

**MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST
MEETING SUMMARY
OCTOBER 24, 2007
FOR MORE INFORMATION CONTACT ROBERT MEYERS @ (305) 350-0613**

Complaints

07-12: The Commission on Ethics ratified the settlement agreement between the Office of the Advocate and former City of Miami Commissioner Johnny Winton in which Respondent Winton agreed to pay a fine of \$750 and accept a Letter of Instruction in connection with a real estate investment partnership he formed with City of Miami Mayor Manuel Diaz and former City Manager Joe Arriola. Respondent Winton agreed not to contest the allegations contained in the complaint that he engaged in a prohibited investment by forming the real estate partnership and that he had a voting conflict when he proposed and voted on a resolution to raise the salary of Mayor Diaz while simultaneously serving as one of his business partners.

07-18: The Commission on Ethics found probable cause against Sergio Rok, a member of the City of Miami Downtown Development Authority, when the company he manages, Flagler First Condominiums, LLC, entered into two amended agreements with the City of Miami.

07-20: The Commission on Ethics found probable cause against Corporal Jose Napoles, with Miami-Dade Corrections and Rehabilitation Department, for failing to disclose his outside employment.

The Commission on Ethics found no probable cause against Sergeant Edgar Nieves for exploiting his official position. The allegations against Respondent Nieves were that he showed favoritism in job assignments to members of the United Correctional Officers Federation and intimidated some Corrections personnel under his supervision to join the United Correctional Officers Federation.

The Commission on Ethics found no probable cause against Corporal James Cunningham, Corporal Leonard Fernandez, Officer Courtney Mortimer, Officer Tory Davis, Officer David Pena, Officer Ricardo Rivera, Officer Luis Figueroa, Sergeant Robert Brown, Officer Freddie Bermudez and Officer Elena Garcia to support the allegations that they exploited their official positions.

07-21: The Commission on Ethics accepted Respondent Michael Laventure's stipulations to Legal Sufficiency and Probable Cause and ratified the settlement agreement between the Office of the Advocate and Respondent Laventure for his failing to filing an Outside Employment Statement and for accepting numerous down payments in anticipation of proposed work his company agreed to perform. Respondent Laventure, a Miami-Dade County Firefighter, agreed to pay restitution in the amount of \$8,642.50 to the parties whose shutters were never installed and agreed to pay a fine of \$1,250 to the Commission on Ethics and Public Trust.

07-22: The Commission on Ethics dismissed the complaint against the Vice Mayor of the City of Homestead Steve Losner for lack of legal sufficiency when it was alleged that he misused his official position when he purportedly made groundless complaints about the staff of the City's Code Enforcement Department.

07-23: The Commission on Ethics found probable cause against Lobbyist Charles Safdie for failing to timely file his Lobbyist Expenditure Report.

07-25: The Commission on Ethics found probable cause against Lobbyist W. Tucker Gibbs for failing to timely file a Lobbyist Expenditure Statement.

07-26: The Commission on Ethics accepted Respondent Frank Urso's stipulations to Legal Sufficiency and Probable Cause and ratified the settlement agreement between the Office of the Advocate and Respondent Urso. Respondent Urso, as an employee of Lawson Software, was charged with failing to file the necessary forms required of a principal before lobbying can commence on behalf of a principal. In this case, a lobbyist was retained by Lawson Software in connection with a Request for Proposal for Enterprise Resource Planning software issued by Jackson Memorial Hospital. Respondent Urso further agreed to pay a fine of \$500 and another \$500 in investigative costs.

07-27: The Commission on Ethics accepted Respondent Ricky Arredondo's stipulations to Legal Sufficiency and Probable Cause and ratified the settlement agreement between the Office of the Advocate and Respondent Arredondo. Respondent Arredondo, while an employee of Lawson Software, was charged with failing to file the necessary forms required of a principal before lobbying can commence on behalf of a principal. In this case, a lobbyist was retained by Lawson Software in connection with a Request for Proposal for Enterprise Resource Planning software issued by Jackson Memorial Hospital. Respondent Arredondo further agreed to pay a fine of \$500 and another \$500 in investigative costs.

Opinions

07-45: The Commission on Ethics opined that the chairperson of the Metro-Miami Action Plan (MMAP) may also serve as the executive director of the Florida Martin Luther King Institute for Non-Violence and the Institute may contract with MMAP to provide services as long as the chairman does not vote on the contract and does not receive any salary from the MMAP contract. Furthermore, the MMAP chairman is prohibited from executing the agreement on behalf of the Institute and cannot be involved with the administration of the contract between MMAP and the Institute.

07-46: The Commission on Ethics opined that the consultant for the Wastewater Treatment Plant Water Reclamation Project for Miami-Dade County Water and Sewer may also provide design services for the Transmission Pipelines for the Reclaimed Water due to the fact the scope of service under the two agreements does not conflict as there are no overlapping roles or responsibilities.

07-47: The Commission on Ethics opined that staff of the county's Community Action Agency may provide staff support to the Community Human Service Foundation, an independent 501(c)(3) organization created by the Community Action Agency advisory board. The Community Action Agency and the Foundation should enter into a memorandum of understanding regarding the agency's responsibility for agency activities to eliminate any potential appearances of conflict and staff is reminded that it is bound by the provisions of the county's Conflict of Interest and Code of Ethics ordinance.

07-49: The Commission on Ethics opined that the executive director of the Miami-Dade League of Cities may sit on the City of Miami Beach Planning Board and vote on matters presented by persons whose firms are nonvoting associate members of the League of Cities as long as the executive director is not directly affected by the matters presented to the Planning Board.

07-50: The Commission on Ethics opined that attendees of subcommittee meetings held by the Climate Control Advisory Task Force who provide technical and staff support are not required to submit financial disclosure forms. The ordinance only requires duly appointed board members the responsibility of filing financial disclosure forms.

07-51: The Commission on Ethics opined that the firm of Lea and Elliott may provide evaluation services regarding modernization/rehabilitation projects for the Metrozoo monorail and perform design services for any identified upgrades. Pursuant to the prior Ethics Commission's opinions, continuation of prior work does not constitute a conflict of interest.