

# MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

## Summary of Minutes and Agenda Actions

### Meeting of November 9, 2017

The Miami-Dade Commission on Ethics (COE) convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on November 9, 2017. Present were Commissioners Nelson Bellido, Judith Bernier and Carol Zeiner. 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; Rachelle Ross, Executive Secretary; Nilda Olmo, Investigator; and members of the public. The meeting was called to order at 10:00 a.m. by Past Chair Bellido. A quorum was present.

#### **I. Approval of Minutes**

Commissioner Zeiner made a motion to correct a scrivener's error and approve the amended minutes of the October 12, 2017, meeting. It was seconded by Commissioner Bernier and unanimously approved (3-0).

#### **II. Public Comment**

None.

#### **III. Section Eight Requests**

Staff Attorney Diaz-Greco had one request from 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 Zeiner made a motion to support the recommendation. It was seconded by Commissioner Bernier and unanimously approved (3-0).

#### **IV. Housing requests**

Staff Attorney Diaz-Greco presented the requests of five 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 Zeiner made a motion to approve the recommendation. It was seconded by Commissioner Bernier and unanimously approved (3-0).

#### **V. Monthly Summary of Inquiries**

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE staff from September 28th through October 27th, of which one was briefly discussed.

#### **VI. Miami Beach Lobbyist Appeals**

Staff Attorney Martha Perez requested that one appeal be continued to a future meeting because Commissioner Zeiner had previously recused herself from the issue and a quorum would, therefore, not be present to hear the issue.

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

--Executive Director Joseph Centorino shared letters of appreciation relating to Ethical Governance Day and declared it a great success despite the impact of Hurricane Irma, with approximately 175 volunteers filling all classes that requested speakers. He singled out Ethics Commission Administrative Officer Rodzandra Sanchez for her exceptional work scheduling the volunteers in what he deemed a "logistical nightmare." Mr. Centorino called the presentation of the Teacher Award to Civics/Law Studies instructor Isaiah Thomas at Carrie P. Meek/Westview K-8 Center on October 26<sup>th</sup> a "great ceremony that was very moving."

--He said the hurricane-delayed municipal luncheon, "Forensic Fundamentals" at the Medical Examiner's Office held the day before was very informative, and thanked Communications Director Rhonda Victor Sibilia for her work on the event.

--He alerted Commissioners that the two-year term for Chairman Lawrence Schwartz expires next month on December 16<sup>th</sup> and they will need to elect a new chair at the Dec. 14<sup>th</sup> meeting, to assume the position after the conclusion of that meeting.

## **VIII. Complaints**

Advocate Michael Murawski presented a Letter of Instruction for a Miami-Dade County lifeguard who has worked a second job for the past six years without disclosing it, as required. As part of the settlement to the complaint (C 17-17) approved last month, Jose A. Cancelo, filed the appropriate disclosures for the past three years and paid a \$500 fine. The Letter states that should serve as a warning to other public employees that they must receive permission from their supervisors and disclose any income they received from outside sources every year. Commissioner Zeiner made a motion to ratify the Letter. It was seconded by Commissioner Bernier and unanimously approved (3-0).

The Ethics Commission convened in closed session at 10:22 a.m. Commissioners returned to open session at 11:01 a.m. and took the following action:

--Commissioner Zeiner made a motion to find No Legal Sufficiency on the first part of a complaint (C 17-19) against Sweetwater City Commissioner Manuel Duasso, which claimed that he must recuse himself from a future vote on a court mandate to either have former Mayor Jose Diaz remove an unauthorized structure from his home or grant him the opportunity to appeal. The finding was recommended by staff because no violation could have occurred prior to an actual vote, making the complaint premature. The motion was seconded by Commissioner Bernier and unanimously approved (3-0). Commissioner Zeiner made another motion to find No Probable Cause on two other counts of the complaint alleging conflicts that the investigation found groundless. The motion was seconded by Commissioner Bernier and unanimously approved (3-0).

-- Commissioner Bernier made a motion to find No Probable Cause on a complaint (C 17-20) that Mitchell Bierman lobbied improperly when he provided legal services for a company bidding to provide pre-paid phone cards at Miami International Airport without registering to do so, because his actions were considered legal services and not lobbying. Bierman's representative, Chad Friedman concurred with the finding during the earlier closed hearing. The motion was seconded by Commissioner Zeiner and unanimously approved (3-0).

--Commissioner Bernier made a motion to find No Legal Sufficiency on four separate complaints against Sweetwater City Commissioners -- Cecilia Holtz-Alonso (C 17-21), Joniel Diaz (C 17-22), Prisca Barreto (C 17-23), and Idania Llanio (C 17-24) -- that stemmed from a citizen's opposition to conflicts concerning the commission's upcoming vote because they were premature and did not pertain to actions already taken. Commissioner Zeiner seconded the vote and it was unanimously approved (3-0).

--Commissioner Zeiner made a motion to approve the Advocate's request to continue the Probable Cause determination for C 17-28 until the next meeting. The motion was seconded by Commissioner Bernier and unanimously approved (3-0).

-- Commissioner Zeiner made a motion to find Probable Cause on a complaint (C 17-29) that a North Bay Village Commissioner violated the Conflict of Interest and Code of Ethics Ordinance when he appeared as President/Treasurer of his Condo Association before a special magistrate concerning \$40,000 in fines over sewer and septic tank violations that was reduced to \$500 when compliance was met. Commissioner Bellido seconded the motion, and it was approved 2-1 (Bernier voted no). Commissioner Bernier made a motion to find Probable Cause that Commissioner Lim improperly voted on a contribution from the municipality to the North Bay Village Optimist Club on which he served as a member of the Board of Directors. It was seconded by Commissioner Zeiner and unanimously approved (3-0).

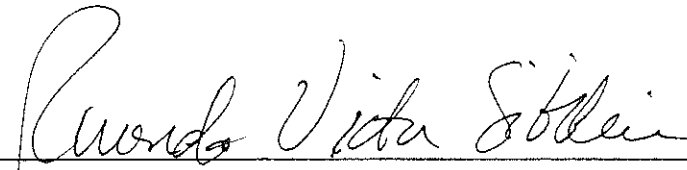
--Complaint C 17-32 was withdrawn by the complainant with no action from the Ethics Commission.

#### **IX. Performance Review - COE Executive Director**

Executive Director Centorino presented a review of activities and accomplishments during the past year. Commissioner Bellido made a motion to continue discussion until the next meeting when more commissioners could be present. His motion was seconded by Commissioner Zeiner and unanimously approved (3-0).

#### **X. Adjournment**

There being no further business, the meeting adjourned at 11:16 a.m.



---

Prepared by Rhonda Victor Sibilia, Communications Director