

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

K #: 12-122

Date Opened: 8/13/12

Date Closed: 8/28/12

Name of Investigator: Manuel W. Diaz

Allegation:

The COE received information that a political action committee, "Recall Palmetto Bay Committee" (the PAC), had been formed in the Village of Palmetto Bay (the Village), Florida. The PAC's web site www.recallpalmettobay.com, names three Village elected officials as targets of the recall; Mayor Shelly Stanczyk (Stanczyk), Vice Mayor Brian Pariser (Pariser) and Councilwoman Joan Lindsey (Lindsey). The site solicits donations. The site also offers t-shirts for sale which list the names of Stanczyk, Pariser and Lindsey.

Pariser's term of office ends in November 2012 and, in fact, he is not the subject of the recall effort. Pariser has qualified as a candidate for the council.

The caller was concerned that donations to the PAC were used to pay for t-shirts that encouraged the recall of Stanczyk and Lindsey, and Pariser when, in fact, Pariser is not a subject of the recall. .

The following documents were obtained:

1. The Statement of Organization of Political Committee (DS-DE 5 (Rev. 05/06))

The form was filed by the PAC on July 31, 2012, with the Village Clerk. Section 3 of the form identifies the Area, Scope and Jurisdiction of the Committee as being the "Recall of Mayor Stanczyk and Councilwoman Lindsay of Palmetto Bay."

2. The Statement of Organization of Political Committee lists David Singer and J.B. Harris as Principal Officers.

3. There are no Treasurer Expense Reports available. The Clerk of the Village advised that the PAC was recently formed and no reports were in the file.

Interviews:

Jean Olin, Esq. (Olin) 12550 Biscayne Boulevard Ste. 800, 305-776-4864

Olin was interviewed via telephone. She represents the PAC. Olin was advised of the citizen's concern as expressed in the call to the COE. Olin acknowledged the concern, advised that she would discuss with the PAC organizers.

David Singer (Singer) – Principal - PAC

Singer contacted the COE at the request of Olin. Singer advised that he absorbed the total cost for the printing of the t-shirts and no donations were utilized. Initially 30 t-shirts were ordered, printed and distributed before the PAC was registered with the Village. Singer provided records of payments; those records indicate the shirts were purchased from TMiami.com on July 10, 2012, with the payment for shirts approved by Visa on July 11, 2012.

Conclusion:

No violation of law or ordinance, under the jurisdiction of the Commission on Ethics, was identified wherefore, after discussion with the Advocate, this matter is closed with no further action.