

EYE ON ETHICS

NEWSLETTER OF THE MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST



Issue 10 - June 2020



Commission on Ethics & Public Trust by the Numbers:

The Miami-Dade Commission on Ethics has jurisdiction over more than 27,000 Miami-Dade County employees and 34 Miami-Dade County municipalities.

Director's Message



Dear Friends & Colleagues,

On behalf of the Miami-Dade Commission on Ethics and Public Trust, we hope that everyone who reads this newsletter, and their family, friends and co-workers are safe and well.

As many of you know, the Miami-Dade Commission on Ethics and Public Trust is an independent Charter agency created by a countywide vote of the electorate. That means that the Ethics Commission is not under the supervision of the County Mayor or the Board of County Commissioners (BCC). This independence, which can only be modified by a vote of the electorate, is essential to our charge.

Quick Links



Commissioners

Of note, the BCC will soon be considering two resolutions that will call for a countywide vote on amendments to the County Charter that will likewise establish the County Office of the Inspector General (OIG) and the recently re-instituted Civilian Investigative Panel (CIP) as independent Charter agencies. The CIP would be charged with investigating allegations of misconduct by County police officers. The Ethics Commission regularly collaborates with the OIG and may from, time to time, also have some overlap with the CIP's anticipated work. We look forward to it.

This past month, in fact, we collaborated with the OIG to assist officials in Opa Locka revise the city's employee protection ordinance. The ordinance would afford that city's employees a process to seek protection in alleged whistleblower retaliation scenarios. We also engaged with elected officials and leaders in the Village of El Portal in video conference ethics training. Finally, we met with the Miami Dade County League of Cities and City Attorneys from Miami, Coral Gables, and Miami Gardens in preparation for the issuance of a formal opinion regarding elected officials making public comments on matters where they have a voting conflict; a topic that has received notable attention recently.

The Ethics Commission's June meeting was held in a live, on-line video format allowing for public participation consistent with Florida's Sunshine Laws as modified by the Governor's Executive Order allowing for virtual meetings. The upcoming July meeting will be held in the same format. If the Governor declines to extend his current order regarding virtual meetings beyond the current July 31, 2020 deadline, then the Ethics Commission may return to in-person meetings in August 2020 at its new location in the County's Overtown Transit Village, North Tower. The larger Ethics Commission Chambers there should allow for safe distancing.

Ethics Commission training for County, City of Miami, and Jackson Health System lobbyists and vendor representatives continue fully on-line. Regularly scheduled training for County and Municipal Boards are now available using the Zoom platform. If you are a board member in need of ethics training, please visit our website for additional information.

Consistent with current health and safety recommendations, Ethics Commission employees continue to staff our office daily with a rotating and reduced crew of attorneys, investigators, community outreach personnel, and administrative and support staff. We are providing verbal and written ethics guidance, responding to public records requests, and actively working on enforcement matters. Absent face-to-face meetings, the Ethics Commission is fully operational.

Finally, In celebration of our nation's Independence Day holiday and in recognition that our country would not exist if not for the dedication of the members of our armed forces, we kick off our monthly newsletter staff note below with an introduction to Robert Thompson. Our community outreach stalwart spent over two decades in uniform service with the United States Army and was honorably discharged as a senior non-commissioned officer.

Please stay safe and be assured that the Ethics Commission continues,

Nelson C. Bellido Esq.,
Chair
Dr. Judith Bernier,
Vice Chair
Judge Lawrence A.
Schwartz
Jan Jacobowitz, Esq.
Wifredo Gort

Executive Director
Jose J. Arrojo, Esq.

Advocate
Michael P. Murawski, Esq.

General Counsel
Martha Perez, Esq.



FAQ



during this extraordinary time, to work towards ensuring ethical and transparent local governance.

Best regards,
Jose Arrojo

Let's Stop the Spread of Coronavirus



COVID-19

General Prevention

Florida Department of Health • FloridaHealth.gov • tinyurl.com/FLcdcprevention

Protect yourself from all infectious diseases by using these precautions.



Stay home when you are sick



Avoid contact with people who are sick



Get adequate sleep and eat well-balanced meals



Wash hands often with soap and water – 20 seconds or longer



Dry hands with a clean towel or air dry your hands



Avoid touching your eyes, nose, or mouth with unwashed hands or after touching surfaces



Cover your mouth with a tissue or sleeve when coughing or sneezing



Clean and disinfect “high touch” surfaces often



Call before visiting your doctor

Clean all “high-touch” surfaces every day.

High touch surfaces include counters, tabletops, doorknobs, bathroom fixtures, toilets, phones, keyboards, tables, and bedside tables. Also, clean any surfaces that may have blood, stool, or body fluids on them. Use a household cleaning spray or wipe according to the label instructions. Labels contain instructions for safe and effective use of the cleaning product including precautions you should take when applying the product, such as wearing gloves and making sure you have good ventilation during use of the product.

Florida Health Office of Communications 03-05-20

REMINDER: Limitations on Political Activities



As we approach August and November election dates, together with our partner agencies, this annual reminder serves the purpose of underscoring limitations on the political activities of all county and municipal officers and employees during the current and upcoming election season.

The following limitations are imposed by Florida Statute 104.31, by the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, and other state laws, local ordinances and previously-issued administrative orders:

- While all local officials and employees have a right to engage in political campaign activities, they must not use their official authority to influence another person's vote or to affect the outcome of an election.
- County and municipal staff wishing to be involved in political campaigns should limit such activity to off-duty hours.
- Political campaign activities may not involve the use of public resources in support of any political campaign or candidate, including office stationery, telephones, computers, or vehicles. Taxpayers' monies must be used exclusively for public purposes.
- No public official or employee may coerce anyone to support any candidate or to contribute to a political campaign.
- No one may solicit or accept a political contribution in a government building, unless that building has been rented for the purpose of holding a campaign fund raiser.
- Violations of these provisions may result in criminal charges, civil ethics or election violations, and/or administrative actions.

The prohibition against on-duty political activity does not prohibit casual political discussions in the workplace. Voluntary non-coercive speech of a political nature, like other non-work-related discussions on matters of public interest, is protected by the First Amendment provided that it does not interfere with the proper functioning of the workplace and the efficient provision of public services.

Any public employee having knowledge of any violations of these prohibitions, or of any other illegal or improper activities in connection with the elections, should report these matters at once.

Agencies having jurisdiction over election complaints include the following:

Miami-Dade Commission on Ethics & Public Trust

305-579-2594 (office)

786-314-9560 (hotline)

Email: ethics@miamidade.gov

Website: ethics.miamidade.gov

Florida Elections Commission

850-922-4539 (office)

To file a complaint, visit their Website: fec.state.fl.us

Miami-Dade Office of the State Attorney

Public Corruption Unit

305-547-0664 (office)

305-547-3300 (hotline)

Miami-Dade Police Department
Public Corruption Investigations Bureau
305-599-3121 (office)
Email: pcsinfo@mdpd.com

Florida Department of Law Enforcement
Miami Regional Operations Center
(786) 336-1000 (office)

Commission on Ethics Staff Profile



Robert Thompson, Community Outreach Coordinator at the Miami-Dade Commission on Ethics & Public Trust, is fond of the fact that his role within the ethics commission is truly unique not only within Florida but nationally. "I believe our commission is the only one in the country with a position dedicated solely to training and informing the community in regards to ethics," states Thompson. "This is very important because it contributes immensely to building further confidence and trust in our local government and it allows me to contribute directly to a community that is dear to me."

Robert Thompson grew in up in the Washington Park area of North Miami Beach (NMB) during distinct times. He recalls his daily trek to school along the "rocky road," a non-paved thoroughfare. "They called it such because it was a very rough patch of town I had to go through in order to get to Fulford Elementary from Washington Park. "It seems that every time I walked through there a fight or two would surely break out. It was an adventure."

Thompson remained in the NMB area throughout his childhood and ultimately graduated from North Miami High School where he served as 1st Drum major and during his senior year, co-captained the varsity basketball team.

Upon graduation, Thompson began his college career locally at Florida Memorial University and ultimately completed his Bachelor of Arts degree in Business Administration and Management at the University of Maryland in 1987. Soon after, Thompson embarked on a 22-year distinguished career in the United States Army until "honorably" retiring in 1999. "I can wholeheartedly say that the self-discipline, respect and work ethic that I like to demonstrate today is entirely due to my years of service in the military," states Thompson. "I also happen to meet my future wife when stationed in Germany."

Upon his return to civilian life, Thompson entered the field of ethics by working at the University of Miami School of Law at their Alliance for Ethical Government as an executive assistant to Retired Chief Justice Gerald Kogan of the Florida State Supreme Court. "Judge Kogan was a mentor to me," recalls Thompson. "He taught me the importance of humility and how it's a necessary part of leadership and personal development."

In 2001, Thompson came on board the COE where he to this day conducts ethics training for Miami-Dade County Elected Officials and Employees, Community Based Organizations (CBOs), Non-Profits and Advisory boards. He assists in the planning of conferences, seminars, training programs, workshops, community partnerships, and events in collaboration with local universities.

Robert Thompson currently lives in Southwest Miami-Dade. He and his wife Doris, who sadly passed away in 2016, were married in 1982. They have two daughters, Jasmin and Bianca, and three beautiful granddaughters and a grandson.

May Ethics - Commission Meeting Actions



The Miami-Dade County Commission on Ethics and Public held a virtual Commission Meeting on June 10, 2020 by way of the ZOOM platform. The following actions took place:

Executive Director's Report

Executive Director Jose Arrojo provided a brief summary of COE PI 18-21 A&B concerning a March 2018 County business developmental trip to Asia that included the Mayor, two County Commissioners, County department heads and other County staff. Mr.

Arrojo pointed out that the the report has garnered significant amount of media coverage and that it was discussed extensively at the most recent Board of County Commissioners meeting. Mr. Arrojo also noted that given some of the findings in the report, Commissioner Eileen Higgins, wished to reconsider her vote on the Baylink Project and that the Inspector General issued a follow-up memorandum that discussed the report findings and suggested that a reconsideration of the procurement process might be appropriate. After the presentation, Mr. Arrojo addressed questions from the Commission.

Updates were provided regarding the COE's upcoming move to the Overtown Village North building and also on the new online Ethics Training available for persons that lobby Miami-Dade County, Jackson Health Systems and City of Miami Officials as required by the County Ethics Ordinance.

No Probable Cause Found in Case Involving North Miami Beach Commissioner

C 20-16-03: The Ethics Commission found No Probable Cause that North Miami Beach Commissioner Mary Estime-Irvin violated the Truth in Government Section of the Citizen's Bill of Rights.

Cases Against Current and Former North Miami Beach Officials Dismissed or Withdrawn

C 20-17-04 A,B,C,D,E Complaints filed against the following individuals were found Not Legally Sufficient by the Ethics Commission and were Dismissed: *Outside Counsel of North Miami Beach (NMB) Christopher Stearns, Former City Attorney of NMB Sarah Johnston, Mayor of NMB Anthony DeFillipo, and Commissioner Barbara Kramer of NMB.* A complaint filed against NMB City Clerk Andrise Bernard was withdrawn.

Miami Beach Lobbyist Fined for Non-Compliance

Lobbyist Joaquin Vargas received a reduce fine of \$1,040.00 for failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance.

Ethics Commission in the News

To read the article click on the link
below:

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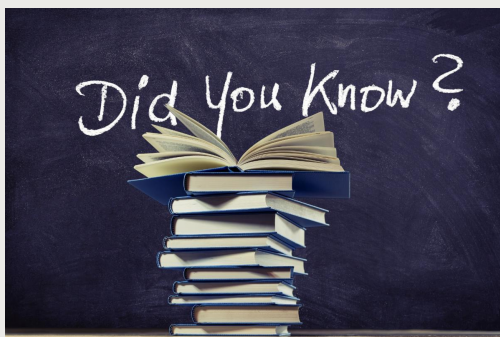
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*"Suspicious" Car Rental, Other
Payment's by Mayor's Campaign
Not Criminal, Probe Finds*

Miami Herald, June 23, 2020

Educating the Community / Upcoming Events



The Ethics Commission is happy to provide ethics training and/or discuss civic engagement with any government entity, philanthropic organization, homeowner or business association. Please call 305-579-2594 for information and scheduling.

Miami-Dade County Commission on
Ethics & Public Trust
Phone: 305-579-2594
Email: ethics@miamidade.gov
Website: www.ethics.miamidade.gov

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