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**MIAMI-DADE COUNTY  
COMMISSION ON  
ETHICS & PUBLIC TRUST**

IN RE: MARVA WILEY /

C 07-08

**PUBLIC REPORT & FINAL ORDER ACCEPTING SETTLEMENT AGREEMENT**

The ADVOCATE filed the above-referenced COMPLAINT against RESPONDENT Marva Wiley. The COMPLAINT alleged a violation of the Miami-Dade County Conflict of Interest & Code of Ethics Ordinance at Section 2-11.1(p), which prohibits municipal officials from recommending professional services to assist in any transactions before their respective municipalities.

According to allegations outlined in the COMPLAINT, RESPONDENT violated Section 2-11.1 (p) by recommending that a vendor obtain a personal loan from RESPONDENT's uncle so that the vendor could fulfill a contract with RESPONDENT's municipal agency.

Pursuant to the Code of Miami-Dade County, Article LXXVI, Section 2-1068, the Commission on Ethics & Public Trust has jurisdiction to enforce the above-referenced ordinance.

On April 5, 2007, RESPONDENT stipulated that the allegation was legally sufficient and was supported by probable cause. On April 19, 2007, the Ethics Commission was presented with a settlement in which the RESPONDENT agreed not to contest the charge against her, to pay a fine of two hundred fifty dollars (\$250.00), and to accept a LETTER OF INSTRUCTION in full satisfaction of the COMPLAINT. The Ethics Commission concurred with the terms of the agreement and dismissed the charge against the RESPONDENT with a LETTER OF INSTRUCTION.

Therefore it is:

**ORDERED AND ADJUDGED THAT** the COMPLAINT is hereby dismissed.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session on April 19, 2007.

MIAMI-DADE COUNTY COMMISSION ON  
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.  
Chairman

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**LETTER OF INSTRUCTION**

The ADVOCATE filed the above-captioned COMPLAINT alleging a violation of the Miami-Dade County Conflict of Interest & Code of Ethics Ordinance at Section 2-11.1(p), which prohibits covered individuals from recommending professional or other services to assist in transactions related to their respective governments.

On April 19, 2007, the Ethics Commission entered into a settlement agreement with RESEPDNDENT, in which RESPONDENT agreed not to contest the charge against her, to pay a fine of two hundred fifty dollars (\$250.00), and to accept this LETTER OF INSTRUCTION in full satisfaction of the COMPLAINT. This LETTER OF INSTRUCTION is intended to provide RESPONDENT with guidance and edification in order to avoid future transgressions of the ethics ordinances.

Section 2-11.1(p) of the Ethics Code, *Recommending professional services*, states—

No [agency personnel] may recommend the services of any lawyer or law firm, architect or architectural firm, public relations firm or any other person or firm, professional or otherwise, to assist in any transaction involving the [municipality] or any of its agencies, provided that such recommendation may properly be made when required to be made by the duties of office and in advance at a public meeting attended by other [municipal] officials, officers or employees.<sup>1</sup>

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<sup>1</sup> References in the Code to the "County" are equally applicable to municipalities located within Miami-Dade County.

During 2004 to 2005, RESPONDENT was President of the Model City Trust, a City of Miami agency. RESPONDENT's duties included identifying for the Model City Board of Trustees approved vendors who were available to construct affordable housing. One vendor, MEGA, authorized to construct an infill home, could not obtain a loan to begin work because the building parcel on which the home was to be built had not been deeded to the Trust in a timely fashion. RESPONDENT recommended to the president of MEGA that the president obtain a personal loan from RESPONDENT's uncle. MEGA's president obtained the loan from RESPONDENT's uncle, and subsequently, the president and RESPONDENT opened a joint bank account with the loan proceeds.

RESPONDENT's action was improper. As an agency official, RESPONDENT was prohibited from recommending professional or other services to assist in any transaction involving the City of Miami or any of its agencies, unless the recommendation was made at a public meeting attended by other City of Miami officials, officers, or employees.