

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of August 12, 2015

The Miami-Dade Commission on Ethics convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on August 12, 2015. Present were Commission Chair Nelson Bellido, Vice Chair Lawrence Schwartz and Commissioner Judith Bernier. Also present were Joseph Centorino, Executive Director; Michael Murawski, Advocate; Gilma Diaz-Greco, Staff Attorney; Martha Perez, Staff Attorney; Rhonda Victor Sibilia, Communications Director; and Breno Penichet, Investigator. Also present were Assistant Miami City Attorney Matt Haber, Kendall Coffey, Esq., Jose Sanchez, Dusty Melton, and Al Crespo. The meeting was called to order at 10:06 a.m. by Chairman Bellido. A quorum was present.

I. Approval of Minutes from July 8, 2015

Vice Chair Schwartz moved to amend the minutes of the July 8 meeting to include Ed Russo's name regarding the complaint discussed during public comment. The motion was seconded by Commissioner Bernier and unanimously approved (3-0).

Vice Chair Schwartz moved to adopt the minutes of Public Hearing C 14-36. The motion was seconded by Commissioner Bernier and unanimously approved (3-0).

II. Public Comments

Al Crespo requested a copy of the statement of recusal by Vice Chair Schwartz and asked that Letter of Instruction for C 15-05 be deferred since Commissioner Narine - who requested the item be tabled at the previous meeting - was not present.

III. Section Eight Requests

Staff Attorney Gilma Diaz-Greco reported that two County employees sought to contract with the County under the federally-funded Section 8 program and, since they are not associated with the Miami-Dade Public Housing and Community Development Department, recommended approval. Vice Chair Schwartz made a motion to support the recommendation. It was seconded by Commissioner Bernier and unanimously approved (3-0).

IV. Monthly Summary of Inquiries/Housing requests

Staff Attorney Diaz-Greco presented a Summary of Inquiries issued since the last meeting and highlighted three of them. She also presented the requests of seven County employees and one not under the COE jurisdiction to be permitted to seek assistance through programs overseen by the Miami-Dade Public Housing and Community Development Department. Since none are involved with the administration of the programs, Vice Chair Schwartz made a motion to approve their participation. It was seconded by Commissioner Bernier and unanimously approved (3-0).

V. Executive Director's Report

Executive Director Joseph Centorino presented a resolution declaring Thursday, October 22nd as "Ethical Governance Day 2015," and stated that the Miami-Dade County School Board unanimously endorsed a similar resolution last week. Vice Chair Schwartz moved to approve the resolution. It was seconded by Commissioner Bernier and unanimously approved (3-0).

Mr. Centorino reported that he received more than 100 applications to fill the vacant investigator position and hoped to announce the selected candidate at the next meeting.

He also announced that a resolution and implementing order to establish and Honor Code for Miami-Dade County employees will be presented to a County Commission subcommittee very soon. If adopted by the BCC,

he said the COE hoped to use the new policy to better utilize Ethics Officers as resources in their respective departments.

VI. Complaints

Advocate Michael Murawski presented a proposal Letter of Reprimand regarding **C 14-36**, but recommendations were made to reword portions of it and so it was deferred to the next meeting.

A Letter of Instruction for **C 15-05** that was tabled at the July meeting by request of Commissioner Narine was tabled again because she was not present to review the revised version.

Vice Chair Schwartz made a motion ratify a Letter of Instruction for **C 15-15** directed at administrators in the Miami-Dade Transit Department who were accused by a Metromover technician of preventing him from receiving time cards and other documents he sought in a public records request. The Letter instructs MDT staff to develop and maintain a standard operating procedure to respond to public records requests, arrange for training in public records law, and report within 90 days on the training and procedures implemented by the agency. Commissioner Bernier requested a status report in November and seconded the motion. It was unanimously approved (**3-0**).

The Ethics Commission convened in closed session at 10:46 a.m. The Commission returned to open session at 10:52 a.m. and took the following action:

Vice Chair Schwartz made a motion to find No Legal Sufficiency to a complaint (**C 15-21**) filed against the director of the Miami-Dade County Corrections and Rehabilitation Department for her handling of a fight between inmates and officers in December 2013. Several other agencies found no wrong-doing and the allegations did not identify any violations under the jurisdiction of the Ethics Commission. The motion was seconded by Commissioner Bernier and unanimously approved (**3-0**).

Vice Chair Schwartz made a motion to find No Legal Sufficiency to a complaint (**C 15-22**) filed against Miami-Dade County Commissioner Jose "Pepe" Diaz by a driver who accused him of almost causing a traffic accident and then cursing at her when she confronted him. Because there are no violations under the jurisdiction of the Ethics Commission, the motion was seconded by Commissioner Bernier and unanimously approved (**3-0**).

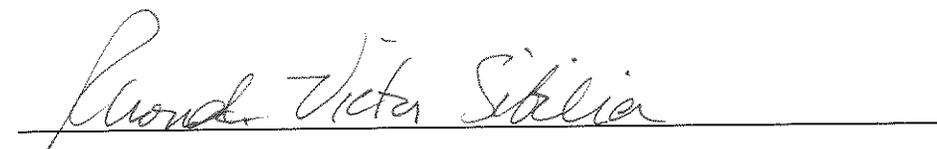
VII. Old Business

Attorney Kendall Coffey spoke in support of Advocate Michael Murawski, commending him for his diligence in presenting evidence in past hearings in which Mr. Coffey had been opposing counsel.

Communications Director Rhonda Victor Sibilia reported that a scrivener's error in the June minutes was corrected to reflect that Commissioner Narine made a motion to approve the evaluation of the Advocate and that Commissioner Bernier seconded the motion.

VIII. Adjournment

There being no further business before the Ethics Commission, Vice Chair Schwartz moved to adjourn. The motion was seconded by Commissioner Bernier and it passed unanimously (**3-0**). The meeting adjourned at 10:56 a.m.



Prepared by Rhonda Victor Sibilia, Communications Director