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### **One city official faces ethics charge; another settles case**

The Miami-Dade Commission on Ethics and Public Trust (COE) today found Probable Cause that North Miami Councilwoman Marie Steril 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. The investigation into the complaint (**C 14-19**) found that in 2009, Councilwoman Steril asked the manager of North Miami's Community Planning and Development department to find a small house for her mother through the Neighborhood Stabilization Program, intended for residents who need assistance in buying a home. While the home was being renovated in March of 2011, Steril insisted that the countertops and appliances installed in the kitchen be replaced with higher quality products, worth more than \$7,700, and a change order was issued. Other homebuyers sought similar changes and offered to pay the difference, but were told they had to abide by the bid specifications for the home renovations. If Steril is found to have violated the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, she could face fines, investigative costs and a public reprimand.

South Miami Vice Mayor Josh Liebman agreed that there is Probable Cause he violated the "use of public property" section of his city's Conflict of Interest and Code of Ethics Ordinance when he endorsed a candidate for office in his official capacity during a televised and web-streamed city commission meeting. To avoid the time and expense of litigation, Liebman reached a settlement to the complaint (**C 13-41**), by entering a plea of No Contest and paying a fine of \$250 and investigative costs of \$500, which was approved today by the COE. His support for candidate Donna Shelley in last month's election came during the "commissioner's comments" portion of the October 15, 2013, city commission meeting. The Code prohibits the use of publicly-supported property to the advantage of the official or any other person. Vice Mayor Liebman was speaking from the dais in a meeting that was broadcast throughout the city and is maintained on the city's website, which is considered a public resource.

Following the March 5<sup>th</sup> settlement with Miami City Commissioner Frank Carollo, who pled no contest to the complaint (**C 12-32**) of exploitation of official position for calling the city police chief after being stopped for a traffic violation, the Ethics Commission today approved a Letter of Instruction. It states that, since elected officials often have access to higher authorities the average citizen does not enjoy, they must assume a new way of conducting themselves both publicly and personally. While Commissioner Carollo contends that he did not request special treatment, the perception is that he did receive favorable action because of his position, and that calling the chief "could be perceived as an appearance of impropriety." In addition to accepting the Letter, Carollo also paid a fine and investigative costs of more than \$2,400.

After the COE found Probable Cause last month that the former public works director for Miami Lakes violated the "reverse two year rule" by approving public business to a company that previously employed him, Hiram Siaba has

agreed to settle the complaint (**C 13-51**). The Public Works director had the authority to assign projects under a certain dollar amount to approved vendors without going to bid. The investigation found that Siaba authorized at least ten projects to Ballarena Construction Group, where he had previously been employed. Under the terms of the settlement approved by the Ethics Commission today, Siaba agreed not to contest the charge, pay a fine of \$500 and accept a Letter of Instruction.

While the COE found No Probable Cause to a complaint (**C 13-33**) against the City of Hialeah and El Duke Sports Association LLC for failing to adequately respond to public records requests, the board voted last month to issue a Letter of Instruction to make city officials more cognizant of the Miami-Dade Citizens' Bill of Rights provision relating to public records. The Letter, approved today, acknowledged that Jose Azze requested extensive paperwork, including asking for some records that do not exist, but also noted that "it is the duty of the public servant to be helpful and provide full and accurate information in as timely a fashion as possible."

Ethics Commissioners found No Probable Cause to a complaint (**C 13-38**) that an attorney for the Miami Parking Authority violated the Ethics Ordinance by using her City email account and computer to promote a political fundraiser for then-mayoral candidate Francis Suarez. Kira Grossman, who also serves as Senior Executive Advisor to the Parking Authority's CEO, sent or received approximately 20 emails related to a May 30, 2013, event, but she contended it was merely a networking opportunity for young professionals and the wording of the initial invitation was not conclusive.

*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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