

# MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

## Summary of Minutes and Agenda Actions

### Meeting of March 14, 2018

The Miami-Dade Commission on Ethics (COE) convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on March 14, 2018. Present were Chairman H. Jeffrey Cutler, Vice-Chairman Nelson Bellido, and Commissioners Lawrence Schwartz and Carol Zeiner. Also present were Joseph Centorino, Executive Director; Michael Murawski, Advocate; Gilma Diaz-Greco, Martha Perez and Radia Turay, Staff Attorneys; Rhonda Victor Sibilia, Communications Director; Rachelle Ross, Executive Secretary; Susannah Nesmith and Nilda Olmo, Investigators; and members of the public. The meeting was called to order at 10:02 a.m. by Chairman Cutler. A quorum was present.

#### **I. Approval of Minutes**

Commissioner Zeiner suggested a correction to minutes of the February 14, 2018, meeting. Commissioner Schwartz made a motion to approve the minutes as amended. It was seconded by Commissioner Zeiner and unanimously approved (4-0).

#### **II. Public Comment**

None.

#### **III. Section Eight Requests**

Staff Attorney Gilma Diaz-Greco had two requests from individuals wishing to contract under the federally-funded Section 8 program, and since neither they nor immediate family members are employed by the Miami-Dade Public Housing and Community Development Department, recommended approval. Vice-Chair Bellido made a motion to approve the recommendation. It was seconded by Commissioner Schwartz and unanimously approved (4-0).

#### **IV. Housing requests**

Staff Attorney Diaz-Greco presented the requests of two County employees to seek assistance through programs overseen by the Miami-Dade Public Housing and Community Development Department, and since neither they nor any of their family members oversee or administer the programs, recommended they be approved. Commissioner Bellido made a motion to approve the recommendation. It was seconded by Commissioner Schwartz and unanimously approved (4-0).

#### **V. Monthly Summary of Inquiries**

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE staff from February 1<sup>st</sup> through the 28<sup>th</sup>, of which two – INQ 18-37 and INQ 18-48 -- were briefly discussed.

#### **VI. Executive Director's Report**

--Executive Director Joseph Centorino announced that Investigator Larry Lebowitz has moved to the Office of the Inspector General and expected to announce his replacement in the near future.

--He said the agency had been notified of available office space in the north tower of the Overtown Transit Village and will tour it soon and report back.

--On legislative issues, Mr. Centorino reported that the measure to create a statewide lobbyist registration, never was heard in the Florida Senate, and so the proposal died when the Legislative Session ended.

--Mr. Centorino said that the Ethics Commission's Civility Oath for elected officials, which has been adopted by several cities, has been drafted in ordinance form by the County Attorney's Office and includes censure by the County Commission if violated. The ordinance should go before the County Commission in the near future.

--Mr. Centorino announced that his last day as Executive Director would be August 31, 2018, due to DROP (Deferred Retirement Option Program) rules, and that a competitive process to find his replacement is required by the ordinance that created the Ethics Commission. He presented the process and timeline used in 2011 when he was hired and offered a proposed advertisement for recruitment. Commissioner Schwartz made a motion to approve publication of the ad, with a May 4<sup>th</sup> deadline for applications, and to assign Vice-Chair Bellido to work with staff on the next steps. Commissioner Zeiner seconded the motion and it was unanimously approved (4-0).

## VII. Complaints

-- Advocate Michael Murawski and Attorney Benedict Kuehne discussed the health status of his client Frantz Pierre regarding a public hearing on **C 16-34**. They tentatively agreed on a hearing date of May 24, 2018.

-- Advocate Murawski presented a Letter of Reprimand to be sent to Debra Shore after settling a complaint (**C 17-34**) in January with the former procurement official in the Miami-Dade Aviation Department, who solicited a job with an outside company while helping the firm during a bid process and then failed to disclose the job offer on a disclosure affidavit. The Letter states that Shore "violated the public trust and the integrity of the County's competitive bid process" when she exploited her official position to place her own needs above those of the County." Commissioner Schwartz made a motion to accept the Letter. It was seconded by Vice-Chair Bellido and unanimously approved (4-0).

The Ethics Commission convened in closed session at 10:54 a.m. Commissioners returned to open session at 11:21 a.m. and took the following actions:

-- Commissioner Schwartz made a motion to find No Probable Cause to a complaint filed (**C 17-38**) against Miami Beach City Commissioner Kristen Rosen-Gonzalez, accusing her of Exploitation of Official Position when she spoke to the Miami Beach Police Chief about the investigation of a political supporter of hers, but also approved the issuance of a Letter of Instruction admonishing her for exercising "bad judgement." Commissioner Zeiner seconded the motion and it was approved 3-1 (Bellido voted no).

-- Commissioner Schwartz made a motion to support the dual request for continuance of Probable Cause hearings for **C 18-06-01** and **C 18-10-02**. Commissioner Zeiner seconded the motion and it was unanimously approved (4-0).

-- Commissioner Schwartz made a motion to approve the staff request for an extension of time to make a probable cause determination for **C 18-08-01**. Commissioner Zeiner seconded the motion and it was unanimously approved (4-0).

-- Commissioner Schwartz made a motion to find complaint **C 18-09-02**, filed by Opa-Locka City Manager Eddie Brown against City Commissioner Matthew Pigatt, Not Legally Sufficient because it did not identify any issue within the jurisdiction of the Ethics Commission. It was seconded by Vice-Chair Bellido and unanimously

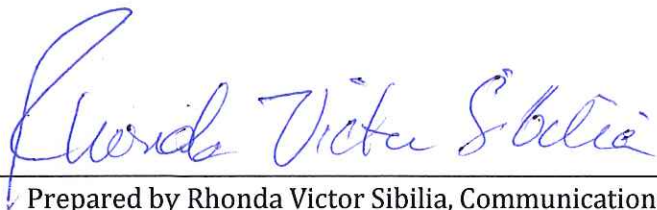
approved (4-0).

-- Commissioner Schwartz made a motion to find Not Legally Sufficient a complaint (C 18-11-02) filed against judges and attorneys, who are not within the jurisdiction of the Ethics Commission. It was seconded by Vice-Chair Bellido and unanimously approved (4-0).

--Commissioner Schwartz made a motion to find Not Legally Sufficient a complaint (C 18-12-03) filed against Sweetwater City Commissioner David Borrero for having a conflict of interest when he proposed an ordinance at a February city commission meeting regarding unsolicited proposals for public-private partnerships, where no partnerships had been proposed by Borrero's company or any other firm. It was seconded by Vice-Chair Bellido and unanimously approved (4-0).

### VIII. Adjournment

There being no further business, the meeting adjourned at 11:23 a.m.

A handwritten signature in blue ink that reads "Rhonda Victor Sibilia". The signature is written in a cursive style and is positioned above a horizontal line.

Prepared by Rhonda Victor Sibilia, Communications Director