



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Karl Ross

Case K14-124	Case Name: NASCAR Tickets (Homestead)	<u>Date Open:</u>	CASE CLOSED
Complainant(s):	Subject(s): Homestead mayor and city councilmembers	Dec. 17, 2014	

Date: 4/3/2015

Allegation(s):

The above-referenced case was assigned to this investigator Dec. 17, 2014, to examine whether Homestead elected officials complied with the gift disclosure requirements of the Miami-Dade County ethics code and the voluntary ticket guidelines for the distribution of passes to special events, such as NASCAR's event last November at the Homestead-Miami Speedway.

Relevant Ordinances:

The Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (2-11.1), which states in subsection (e) (4) states that any gift having a value in excess of \$100 shall be disclosed in a gift disclosure filed with the city clerk.

Investigation:

Interviews and document review

On or about January 7, 2015, COE requested a copy of a memo prepared by the Homestead City Attorney's Office detailing the distribution of NASCAR tickets.

A copy of the memo was subsequently provided along with a copy of an exhibit detailing the "permissible uses" of the tickets, as specified in COE's voluntary guidelines.

A review of this information suggested that at least two of the city councilmembers may have used one or more of the tickets for their personal benefit, thereby triggering the gift disclosure requirement under the county's ethics code, subsection (3) relating to "gifts."

On Feb. 26, 2015, an email was sent to City Attorney Richard Weiss advising him as to the possible noncompliance with the "permissible use" guidelines.

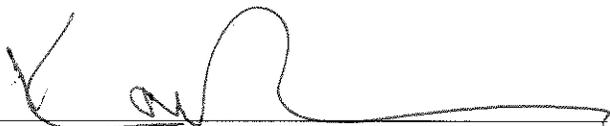
On or about March 31, COE contacted the Homestead City Clerk's Office and requested copies of all gift disclosures filed by elected officials during the first quarter of 2015, ending on March 31, 2015. A copy of three disclosure forms were provided, as follows:

- Mayor Jeff Porter disclosed he provided a race credential to his wife.
- Councilman Jon Burgess disclosed he provided a race credential for his son.
- Councilwoman Judith Waldman disclosed she provided a race credential for her husband.

Conclusion(s):

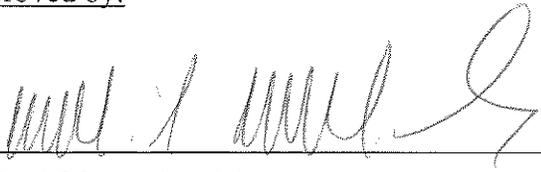
A review of the Speedway Ticket Allocation exhibit provided by the City Attorney's Office indicated the vast majority of the more than 500 tickets issued to elected officials pursuant to the speedway operating agreement were distributed – with the exceptions noted above – in accordance with the County's ethics code and COE's public purpose guidelines.

The exceptions noted above were acknowledged by the elected officials receiving the benefit, and gift disclosure forms were subsequently filed with the Homestead City Clerk's Office.



Karl Ross, COE Investigator

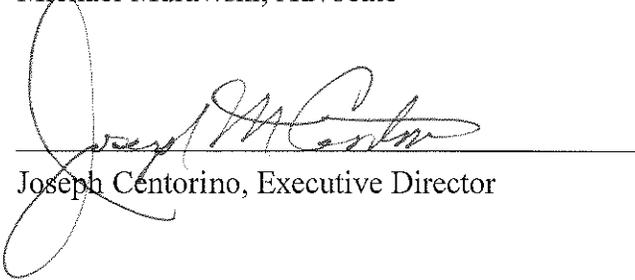
Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

4/3/15

Date Closed