



MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of May 13, 2020

The Miami-Dade Commission on Ethics & Public Trust (COE) held their first virtual meeting on March 13, 2020 by way of the Zoom virtual platform. Present were Chairman Nelson C. Bellido, Vice Chairwoman Judith Bernier, Commissioners Jan Jacobowitz, Lawrence Schwartz, and Wifredo Gort. Also present were Jose Arrojo, Executive Director; Michael Murawski, Advocate; Martha Perez, General Counsel; Gilma Diaz-Greco and Radia Turay, Staff Attorneys; Leonardo Mendoza, Public Information Officer; Rachelle Ross, Commission Clerk; Investigators Nilda Olmo and Susannah Nesmith; and members of the public. The meeting was called to order at 10:15 a.m. by Chairman Bellido. A quorum was present.

I. Resolution of COE 20-01 for Virtual Meetings

General Counsel Martha Perez presented Resolution COE 20-01, adopting rules of procedure for virtual meetings held by local government bodies to take place during the pendency of the state of emergency and declared by the Governor and Mayor. Commissioner Gort made a motion to approve the Resolution. Commissioner Schwartz seconded it and it was unanimously approved **(4-0)**.

II. Approval of Minutes

Commissioner Gort made a motion to approve the minutes of the March 11, 2020, meeting. Commissioner Jacobowitz seconded it and it was unanimously approved **(4-0)**.

III. Public Comment

None

IV. Section 8 Requests

Staff Attorney Diaz-Greco presented requests from four individuals in the months of March and April wishing to contract under the federally-funded Section 8 Program. In the case of those individuals, neither they nor any of their immediate family members were employed by the Miami-Dade Public Housing and

Community Development Department, so Staff Attorney Diaz-Greco recommended they be approved. Commissioner Bernier moved to approve the recommendation. It was seconded by Commissioner Jacobowitz and unanimously approved **(4-0)**.

V. Public Housing and Community Development Housing Assistance Inquiries

Staff Attorney Diaz-Greco presented requests from three individuals in the months of March and April seeking assistance through a program overseen by the Miami-Dade Public Housing and Community Development Department. In the case of two of these employees, since neither they or any of their immediate family members oversee or administer the programs, Staff Attorney Diaz-Greco recommended they be approved. The other individual was employed by the Miami-Dade County Public Schools and the Commission on Ethics does not have jurisdiction over his matter. Commissioner Schwartz moved to approve the recommendation. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

VI. Monthly Summary of Inquiries

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE for March and April and discussed **INQ 20-30** provided to Maria Lievano Cruz, the Director of Corporate Development at Florida East Coast Industries (FEI). The County had issued a solicitation to design and construct a roadway along NW 107th Avenue and Ms. Lievano Cruz was seeking guidance as to whether FEI's communication with senior County administrators regarding this Project was prohibited by the County's Ethics Code and Cone of Silence. The guidance was sought since FEI was very interested in the successful completion of the NW 107th Avenue roadway project because it was necessary to accommodate vehicular access to current and future tenants of a business park they are building.

Ms. Lievano Cruz was advised that the Cone of Silence of the County Ethics' Code would not prohibit FEI's communication with County administrators regarding this Project because FEI is not a prospective bidder, nor is FEI the lobbyist of a bidder, proposer or consultant to this solicitation. However, Ms. Lievano Cruz was advised that FEI representatives who intend to engage with the County on this matter should comply with the County's lobbyist registration requirements.

VII. Executive Director's Report

- Ethics Commission Executive Director, Jose Arrojo, provided the Commission with an update on how County revenue shortfalls may impact the remainder of the Ethics Commission's current and upcoming fiscal year budgets and delay the hiring date for a vacant Staff Attorney position.

- Executive Director Arrojo provided an update on the on-line availability of Ethics Training for persons that lobby Miami-Dade County, Jackson Health Systems and City of Miami officials as required by the County Ethics Ordinance.

- Executive Director Arrojo advised the Commission that state and local ethics training for local elected officials as required by State Statute and County Ordinance will be offered virtually using the Zoom platform on May 29, 2020.

VIII. Complaints (In Open Session)

General Counsel Martha Perez initially presented a Petition for Attorney's Fees filed by the respondent in case **(C 18-08-01)**, but indicated that after advising all parties involved, the only matter to be addressed was the setting of a hearing date. It was agreed that the matter would be heard at the Commission hearing to be held on July 8th.

Advocate Michael Murawski informed the Commission on the status of the May 27, 2020 scheduled public hearing in case **(C 18 17-04)** involving former City of Miami Beach Commissioner Michael Grieco. The matter was postponed until September 25, 2020 in accordance with an Order from the Florida Supreme Court suspending trials through July 2, 2020 due to the COVID-19 pandemic.

General Counsel Martha Perez requested to set a Hearing Date on a Petition for Attorney's Fees on behalf on Mayor Cunningham from Palmetto Bay in cases **(C 19-50-12), (C 19-51-12), and (C 19-52-12)**. The hearings were set for the August Commission meeting.

Advocate Michael Murawski presented a Motion to ratify Letters of Instruction in cases **(C 20-07-02), (C 20-08-02), and (C 20-09-02)**. Commissioner Schwartz made a motion to ratify the Letters of Instruction. Commissioner Gort seconded the motion and it was unanimously approved **(4-0)**.

Staff Attorney Radia Turay presented a Motion to ratify Letters of Instruction in cases **(C 20-11-02)** and **(C 20-12-02)**. Commissioner Schwartz made a motion to ratify both Letters of Instruction. Commissioner Jacobowitz seconded the motion and it was unanimously approved **(4-0)**.

At 10:47 AM, the Commission went into closed session.

Advocate Michael Murawski made a recommendation for a Finding of No Probable Cause in complaint **(C 19-39-10)** filed against lobbyist Ron Book. In open session, Commissioner Schwartz moved to approve the Finding of No Probable Cause. It was seconded by Commission Gort and unanimously approved **(4-0)**.

Advocate Michael Murawski presented a Motion for Extension of Time in complaint **(C 20-14-02)**. In open session, Commissioner Schwartz moved to approve the Motion for Extension of Time. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**.

Advocate Michael Murawski presented a Motion for Extension of Time in complaint **(C 20-16-03)**. In open session, Commissioner Schwartz moved to approve the Motion for Extension of Time. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

General Counsel Martha Perez made a recommendation to Dismiss complaint **(C 20-15-03)** for lack of Legal Sufficiency. In open session, Commissioner Schwartz moved to approve the dismissal of the complaint due to Lack of Legal Sufficiency. It was seconded by Commissioner Jacobowitz and unanimously approved **(4-0)**.

IX. Old Business

None

X. Adjournment

There being no further business, the meeting adjourned at 10:35AM.