

OFFICE OF THE INDEPENDENT ADVOCATE
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
REPORT OF INVESTIGATION

K #: 07-111

Date Opened: August 17, 2007 Date Closed:

Name of investigator: Arthur D. Skinner
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Allegation:

This investigation was predicated upon the receipt of information that Attorney Jerry B. Proctor, of Bilzin Sumberg Baena Price & Axelrod LLP, 200 S. Biscayne Blvd Suite 2500, Miami, Florida 33131-5340, 305.374.7580 is an unregistered lobbyist. Mr. Proctor allegedly spoke before the City of South Miami Planning Board, and was a registered lobbyist.

Violation of Section 2-11.1(s)(2) of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. Lobbying. (2) All lobbyists shall register with the Clerk of the Board of County Commissioners within three (3) business days of being retained as a lobbyist or before engaging in any lobbying activities, whichever shall come first.

Investigation:

On August 17, 2007, Investigators Art Skinner and Breno Penichet interviewed Ms. Yvonne Beckman at her residence in the City of South Miami (305) 665-4068. Ms. Beckman who is a Planning Board member, stated that Proctor spoke on the validity of the Evaluation and Appraisal Report (EAR) process.

August 23, 2007, contacted the South Miami Clerk Maria Menendez, and inquired about Lobbyist Registrations. The Clerk stated the Lobbyist list on the South Miami WEB site was current and listed all registered lobbyist for the City. The WEB site listed Attorney Jerry B. Proctor as a registered lobbyist "RRC 57th Avenue LLC".

On August 23, 2007, Investigator Skinner interviewed Jerry Proctor by telephone. Proctor gave the following information; Proctor admitted speaking before the City of Miami Planning board on March 27, 2007. He said the represented JCQ Quintessential Building Inc. Proctor stated that he was a registered lobbyist for this company in the City of South Miami.

Mr. Proctor sent the lobbyist registration documents via facsimile on August 23, 2007. The City of South Miami Lobbyist Registration Form indicated that Mr. Proctor had registered as representing this company on November 8, 2005.

On August 24, 2007, Investigator Art Skinner interviewed City Clerk Maria Menendez by telephone. She verified that Mr. Proctor was a registered lobbyist with the City of South Miami.

Mr. Proctor was notified by telephone that he needed to update his list of clients with the City of South Miami.

CONCLUSION:

Mr. Proctor stated he did not know he had to give the city a list of clients each year on October 1st. He said he would get the list updated. The ordinance does not require that the city gets a list of clients. This matter is closed.