

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of February 11, 2015

The Miami-Dade Commission on Ethics convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on February 11, 2015. Present were Commission Chair Nelson Bellido, Vice-Chair Lawrence Schwartz Commissioner Judith Bernier 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; Rachele Cedeno, Executive Secretary and Breno Penichet, Investigator. Also present were Assistant Miami City Attorney Matt Haber and Daniel Jonas. The meeting was called to order at 10:01 a.m. A quorum was present.

I. Approval of Minutes from January 24, 2015

Commissioner Schwartz moved to approve the minutes of January 24, 2015. The motion was seconded by Commissioner Bernier and unanimously approved (4-0).

II. Public Comments

There were no public comments.

III. Monthly Summary of Inquiries

Staff Attorney Gilma Diaz-Greco presented a Summary of Inquiries issued since the last meeting and highlighted a few for review by Commissioners. She also presented a list of five County employees eligible to take part in housing assistance programs.

IV. Executive Director's Report

Executive Director Joseph Centorino discussed the possible relocation of Ethics Commission offices to the Overtown Transit Village, but also stated such a move would be at least a year away. He presented a draft program for the "Ethics in Education: A to Z" conference, set for May 1-2, 2015, and noted that the Miami-Dade School Board was to endorse the event at its meeting later in the day. Mr. Centorino reported that, as of yet, no legislation had been filed in Tallahassee related to local ethics commissions, and said he had met with County Commissioner Rebeca Sosa who will sponsor the proposed Honor Code after some minor changes.

Staff Attorney Gilma Diaz-Greco reported on the agency's participation at the Pro-Bono Fair at St. Thomas University the previous week that garnered a lot of interest from law school students as potential interns.

V. Complaints

In a status update for **C 14-36**, Deputy General Counsel Miriam Ramos reported that Hialeah Mayor Carlos Hernandez had instructed his attorney not to participate in Ethics Commission proceedings. The Ethics Commission agreed to hold a public hearing on the complaint at 1 p.m. on April 8, 2015, after the regularly-scheduled monthly meeting and approved the issuance of seven subpoenas related to the investigation.

Commissioner Narine made a motion to approve and ratify a Letter of Instruction for former State Rep. Eddy Gonzalez who was accused in a complaint (**C 14-38**) of violating the Mandatory Fair Campaign Practices Ordinance when he ran for Property Appraiser last year. The motion was seconded by Vice-Chair Schwartz and unanimously approved (4-0).

Commissioner Narine made a motion to approve and ratify a Letter of Instruction for Bay Harbor Islands Mayor Robert Yaffe who last month agreed to settle a complaint (C 14-53) charging him with earning compensation from a third party seeking a benefit from his city. The motion was seconded by Vice-Chair Schwartz and unanimously approved (4-0).

The complainant in C 14-51 waived confidentiality and asked in open session to lift a stay imposed on the complaint December 10, 2014, pending outcome of a civil case filed in an alleged campaign practices violation, since the civil case has been stayed. Vice-Chair Schwartz made a motion to lift the stay for 90 days from January 6, 2015. The motion was seconded by commissioner Narine and unanimously approved (4-0).

The Ethics Commission convened in closed session at 10:36 a.m. The Commission returned to open session at 11:41 a.m. and took the following action:

Chairman Bellido recused himself from discussion and vote of the following: Vice-Chair Schwartz made a motion to support the defendant's request for a continuance of C 12-46. The motion was seconded by Commissioner Bernier and unanimously approved (3-0).

Vice-Chair Schwartz made a motion to set a March 11, 2015, date certain hearing for probable cause for C 14-41. Commissioner Bernier seconded the motion and it was unanimously approved (4-0).

Vice-Chair Schwartz made a motion to dismiss for lack of legal sufficiency a complaint (C 15-03) filed against Miami-Dade School Superintendent Alberto Carvalho since the COE does not have jurisdiction over the school system. Commissioner Bernier seconded the motion and it was unanimously approved (4-0).

VI. Old Business

Following questions from Commissioners, Executive Director Centorino reported that he has discussed the necessary appointment of a new Commissioner with the director of the Miami-Dade League of Cities, but that has not yet resulted in action. He said he will express the COE's concern to try to expedite the process.

VII. 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 (4-0). The meeting adjourned at 10:46 a.m.



Prepared by Rhonda Victor Sibia, Communications Director