

**MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST
MEETING SUMMARY
MARCH 26, 2008
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Complaints

07-28: The Commission on Ethics held a status conference concerning the complaint against Bal Harbour Councilman Joel Jacobi who allegedly failed to comply with the financial disclosure rules contained in the County Conflict of Interest and Code of Ethics Ordinance by filing financial disclosures that were incomplete and/or inaccurate.

08-01: The Commission on Ethics dismissed the complaint Dr. Denis Neuhut for lack of legal sufficiency due to the fact he was not a candidate at the time he allegedly violated the county's Ethical Campaign Practices Ordinance.

Opinions

08-07: The Commission on Ethics opined that Malcolm Pirnie, which is currently the Bond Engineer for the county's Department of Solid Waste, may serve as a member of a team for the preparation of a Solid Waste Master Plan on account of the fact the bond engineering contract permits the engineer to perform other planning studies for the department. Further, the scope of services under the two contracts should not overlap and the Prime Consultant for the Solid Waste Master Plan contract may devise a plan for dividing the responsibilities of the team to eliminate any potential conflicts.

08-10: The Commission on Ethics opined it has no jurisdiction to issue an opinion regarding a possible conflict of interest that might exist for a consultant to Palermo Lakes, Inc. who held the position as a former Vice-President of Greater Miami Neighborhoods (GMN) before GMN suffered financial difficulties and sought bankruptcy protection. The Ethics Commission concluded it had no jurisdiction over a consultant hired by a private corporation.

08-11: The Commission on Ethics opined that Hazen and Sawyer may serve as a member of a team to provide design criteria for the replacement of a sanitary sewage force main between Miami Beach and the Central District Wastewater Treatment Plant and the replacement of the water main from Port Island to Fisher Island even though the projects are contained in the firm's recommended upgrades in the Wastewater Facilities Master Plan as long as this project is a continuation of prior work and Hazen and Sawyer is not performing oversight or review of its own work.

08-12: The Commission on Ethics opined that the Commander of Chaplaincy Services Bureau in the county's Department of Corrections and Rehabilitation who also is the Executive Director of Agape Family Ministries has no conflict of interest due to the fact his county position does not require him to work directly with inmates or the children of inmates. Therefore, the position with Agape Ministries should not interfere with his independence of judgment in the performance of his public responsibilities.

08-13: The Commission on Ethics opined that DMJM Aviation, which serves as one of the partners in Dade Aviation Consultants (DAC), may serve as a subconsultant on a contract to provide civil engineering services at Miami International Airport due to the fact the current DAC contract permits consortium firms to perform other contracts for Miami-Dade County and the services of one of DAC's employees should end prior to commencement of work under the new contract.

08-14: The Commission on Ethics opined that Malcolm Pirnie, which currently serves as Bond Engineer for the county's Solid Waste Department, may provide services to a corporation affiliated with county's recycling facility in Tampa as long as the work is done by separate groups of employees and the company creates firewalls between any employees working for Veolia Water in Tampa and the bond engineering contract in Miami.

08-15: The Commission on Ethics opined that a South Miami City Commissioner who was sued by her political opponent may establish a Legal Defense Fund to pay for expenses related to the lawsuit provided the Defense Fund is organized as an express trust that conforms to the applicable laws of trust under state law and the safeguards established in previous Ethics Commission opinions are followed.

Ethics, Integrity and Accountability (EIA) Task Force Report

The Ethics Commission reviewed the list of nineteen recommendations the Ethics Task Force will be submitting to the Board of County Commissioners later in the year. The Ethics Commission indicated it would also like to see greater whistleblower protections written into the law, to eliminate the filing of the Lobbying Expenditure Report for lobbyists with no expenses and to take under advisement whether the Ethics Commission should be expanded. The Ethics Commission expressed its support for the recommendations developed by the Ethics Task Force.

Appointment of New Commissioner

Erica Wright, Esq. was appointed by Judge Joseph Farina to replace Regine Monestime, who was hired as the City Attorney of Florida City.