

# MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

## Meeting of February 8, 2017

The Miami-Dade Commission on Ethics (COE) convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on February 8, 2017. Present were Commission Chair Judge Lawrence Schwartz and Commissioners Nelson Bellido, Judith Bernier 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 Sibia, Communications Director; Rachele Cedeno, Executive Secretary; Robert Steinback, Sylvia Batista, Nilda Olmo and Breno Penichet, Investigators; Legal Intern Brenda Emerson; Assistant Miami City Attorney Xavier Alban, Miami Parking Authority CEO Art Noriega and other members of the public. The meeting was called to order at 10:01 a.m. by Chairman Schwartz. A quorum was present.

### I. Approval of Minutes

Commissioner Narine Weldon made a motion to approve the minutes of the January 11, 2017, meeting. The motion was seconded by Commissioner Bernier and unanimously approved (4-0).

### II. Public Comment

Gustavo Chacon expressed his displeasure with the COE's procedure regarding the presentation of complaints and the denial of an opportunity to speak regarding C 16-32.

Christopher Davis complained about the staff's handling of two complaints filed by him, in which the Commission approved the staff recommendation of No Probable Cause.

### III. RQO 17-01

Staff Attorney Radia Turay presented a recommendation, in response to **Request for Opinion 17-01**, that a Parks Department employee participating in a non-profit organization's paid research program should be considered outside employment, but that it would not present a conflict with his County position. Eric Hansen, a manager in the Parks, Recreation and Open Spaces Department, was invited to participate in the Interdisciplinary Research Leaders program funded by the Robert Wood Johnson Foundation along with researchers from the University of Miami and Florida International University. Mr. Hansen and the other team members would be paid \$25,000 each year of the three-year program and the team would receive an additional \$125,000 to conduct research. The recommendation concluded that the stipend should be considered outside employment and be reported each year, but also that, since the duties of the research program are different from his responsibilities in the Parks Department and he is not associated with the expenditure of any other Foundation grants, there would be no conflict. Commissioner Bellido made a motion to approve the recommendation. It was seconded by Commissioner Bernier and unanimously approved (4-0).

### IV. Section Eight Requests

Staff Attorney Diaz-Greco had one request for a County employee to contract under the federally-funded Section 8 program, and, since he was 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 (4-0).

### V. Housing requests

Staff Attorney Diaz-Greco presented the requests of three 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 (4-0).

## **VI. Monthly Summary of Inquiries**

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE staff from January 1 through the 27th, of which two were briefly discussed.

## **VII. Executive Director's Report**

--Executive Director Joseph Centorino introduced a lengthy investigative report spurred by a citizen's account of a County Commissioner bypassing a long line at a security checkpoint at Miami International Airport. Investigator Robert Steinback summed up its findings. The study reviewed and reported on requests from MIA's Office of Protocol and International Affairs for escorts from all members of the Miami-Dade County Commission and all of the county's mayors over the past few years. It was agreed that Ethics Commissioners would hold a public meeting on the findings at the next meeting, after the report is circulated to County and Municipal Officials.

--Mr. Centorino presented a letter of resignation by Gomez Barker Associates lobbyist Fausto Gomez from contracting with the County, before a resolution calling for his disbarment could be considered by the Board of County Commissioners. The resolution stemmed from an investigation conducted by COE staff into a conflict of interest involving Gomez, while he was working as a County lobbyist during the 2016 legislative session. Mr. Centorino called the letter "offensive" because of its attack on the Ethics Commission and said he stands by the investigation's findings.

-- He stated that the proposed "civility pledge" approved by the Ethics Commission last month to be added to oaths of office for elected and appointed officials, has earned the support of two County Commissioners, and is expected to go before the County Commission in the near future. He also said that the North Bay Village Council will take up that proposal, along with an "Honor Code for Elected and Appointed Town Officials and Town Employees" later this month.

-- The Director reported on the successful and well-attended municipal attorney luncheon on Thursday, February 2, 2017, at the Knife Steakhouse at Bayside that featured a quality panel discussion on Municipal Policing.

--Mr. Centorino provided the program for the COE-sponsored conference on "The Ethics of Doing Business with Cuba" that will be held on March 10<sup>th</sup> at Barry University, in which Commissioners Narine Weldon and Bellido will participate. He said that nearly 90 registrations have already been received and that the Florida Bar has granted 6.5 Continuing Legal Education credits for attorneys who attend.

--Finally, he said that nearly 23,000 county employees have completed the latest update of on line ethics training and thanked staff who participated in the presentation and facilitated its use.

## **VIII. Complaints**

--Advocate Michael Murawski presented a proposed Letter of Instruction regarding the settlement agreement for **C 16-40** against Hialeah Fire Chief Miguel Anchia for failing to abide by gift disclosure rules when he accepted a skybox ticket worth \$1,000 for a Miami Dolphins game on December 6, 2015, but did not report the gift until he became aware of the ethics investigation in December 2016. As part of the settlement, Chief Anchia pled no contest to the charge and agreed to accept a Letter of Instruction. The Letter of Instruction reiterates the gift requirements and states that, since the Chief holds a position of leadership, it is important he learn from the experience to guide his future conduct and set an example for those under his command.

Commissioner Narine Weldon made a motion to ratify the Letter. Commissioner Bellido seconded the motion and it was unanimously approved (4-0).

**The Ethics Commission convened in closed session at 11:03 a.m. Commissioners returned to open session at 11:08 a.m. and took the following action:**

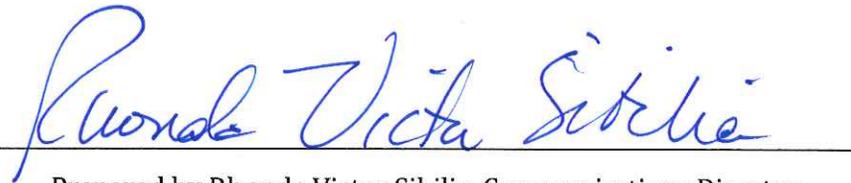
--Commissioner Narine Weldon made a motion to find No Probable Cause to a complaint (C 16-38) filed against Miami Parking Authority CEO Art Noriega that accused him of violating the Citizens' Bill of Rights "Truth in Government" provision by making a false statement during a public meeting last October regarding the installation of "Pay to Park" signs along NE 4<sup>th</sup> Ct. The investigation determined that Noriega made the statement as a result of an administrative misunderstanding and there was no intention to deceive. The motion was seconded by Commissioner Bernier and unanimously approved (4-0).

**IX. Old Business**

None

**X. Adjournment**

There being no further business, the meeting adjourned at 11:09 a.m.



A handwritten signature in blue ink, reading "Rhonda Victor Sibilia", is written over a horizontal line.

Prepared by Rhonda Victor Sibilia, Communications Director