commissioner Narine seconded the motion and it was unanimously approved (5-0).

Commissioner Schwartz made a motion to find a complaint (C 14-33) filed against the Florida Department of Children and Families, Not Legally Sufficient since that agency is not under the jurisdiction of the Ethics Commission. It was seconded by Commissioner Bermudez and unanimously approved (5-0).

Commissioner Schwartz made a motion to find a complaint (C 14-34) filed against Miami Springs Mayor Zavier Garcia for making disparaging remarks about citizens who spoke against a proposed aquatic center at a

council meeting, Not Legally Sufficient since he did not violate the Citizens' Bill or Rights or the Code of Ethics Ordinance. It was seconded by Commissioner Narine and unanimously approved (5-0).

Commissioner Schwartz made a motion to find a complaint (C 14-35), filed by Miami Gardens Councilman Erhabor Ighodaro against an opponent in the August primary, Andre Williams, Not Legally Sufficient because it alleged a possible violation of a state law requiring certain disclaimers on political advertisements, which is not under the jurisdiction of the COE. The motion was seconded by Commissioner Narine and unanimously approved (5-0).

Since Benedict Kuehne, Esq., the attorney for the defendant in C 13-50 had not arrived by the end of the meeting for a status report, as required by the Ethics Commission at its September meeting, Commissioner Schwartz made a motion to set a public hearing for the afternoon following the November 12 regular session. The motion was seconded by Commissioner Narine and unanimously approved (5-0).

## VII. Adjournment

There being no further business before the Ethics Commission, Commissioner Schwartz moved to adjourn. The motion was seconded by Commissioner Narine and it passed unanimously (5-0). The meeting adjourned at 11:04 a.m.



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Prepared by Rhonda Victor Sibia, Communications Director