

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

#K12-158

Date Opened: 10/17/12

Date Closed: 10/25/12

Investigator: Sylvia Batista

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The COE received an e-mail on October 17, 2012 from the Miami-Dade County Department of Regulatory and Economic Resources (RER) regarding a possible ethics violation by Fausto Gomez (Gomez). Pursuant to the e-mail, Gomez made a presentation on an agenda item that came before the Regional Transportation Committee (RTC) on October 15, 2012, at which time he indicated that he represents Advanced Ambulance Services, LLC (AAS). Gomez's claim initiated research which revealed that he is not registered as a lobbyist for AAS.

The COE's issue relates to possible violation of the Conflict of Interest and Code of Ethics Ordinance Section 2-11.1(s)(4) *Lobbying*.

### **Investigation:**

As of October 17, 2012, Miami-Dade County records revealed that Gomez is not a registered lobbyist for AAS, or its owner Larkin Hospital. Further research indicated that Gomez is a registered lobbyist at the state level for Larkin Hospital.

A review of the video shows that Gomez stated to the RTC board that he was there representing AAS, a subsidiary of Larkin Hospital, and continued his presentation.

**Interviews:**

**10/23/12 – Fausto Gomez, Esq. –**

Gomez was contacted and advised that it was noted he made a presentation on behalf of AAS, before the RTC, without first filing the necessary lobbyist registration forms.

Gomez said that he recalled filing his lobbyist registration form for AAS and paying the corresponding fee of \$490. He then proceeded to look it up on the county web page, which did not produce the filing as expected. Gomez then called Keith Knowles, Senior Commission Clerk at the Clerk of the Board and put him on conference call. Knowles looked up Gomez on the registered lobbyist database and informed that although he had filed the Annual Lobbyist Registration and paid the \$490 fee, this alone does not register him to lobby on behalf of a specific principal. Knowles explained that the principal was required to file a Lobbyist Activity Authorization and Joint Contingency Fee Affidavit on his behalf.

Gomez was asked to provide copies of the necessary documentation subsequent to filing it with the Clerk of the Board.

**10/25/12 -** Gomez provided the COE with copies of the Lobbyist Activity Authorization and Joint Contingency Fee Affidavit signed by the principal and filed on Gomez's behalf.

**Conclusion:**

In view of the fact that Gomez was, in fact, registered to lobby in Miami-Dade County and had paid the registration fee but was simply missing additional documentation and taking into account that full compliance with the lobbyist registration ordinance was achieved, the instant case is closed without further action.