



# MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

**Meeting of June 10, 2020**

The Miami-Dade Commission on Ethics & Public Trust (COE) held a virtual meeting on June 10, 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 10:02 a.m. by Chairman Bellido. A quorum was present.

## **I. Approval of Minutes**

Commissioner Gort made a motion to approve the minutes of the May 13, 2020, meeting. Commissioner Jacobowitz seconded it and it was unanimously approved **(5-0)**.

## **II. Public Comment**

None

## **III. Public Housing and Community Development Housing Assistance Inquiries**

Staff Attorney Diaz-Greco presented a request from one individual for the month of May seeking assistance through a program overseen by the Miami-Dade Public Housing and Community Development Department. In the case of this employee, since neither she nor any of her immediate family members oversee or administer the programs, Staff Attorney Diaz-Greco recommended she be approved. Commissioner Gort moved to approve the recommendation. It was seconded by Commissioner Jacobowitz and unanimously approved **(5-0)**.

## **IV. Monthly Summary of Inquiries**

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE for May and discussed **INQ 20-42** provided to Imran Ali, the Chief of Staff of the Children’s Trust (TCT). The TCT was inquiring whether a board member who also serves as the vice-chair of a non-profit, The Early Learning Coalition (ELC), should refrain from voting or participating in ELC funding matters because the board member has a potential conflict of interest given that the ELC is funded by the TCT.

The Children’s Trust was advised that this board member does have an automatic conflict of interest and should refrain from voting or participating in ELC funding matters. Furthermore, TCT was advised that ELC’s funding does not meet the minor allocation exception in RQO 19-04.

## **V. Executive Director’s Report**

- Executive Director Jose Arrojo provided a brief summary of COE PI 18-21 A&B concerning a March 2018 County business developmental trip to Asia that included the Mayor, two County Commissioners, County department heads and other County staff. Mr. Arrojo pointed out that the report has garnered significant amount of media coverage and that it was discussed extensively at the most recent Board of County Commissioners meeting. Mr. Arrojo also noted that given some of the findings in the report, Commissioner Eileen Higgins, wished to reconsider her vote on the Baylink Project and that the Inspector General issued a follow-up memorandum that discussed the report findings and suggested that a reconsideration of the procurement process might be appropriate. After the presentation, Mr. Arrojo addressed questions from the Commission.

- Mr. Arrojo provided an update regarding the COE’s upcoming move to the Overtown Village North building and also on the new online Ethics Training available for persons that lobby Miami-Dade County, Jackson Health Systems and City of Miami Officials as required by the County Ethics Ordinance.

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

Lobbyist Gregory Fontela had a fine of \$30,550 waived for failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance.

Lobbyist Joaquin Vargas received a reduced fine of \$1,040.00 for failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance.

Lobbyist Scott Rostock had a fine of \$2,600 waived for failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance.

Lobbyist Jose Smith had a fine of \$3,800 waived for failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance.

## **VII. Complaints (In Open Session)**

No items in Open Session were heard.

***At 10:42 AM, the Commission went into closed session.***

General Counsel Martha Perez made a recommendation to Dismiss complaint **(C 20-17-04 A)** 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 Bernier and unanimously approved **(5-0)**.

General Counsel Martha Perez made a recommendation to Dismiss complaint **(C 20-17-04 B)** 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 Bernier and unanimously approved **(5-0)**.

General Counsel Martha Perez made a recommendation to Dismiss complaint **(C 20-17-04 C)** 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 Bernier and unanimously approved **(5-0)**.

General Counsel Martha Perez made a recommendation to Dismiss complaint **(C 20-17-04 D)** 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 Bernier and unanimously approved **(5-0)**.

General Counsel Martha Perez made a recommendation to Withdraw complaint **(C 20-17-04 E)** at the request of the complainant. In open session, Commissioner Schwartz moved to approve the dismissal of the complaint due to Lack of Legal Sufficiency. It was seconded by Commissioner Gort and unanimously approved **(5-0)**.

General Counsel Martha Perez made a recommendation to Dismiss complaint **(C 20-19-05)** 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 **(5-0)**.

Advocate Michael Murawski made a recommendation for a Finding of No Probable Cause in complaint **(C 20-16-03)**. In open session, Commissioner Schwartz moved to approve the Finding of No Probable Cause. It was seconded by Commissioner Gort and unanimously approved **(5-0)**.

Advocate Michael Murawski made a recommendation for a Finding of No Probable Cause in complaint **(C 20-18-04)** alleging a violation of the Public Records section of the Citizen's Bill of Rights and the Truth in Government Section of the Citizen's Bill of Rights. In open session, Commissioner Schwartz moved to approve the Finding of No Probable Cause in the violation of the Public Records section of the Citizen's Bill of Rights. It was seconded by Commissioner Gort and unanimously approved **(5-0)**. In open session Commissioner Jacobowitz moved to defer the finding of Probable Cause pending further investigation as to the violation of the Truth in Government Section of the Citizen's Bill of Rights. It was seconded by Commissioner Gort and unanimously approved **(5-0)**.

Advocate Michael Murawski made a subpoena request in complaint **(C 20-14-02)**.

#### **VIII. Old Business**

None

#### **X. Adjournment**

There being no further business, the meeting adjourned at 12:04PM.