

Biscayne Building
19 W. Flagler St., Suite 820
Miami, FL 33130
Phone (305) 579-2594
Fax (305) 579-0273

**Commission on Ethics &
Public Trust
Miami-Dade County**

Memorandum

To: Michael Murawski,
Advocate

From: Breno Penichet, Investigator
Christina Seymour, Auditor

Date: December 7, 2011

Re: K11- 011 – Miami-Dade County Community Councils Area 2 & Area 8 – Zoning
Appeals Decisions & Lobbyist Campaign Contributions

PURPOSE & SCOPE OF REVIEW:

The objective of the COE's analysis is to determine if there is a direct correlation between lobbyist campaign contributions to elected Miami-Dade County Community Zoning Appeals Board Members and the outcome of zoning decisions made by the elected Community Zoning Appeals Board for which the particular lobbyist appeared on a given zoning appeal. The scope of this analysis covers the three (3) year period of 2009, 2010 and 2011 and is limited to Miami-Dade County Community Councils in Area 2 and Area 8.

SOURCE DOCUMENTS:

The following documentation was obtained and reviewed by the COE to perform its analysis and draw its conclusions with regards to a possible relationship between campaign contributions made by Miami-Dade County registered lobbyists' and those Community Zoning Appeals Boards which the lobbyists appeared before on behalf of a zoning issue:

1. Campaign Treasurers Reports (CTRs) of each Miami-Dade County Community Zoning Appeals Board member in within the Community Council Area 2 and Area 8 during 2008 and 2010 election cycles.
2. All zoning applications submitted to the Community Zoning Appeals Board for Areas 2 and 8 during the three (3) year period of 2009 through 2011 and which a donor-lobbyist petitioned the zoning appeals board members with regards to a specific zoning application.

RESULTS OF REVIEW & ANALYSIS:

Northeast Community Council - Area 2

Table 1 below lists the names of the elected officials and the corresponding term of service for Miami-Dade County Northeast Community Council Area 2:

Table I.

Community Council Area/ Sub-area	Elected Official	Term of Office	Current Term Ends
02/ (Commiss. Appointee)	<i>Vacant</i>	N/A	
02 / 21	Kenneth Friedman	4 years	11/17/2014
02 / 22	Lonna Cohen	4 years	11/19/2012
02 / 23	Peggy A. Stroker	2 years	11/19/2012
02 / 24	<i>Vacant</i>	N/A	
02 / 26	Dawn Uffner	2 years	11/19/2012
02 / At Large	Adrienne F. Promoff	4 years	11/17/2014

Based on the COE's review of the zoning decisions made by Northeast Community County Area 2, there is no apparent correlation between campaign contributions and preferential voting decisions with regards to zoning appeals. Of the two (2) zoning applications approved by the Community Council Area 2 during the three-year period examined (i.e., years 2009, 2010, and through June 22, 2011), one request was made by the MDC Parks and Recreation Department. Additionally, a review of the campaign contributions received by the elected officials on the Northeast Community Council Area 2 board revealed, there was limited contributions, most of them as loans from the candidates. A cursory review also revealed no correlation between any of the applicants that were reviewed and approved, with the County Commissioner that made the CC2 appointments, Commissioner Sally Heyman (District 4).

North Central Community Council - Area 8

Table II. Below lists the names of the elected officials and the corresponding term of service for Miami-Dade North Central County Community Council Area 8:

Table II.

Community Council Area/ Sub-area	Elected Official	Term of Office	Current Term Ends
08/ (Commiss. Appointee)	Arthemon Johnson	N/A	
08 / 81	Richard C. Brown	2 years	11/19/2012
08 / 82	<i>Vacant</i>	4 years	11/19/2012
08 / 83	Fredericke Alan Morley	2 years	11/19/2012
08 / 84	Joy J. Davis	4 years	11/19/2012
08 / 85	VonCarol Yvette Kinchens	2 years	11/19/2012
08 / At Large	Patrick Leon Cure	4 years	11/19/2012

Based on research conducted by the COE, it is noted that all current members of the Miami-Dade County North Central Community Council Area 8, with the exception of Vice-Chair, Dr. Joy J. Davis, were appointed to the board by the Miami-Dade County Commissioner over this district, who at the time was former Miami-Dade County Commissioner Dorrin Rolle. ¹ Therefore, none of the board members were elected to their position (and did not receive campaign contribution from lobbyists).

CONCLUSION:

Based on the COE’s detailed review and analysis, there is no evidence of a correlation between a lobbyist’s political contributions to community council members election campaigns and the subsequent decisions the community council member renders with regards to zoning appeals, that are ruled upon in either Community Council Area 2 or Area 8 during the period of time analyzed 2009, 2010, 2011.

ATTACHMENTS:

Community Zoning Appeals Boars action reports

Campaign Treasurer Reports

Miami Dade County Elected Officials Guide

¹ Presently, the appointing Miami-Dade County Commissioner for Community Council Area 8 is Commissioner Jean Monestime, the BCC for District 2.