



MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions Meeting of September 12, 2018

The Miami-Dade Commission on Ethics (COE) convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on September 12, 2018. Present were Chairman H. Jeffrey Cutler, Vice-Chairman Nelson Bellido and Commissioners Judith Bernier, Jan Jacobowitz and Lawrence Schwartz. Also present were Jose Arrojo, Executive Director; Michael Murawski, Advocate; Gilma Diaz-Greco and Martha Perez, Staff Attorneys; Rhonda Victor Sibilia, Communications Director; Rachelle Ross, Executive Secretary; Sylvia Batista, Susannah Nesmith, Jim McGee and Nilda Olmo, Investigators; and members of the public. The meeting was called to order at 10:00 a.m. by Vice Chairman Bellido. A quorum was present.

I. Approval of Minutes

Commissioner Schwartz made a motion to approve the minutes of the August 15, 2018, meeting. Commissioner Bernier seconded it and it was unanimously approved (4-0, Cutler not yet arrived).

II. Public Comment

None.

III. Requests for Opinion

Staff Attorney Martha Perez presented **RQO 18-03** by Charles Sims (who was present), a member of the Miami-Dade County Affordable Housing Advisory Board and Chair of the Affordable Housing Trust Board, whose company, SIMCAR DEV LLC, is acquiring a County-owned lot to erect low cost housing and is also building retail outlets on adjacent property. Since Sims is not seeking any public funding for the projects, the recommended Opinion permits Sims to contract for the Infill as long as he avoids a conflict of interest. Commissioner Schwartz made a motion to adopt the recommendation. It was seconded by Commissioner Bernier and unanimously approved (5-0).

Staff Attorney Gilma Diaz-Greco presented (**RQO 18-04**), from Javier Gonzalez-Abreu, a member of Kendall Community Council 12, who wants to contract as a Section 8 program landlord. After much discussion, the issue was tabled until the next meeting.

IV. Section Eight Requests

Staff Attorney Gilma Diaz-Greco presented requests from three individuals wishing to contract under the federally-funded Section 8 program, and since neither they nor their 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 (5-0).

V. Housing requests

Staff Attorney Diaz-Greco presented the requests of six 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. Vice Chair Bellido made a motion to approve the recommendation. It was seconded by Commissioner Schwartz and unanimously approved (5-0).

VI. Monthly Summary of Inquiries

Executive Director Jose Arrojo presented a Summary of Inquiries issued by the COE staff from August 1- August 31, of which two – INQ 18-186 and INQ 18-190 -- were questioned. Mr. Arrojo promised to bring back more information at the next meeting.

VII. Executive Director's Report

--Executive Director Jose Arrojo nominated Rosa Alejandro, Social Studies Department Chair and teacher at Norman S. Edelcup/Sunny Isles Beach K-8 to be honored with the 2018 Ethical Governance Day Teacher Award. Commissioner Schwartz made a motion to approve the nomination. It was seconded by Commissioner Jacobowitz and unanimously approved (5-0).

-- Mr. Arrojo discussed the unfilled position of General Counsel, and suggested he carry on the practice begun by his predecessor of maintaining that title until he has more time to determine how best it should be filled under current budget restraints. He told Commissioners he would provide a job description for the General Counsel in the near future and will report on outside litigation involving the COE at the next meeting.

--Mr. Arrojo attended the Board of County Commission's first reading on the 2018-19 budget on September 6th in which the Ethics Commission spending was not discussed, and will attend the final public hearing next week.

-- He said that he has discussed the cost of the proposed future office space in the Overtown Transit Village with County staff, noting the current budget for rent at the Biscayne Building would be the spending plan to build out and furnish it. Mr. Arrojo said he would report regularly on those negotiations.

VIII. Complaints

-- Public Advocate Michael Murawski said he hoped to hold a hearing on **C 18-08-01**, Cody v. Stoddard, in December, stating that he has begun providing discovery material and a witness list to the respondent's legal team. Stoddard Attorney Michael Davis requested another status report be scheduled for the November meeting before setting a hearing date, to which Chair Cutler agreed.

-- Commissioner Schwartz made a motion to ratify a proposed Letter of Reprimand for North Miami City Clerk Michael Etienne, who last month settled a complaint (**C 18-28-07**) of exploitation of official position in connection with city travel. The motion was seconded by Commissioner Bernier and unanimously approved (5-0).

The Ethics Commission convened in closed session at 11:31 a.m. Commissioners returned to open session at 11:41 a.m. and took the following actions:

-- Commissioner Schwartz made a motion to approve the staff recommendation to dismiss **C 18-23-06** against Frandzy Pierre Michel, a former member of the North Miami Advisory Committee on the Disabled and on the City's Affordable Housing Committee for not filing financial disclosure forms for 2016 and 2017, since has complied. The motion was seconded by Vice Chair Bellido and unanimously approved (5-0).

-- Commissioner Schwartz made a motion to find Probable Cause that Ivette Arango O'Doski violated lobbying rules when she represented the firm Trafficware by arranging meetings with various elected and appointed Miami-Dade County officials in May 2017, but also to dismiss the complaint **C 18-30-07** with a Letter of Instruction since Ms. O'Doski filed the required forms, once informed of the requirements. The motion was seconded by Vice Chair Bellido and unanimously approved (5-0).

-- Commissioner Schwartz made a motion to approve the Advocate's request for an extension of time to make a Probable Cause determination for **C 18-31-07**. The motion was seconded by Vice Chair Bellido and unanimously approved (5-0).

IX. Adjournment

There being no further business, the meeting adjourned at 11:44 p.m.



Prepared by Rhonda Victor Sibilia, Communications Director