

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of November 9, 2016

The Miami-Dade Commission on Ethics (COE) convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on November 9, 2016. Present were Commission Vice Chair Jeffrey Cutler and Commissioners Nelson Bellido and Marcia Narine Weldon. Also present were Joseph Centorino, Executive Director; Michael Murawski, Advocate; Gilma Diaz-Greco, Martha Perez and Radia Turay, Staff Attorneys; Rhonda Victor Sibilia, Communications Director; Rachele Cedeno Ross, Executive Secretary; Nilda Olmo and Breno Penichet, Investigators and Gracy Crumpton, Legal Intern. Also present were Assistant Miami City Attorney George Wysong, Dan Daley, Christopher Davis, Esq., Victor May, Adam Schwartzbaum, Gustavo Chacon and other members of the public. The meeting was called to order at 10:00 a.m. by Vice Chair Cutler. A quorum was present.

I. Approval of Minutes

Commissioner Narine Weldon made a motion to approve the minutes of the October 19, 2016, meeting. The motion was seconded by Commissioner Bellido and unanimously approved (3-0).

II. Public Comment

None.

III. Section Eight Requests

Staff Attorney Gilma Diaz-Greco had one request for a County employee to contract under the federally-funded Section 8 program, and, since he is not associated with the Miami-Dade Public Housing and Community Development Department, recommended approval. Commissioner Bellido made a motion to support the recommendation. It was seconded by Commissioner Narine Weldon and unanimously approved (3-0).

IV. Housing requests

Staff Attorney Diaz-Greco presented the requests of eight County employees to seek assistance through programs overseen by the Miami-Dade Public Housing and Community Development Department, and since neither they nor any of their family members oversee or administer the programs, recommended they be approved. Commissioner Bellido made a motion to approve the recommendation. It was seconded by Commissioner Narine Weldon and unanimously approved (3-0).

V. Monthly Summary of Inquiries

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE staff between October 10 and 28, 2016, of which two were briefly discussed.

VI. Executive Director's Report

--Executive Director Joseph Centorino stated that he has filed a response to the Amended Petition for the Writ of Certiorari by Robin Jones Jackson who is seeking to prevent the COE from reconsidering a finding of No Probable Cause to a complaint against her. He stated that Attorney Sam Dubbin has filed a motion to intervene in the lawsuit, which is also being opposed by the Ethics Commission.

--Mr. Centorino distributed the flyer and agenda for a "Citizens Academy" to be held on Nov. 19 in Opa-locka to help educate selected residents there on how to get involved in their local government. He also announced that staff would conduct in-depth ethics training to all Opa-locka employees in January and work with newly elected officials in the city.

--He informed ethics commissioners of a staff investigation of a lobbyist hired by Miami-Dade County, Fausto

Gomez, who also served as a lobbyist for the Miami-Dade Expressway Authority and helped position that agency to be the designated conduit of funds instead of the County in a mass transit funding bill during last year's state legislative session. He said an extensive report on that serious conflict of interest will soon be presented to the Board of County Commissioners.

--Mr. Centorino called this year's Ethical Governance Day an overall success and said volunteers who have participated all five years of the event would receive special recognition. He also reported on the presentation of this year's Ethical Governance Day Teacher of the Year honor to Miami Lakes Middle School Social Sciences Department Instructor Lisa Deyarza on October 25, which attracted Miami-Dade County Commissioner Esteban Bovo and the school district's regional superintendent among other officials.

--He reported the outcome of ballot questions initiated by the Ethics Commission. The proposed amendment to the Miami-Dade County Citizens' Bill of Rights to include "copying" of public records was easily approved with more than 65 percent of the vote. The proposal to eliminate the Miami Beach requirement for lobbyists to file annual expense reports even where there are no expenses, failed with less than 44 percent of the vote. Mr. Centorino said staff will try to explore other options to reduce the burden of lobbyist appeals on the COE.

VII. Complaints

The Ethics Commission convened in closed session at 10:24 a.m. Commissioners returned to open session at 11:21 a.m. and took the following actions:

-- Commissioner Narine Weldon made a motion to find Probable Cause to a complaint (C 16-24) filed against Surfside Town Manager Guillermo Olmedillo for failing to disclose income from his outside employment, but to dismiss it with a Letter of Instruction since the violation was unintentional and immediately corrected. The motion was seconded by Commissioner Bellido and unanimously approved (3-0).

-- Commissioner Narine Weldon made a motion to find No Probable Cause to a complaint (C 16-29) filed against Miami Beach City Commissioner Kristen Rosen-Gonzalez by Steve Ross, who alleged that she used her official city email to campaign for a state senate candidate, when it was determined that it was a private vendor, rather than the commissioner who actually used an incorrect email address. The motion was seconded by Commissioner Bellido and unanimously approved (3-0).

--With the respondent's attorney not objecting, Ethics Commissioners agreed to grant the Advocate's motion for extension of time to make a probable cause determination for C 16-31.

--After hearing a request from the complainant that Ethics Commissioner review a video tape, all agreed to defer C 16-32 to the next meeting.

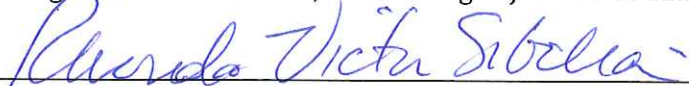
--Commissioner Narine Weldon made a motion to find Probable Cause to a complaint (C 16-34) that accused North Miami Beach Councilman Frantz Pierre abused his position by threatening a code compliance officer and threatening to fire city officials when he was cited for property violations. The motion was seconded by Commissioner Bellido and unanimously approved (3-0).

VIII. Old Business

Commissioners approved moving the December meeting date from Wednesday, December 14 to Friday, December 16.

IX. Adjournment

There being no further business, the meeting adjourned at 11:24 a.m.


Prepared by Rhonda Victor Sibilia, Communications Director