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Ethics Commission endorses expansion of 'two-year rule'

The Miami-Dade Commission on Ethics and Public Trust (COE) today unanimously endorsed a proposal to increase the so-called "two-year rule" prohibiting elected officials and public employees from lobbying their former governments to a four-year ban on such activity. According to COE Chairman Nelson Bellido, "If you choose to be a public servant, you are beholden to the community. You don't serve for public gain. We have seen on the Ethics Commission that the two-year rule is just not long enough." Ethics Commission Executive Director Joseph Centorino said, "This would diminish the perception that a former official is trading on any influence he or she may have gained in office." The proposed ordinance was approved by a 7 to 5 vote of the Board of County Commissioners on first reading and is scheduled for a public hearing before the Public Safety and Animal Services Committee on August 27th.

The owner of an architectural firm interested in the redevelopment of the Miami Beach Convention Center settled an ethics charge that he illegally lobbied for the work. The Ethics Commission approved an agreement with John "Jack" Portman, who pled no contest to one count of the complaint (**C 14-30**). Three other counts will be dismissed. The Atlanta businessman claims he was unaware that, as the owner/principal of Portman Holdings, LLC, he would have to register as a lobbyist when he met with several city commissioners from January to July of 2013. When alerted to the law, he filed his registration with the Miami Beach City Clerk on July 12, 2013. As part of the settlement, Portman will pay a fine of \$1,000 and investigative costs of \$1,000.

Probable Cause was found 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. Joyce Paredes finally complied with the rule two months ago, so the COE voted to dismiss the complaint upon payment of a \$100 fine for investigative costs.

After No Probable Cause was found to a complaint (**C 13-42**) filed against an attorney for not registering as a lobbyist when she represented companies seeking concessions at Miami International Airport, the Ethics Commission today issued a Letter of Clarification to the Miami-Dade Aviation Department. The respondent claimed reliance on the wording of the Request for Proposal (RFP), which did not accurately reflect lobbyist registration requirements in the Ethics Ordinance. 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.

The Ethics Commission today issued an opinion (**RQO 14-03**) stating that reservist service for the United States Armed Forces is *not* considered outside employment. The decision was based on review of administrative rules for the County,

the State of Florida and the Federal government, and was issued to clarify previous interpretations of the Conflict of Interest and Code of Ethics Ordinance. It 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). Under County administrative rules, the employee should provide proof of reserve status and a copy of his military orders.

Also today, Ethics Commissioners adopted a resolution proclaiming October 29, 2014, as "Ethical Governance Day," citing the agency's mission of educational outreach and promotion of a more ethical government. On that day, volunteers will be placed in 12th grade government and economics classes throughout the district to address students on the importance of civic involvement and ethics in government. Registration forms for volunteers can be found on the Ethics Commission website: ethics.miamidade.gov. The Ethics Commission also expressed appreciation to Miami Herald political cartoonist Jim Morin who generously donated his talents to illustrate the effort.



The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

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