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Ethics Commission calls for “civility” oath for public officials

The Miami-Dade County Commission on Ethics and Public Trust (COE) today approved a proposed resolution requesting that County and municipal governments add language requiring a civility pledge to oaths of office for elected and appointed officials. According to the resolution, “the practice of ethical conduct by public officials requires that those who hold the public trust practice and maintain respect for the human dignity of their peers, subordinates, political allies and adversaries, as well as members of the general public,” noting that “rude and insulting behavior... has become too prevalent and too accepted in government and political campaigns at all levels...” and “threatens the integrity and proper functioning of government and politics...” The measure will be sent to the County and all municipal clerks, and requests that their governing bodies adopt the following language to the oaths for swearing in: “To my colleagues and to all of those I represent and serve, I pledge fairness, integrity and civility, in all actions taken and all communications made by me as a public servant.”

Ethics Commissioners also reviewed a resolution filed by Miami-Dade County Commission Chairman Esteban Bovo calling for the County to ensure that its current lobbying team does not include the firm Gomez Barker Associates or lobbyist Fausto Gomez, and that would prevent them from contracting with the County for three years. That measure is scheduled to go before the Board of County Commissioners later this month and stems from an investigation conducted by the Ethics Commission last year. It determined that Mr. Gomez failed to disclose a conflict of interest while representing both the County and the Miami-Dade Expressway Authority (MDX), leading to his promotion of an MDX version of a transit bill during the 2016 state legislative session over the County’s version. The investigation concluded that Gomez’s efforts undermined the County’s potential to receive nearly \$1 billion in state transportation funding over the next 30 years. The report also noted that Mr. Gomez was previously found by the COE to have failed to disclose a conflict of interest regarding a prior County lobbying engagement.

In other action today, the Ethics Commission agreed to settle a complaint (**C 16-40**) against Hialeah’s Fire Chief for failing to abide by gift disclosure rules. Chief Miguel Anchia accepted a ticket for a seat in a skybox leased by AMR ambulance company to watch the Miami Dolphins-Baltimore Ravens game on December 6, 2015. The ticket was valued at \$1,000 – ten times the \$100 threshold required for officials to report a gift, which must be disclosed by the end of the quarter

after it is received. Chief Anchia 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.

No Probable Cause was found to a complaint (C 16-15) filed against Miami-Dade Inspector General Mary Cagle by a former employee who accused her of retaliation by violating the Whistleblower protection ordinance. James Rosenberg alleges that he was fired because an “explosive” audit he oversaw found misuse of restricted funds by the County’s Public Works and Waste Management Department, upsetting high-ranking County officials. However, the Ethics investigation showed that Ms. Cagle had lost confidence in Rosenberg’s ability to lead her office’s audit division during his ten month tenure, and Ms. Cagle and others had repeatedly counseled him before asking him to resign. Mr. Rosenberg accepted a transfer to another County agency upon his removal from the OIG payroll. Since he was considered an “at will” employee under the Inspector General who determined he wasn’t serving well on her executive team, there was No Probable Cause found to his whistleblower claim and the complaint was dismissed.

COE Executive Director Joseph Centorino reported that the Commission of the Town of Surfside last night adopted an “Honor Code for Elected and Appointed Town Officials and Town Employees.” The Honor Code, created by the Ethics Commission in 2015, calls on public servants to report criminal misconduct, place public interest ahead of personal loyalties and cooperate truthfully with investigations regarding government operations.

Also today, it was announced that the Ethics Commission will sponsor a day-long conference on Friday, March 10, 2017, on ***Doing Business in Cuba: Legal, Ethical and Compliance Challenges***, in conjunction with the Barry University School of Business. Further details will be released as the program is confirmed.

The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

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