

**MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST  
MEETING SUMMARY  
November 15, 2007  
FOR MORE INFORMATION CONTACT ROBERT MEYERS @ (305) 350-0613**

Complaints

07-18: The Commission on Ethics dismissed the complaint Lobbyist W. Tucker Gibbs after he filed his lobbyist expenditure form. Mr. Gibbs had previously paid the fine in question and the Commission found no reason to continue the proceedings against Mr. Gibbs once he filed the expenditure report.

07-19: The Commission on Ethics accepted Respondent Lynsonya Harris's stipulations to legal sufficiency and probable cause and ratified the settlement agreement between the Office of the Advocate and Respondent Harris for exploiting her official position and recommending professional services in connection with recommending her spouse's firm for work on a Transit contract during the time the Respondent was employed by the Miami-Dade County Transit. The settlement terms included a "No Contest Plea" to Counts I and II of the Complaint. The Respondent agreed to the maximum fine of \$750, pay investigative costs, and accept a Letter of Reprimand. The Commission agreed to drop Count III of the complaint.

07-23: The Commission on Ethics entered a default judgment against Lobbyist Charles Safdie in the amount of \$6,800 for not appearing at a public hearing in connection with his failure to timely file a lobbyist expenditure form.

07-24: The Commission on Ethics dismissed the complaint and waived the fine against Respondent Lobbyist Emily Havlin in connection with her failure to file a lobbyist registration form. The Commission found that Respondent Havlin did not receive proper notice that she was considered a lobbyist and that such designation would require her to file an expenditure form.

07-29: The Commission dismissed the complaint against Respondent Lobbyist Ronald Minor after he paid his fine in full in connection with his failure to timely file a lobbyist registration form.

07-32: The Commission on Ethics accepted Respondent Orlando Pena's stipulations to legal sufficiency and probable cause and ratified the settlement agreement between the Office of the Advocate and Respondent Pena when he used his position as Wellness Initiative Coordinator, run by the International Association of Firefighters in conjunction with the Department of Fire Rescue, when he made personal charges on a credit card issued to him under the Wellness Center's name and paid those charges with Center/Miami-Dade County funds. The Respondent had previously reimbursed the County for these personal charges and agreed to pay the Ethics Commission a fine of \$250 and investigative costs. The Ethics Commission found that a General Letter of Instruction would be prepared citing the lack of monitoring and oversight of the program that issued the Respondent the credit card.

07-33: The Commission on Ethics dismissed the complaint against City of Hialeah Gardens Mayor Yioset De La Cruz and Police Chief Van Toth for lack of legal sufficiency based on allegations related to personnel matters which the Ethics Commission has no authority to enforce.

07-34: The Commission on Ethics accepted Respondent John Timoney stipulations to legal sufficiency and probable cause in connection with the allegations that the Police Chief for the City of Miami failed to report a gift during the time he was in possession of a loaner vehicle.

07-36: The Commission on Ethics dismissed the complaint against Biscayne Park Mayor John Hornbuckle for lack of legal sufficiency based on allegations that the Respondent suggested his opponent drop out of the race for a village council seat.

### Opinions

07-53: The Commission on Ethics opined that a member of the County Unsafe Structures Board does not have a voting conflict when her husband's firm represents clients before the Unsafe Structures Board. Although not a legal conflict, the Ethics Commission advised the board member the best course of action would be to recuse herself in cases in which her spouse's law firm appears.

07-56: The Commission on Ethics opined that the Triangle Associates, currently providing services to the Department of Public Works on the Venetian Causeway, may provide Architectural and Engineering Services for the Venetian Causeway Bridge replacement project as the firm's prior work and current work does not overlap with the proposed scope of services on the replacement project.

07-57: The Commission on Ethics opined that two review committee members appointed to the committee pursuant to the Request for Proposal to provide an assessment of the Miami Beach Breakwaters have no conflicts due to the fact neither selection committee member has a financial interest in any of the proposers, but the members are reminded they are bound by the Cone of Silence during the selection process.