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Ethics Commission Finds Probable Cause South Miami Mayor Violated Citizens' Bill of Rights

The Miami-Dade Commission on Ethics and Public Trust (COE) today found Probable Cause that South Miami's top political leader violated the Citizens' Bill of Rights provision guaranteeing the "Right to be Heard" at city commission meetings. Stephen Cody filed the complaint (**C 18-08-01**) against Mayor Philip Stoddard after Cody claimed he was denied the opportunity to speak during the open comment period of two commission meetings earlier this year. Mayor Stoddard told ethics investigators that he believed Cody was attempting a partisan political attack against him during his ultimately successful run for reelection and that Cody should have registered as a lobbyist for a Political Action Committee with which he was associated before he be permitted to speak. However, a review of the January 16, 2018, meeting showed that Cody was prevented from speaking without determining what he was about to say or whether he was speaking as a lobbyist. At the February 6, 2018, meeting, Cody was permitted to speak, but was stopped when he touched on an issue which he had used in political mailings against Mayor Stoddard. The COE had opined that any interested person may address issues of "community and public interest" at a public hearing.

Also today, the Ethics Commission found Probable Cause to a complaint (**C 18-17-04**) that former Miami Beach City Commissioner Michael Grieco violated the "Truth in Government" provision of the Citizens' Bill of Rights, along with his municipality's Campaign Finance Reform ordinance when he lied about the creation of a Political Action Committee and indirectly solicited a contribution for it from a city vendor. Grieco consistently denied having anything to do with the PAC last year, but investigations proved he was involved in creating, operating, coordinating and funding the "People for Better Leaders" account in violation of the city ordinance. His denial of a connection to the PAC to a Miami Herald reporter led to the violation of the "Truth in Government" provision. Grieco ended his campaign for Miami Beach mayor and resigned his city commission seat as part of a no contest plea he entered for a criminal violation of Florida's campaign finance laws. He recently ended a probationary period preventing him from holding public office and is campaigning for a state house seat.

In other action, a Letter of Instruction was issued to the Chief of the Marine Services Bureau of the Miami-Dade Fire Rescue Department who agreed last month to settle an Ethics Complaint (**C 18-22-10**) that he exploited his official position by using a Fire Rescue boat to transport him, his wife and others to and from the Miami Boat Show at the Miami Marine Stadium on Key Biscayne this past February. Chief Andy Alvarez chose not to contest the allegation, and has paid a fine of \$500 and investigative costs of \$345.30. The Letter states that "Dispatching the MDFD Fire Boat, twice, necessarily involved manpower and other County resources being used for no other reason than the personal benefit of Alvarez, his wife and friends. This action clearly demonstrates Mr. Alvarez's exploitation of his official position..." It adds the expectation that Chief Alvarez "will use this Letter of Instruction to guide his future conduct and set an example for the men and women in his command."

Another Letter of Instruction was approved for an official of a consulting company to Miami International Airport who was accused of breaking County rules while the Aviation Department was soliciting proposals to revamp its baggage system in 2015. A complaint (**C 18-06-01**) against Robert Binish accuses the Vice President of AvAirPros of violating the County Cone of Silence when he communicated with Debra Shore – a former Aviation Manager who was serving on the selection committee to recommend a vendor to operate the baggage system at MIA. After the preferred vendor was selected, it subcontracted with AvAirPros where Shore had been hired after leaving County service. In addition to paying \$500 of investigative costs, the Letter reminds Binish the rules regarding the Cone of Silence and urges him to follow it in the future.

The Ethics Commission approved a resolution proclaiming October 24th as “Ethical Governance Day 2018 in Miami-Dade County and calls upon all public and private institutions and residents in the County to participate in appropriate civic and educational programs... to underscore the sacred trust placed upon all of us by this nation’s heritage.” The concept was initiated in 2012 by COE Executive Director Joseph Centorino and has been endorsed by the Ethics Commission, Miami-Dade School Board, County Commission and several municipal governments. Since then, hundreds of volunteer speakers have been assigned to public school classrooms each year to address students on the importance of civic involvement and ethics in government. Incoming Executive Director Jose Arrojo has committed to carrying on the effort. A call for volunteers take part in this year’s Ethical Governance Day will go out soon.

Ethics Commission Vice Chairman Nelson Bellido, who has been reappointed to a third term on the board by 11th Judicial Circuit Chief Judge Bertila Soto, will be sworn in to the position tomorrow (Thursday, July 19, 2018) afternoon. Mr. Bellido thanked Judge Soto for her faith in him and said, “I take my position on the COE very seriously and feel honored to serve you and the citizens of our county on this very important organization.”

The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

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