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### **Doral Mayor restricted from development action**

The Miami-Dade Commission on Ethics and Public Trust (COE) today issued an opinion (**RQO 13-08**) advising Doral Mayor Luigi Boria to refrain from voting on or participating in any official matters involving a private company seeking to develop 17 acres of land in the West Miami-Dade municipality. The mayor's son and daughter used an estate gift from their father to purchase a combined 50% ownership in the firm, The Grand Floridian, but sold that and now hold a collateralized loan worth \$8 million dollars from the company's owner, Juan Carlos Tovar. Tovar also has a revolving line of credit with Mayor Boria's international computer distribution company. The Conflict of Interest and Code of Ethics Ordinance prohibits an elected official from taking any official action directly or indirectly affecting an entity in which he, a debtor, or his immediate family members have a financial interest. In order to avoid any appearance of impropriety, the Ethics Commission also advises administrators and Doral city staff to apply consistent and objective standards to any requests brought by The Grand Floridian related to its development.

Two complaints filed by lobbyist Dusty Melton accusing local attorneys of violating the Ethics Code by lobbying on behalf of the same client without registering first with the County were resolved today. **C 13-19** was filed against Stuart Sobel who was hired in May by Mitsubishi Heavy Industries America to prepare a protest after the company's bid was ranked second for work on Miami International Airport's Automated People Mover. The investigation shows Mr. Sobel met with an assistant county attorney and sent letters to an airport procurement contract officer without registering to lobby on behalf of Mitsubishi. He agreed to settle the charges today by pleading no contest to one count, paying a \$500 fine and accepting a Letter of Instruction. Mitchell Bierman was authorized to represent Mitsubishi in July when he wrote a letter to the aviation director arguing against the bid winner, but was not officially registered to lobby for the company until four days later. However, the Ethics Commission considered the violation to be of minimal impact and determined that the public interest would not be served by proceeding further, and so dismissed the complaint (**C 13-18**).

The Ethics Commission found No Probable Cause that County Commissioner Sally Heyman violated the Citizen's Bill of Rights or other provisions of the Ethics Code. A complaint (**C 13-15**) was filed by Alan Rigerman after he was not recognized to speak about the "No Kill Shelter" during a June meeting of the Public Safety and Animal Services Committee, which Commissioner Heyman chaired. The investigation determined that the agenda item was set for "discussion only," which does not require Commissioners to take public testimony, although several professionals in the field were asked to speak on the subject. The complainant also questioned if it was proper for Heyman's coffee truck to sell refreshments at the annual "Love-In" festival at Greynolds Park – a County facility. Through her corporation,

Heyman registered and paid the vendor application fee as other participants, so no violation was found and the complaint was dismissed.

No Probable Cause was found to a complaint (**C 13-16**) against Miami Beach City Commissioner Jonah Wolfson, filed by a constituent who made three unsuccessful requests for an e-mail address list used to distribute a newsletter in recent years. His aide denied such a list existed, but after being contacted by Ethics Commission investigators, Commissioner Wolfson instructed his staff to work with Miami Beach's technology department and the records request was fulfilled. While the complaint will be dismissed, the Ethics Commission will issue a Letter of Instruction to Commissioner Wolfson's legislative aide, reminding her of the duties and obligations regarding provision of public records by public servants in the Miami-Dade County Citizen's Bill of Rights.

The COE issued Letters of Instruction to North Bay Village Vice-Mayor Eddie Lim and Commissioner Jorge Gonzalez, who settled complaints (**C 13-13 & C 13-14**) last month after they failed to report as gifts tickets to a Miami Heat game in December 2012. The Letters advise the politicians to abide by the requirement to report any gift received from someone other than a close friend or family member in excess of \$25 in value, as required by the North Bay Village Code. They are also encouraged, as are all other public officials, to request an opinion from the Ethics Commission whenever it is unclear how the Ethics Code should be interpreted or applied.

Two advisory board members who were accused of violating the Ethics Code by failing to file required financial disclosure forms by the due date complied after complaints were filed against them. Frantz Telfort (**C 13-20**) served on the Miami-Dade Community Small Business Enterprise Board during 2010 and 2011 and failed to file a Source of Income Statement for either year. Bruce Christensen (**C 13-21**) was a member of the Coral Gables Green Task Force in 2012 and was due to submit the form by July 1, 2013. Since both have now complied, the Ethics Commission approved the Advocate's recommendation to dismiss the complaints.

The Ethics Commission has been unable to set a date for the continuation of the public hearing on **Complaint 12-32** against Miami City Commissioner Frank Carollo. Public notice will be given when the parties can find a mutually agreeable day.

*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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