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Executive Director named

The Miami-Dade Commission on Ethics and Public Trust (COE) today named **Joseph Centorino** as its finalist for the position of executive director, following a series of interviews with commission members and staff. Centorino has served as chief of the Public Corruption Division of the Miami-Dade State Attorney's Office since 1995 and was a prosecutor within the organization an additional nine years. A contract will be negotiated once a thorough background check is complete.

"I want to thank the excellent candidates who came forward to apply for this position," said Commission Chair Dawn Addy. "They all had special strengths they would have brought to this job, and it was a difficult decision."

Centorino will succeed Robert Meyers who has held the post since the Ethics Commission was established more than 13 years ago. Meyers announced his resignation earlier this year, but will assist in the transition over the next several weeks.

In other action today, the COE issued a finding of probable cause to a complaint (**C 11-16**) against the mayor of Opa-Locka, alleging that Myra Taylor violated the Ethics Code through a voting conflict and by exploiting her official position. The investigation found that in late 2009 and early 2010, then-Vice Mayor Taylor engaged in voting conflicts by promoting a funding resolution that benefited the non-profit corporation she heads and improperly influenced city officials to support a special event. It was later learned that some of the proceeds from the Civil Rights Supper, which was held at Florida Memorial University on February 27, 2010, were used to pay more than \$2,600 in expenses to an entertainment company owned by Taylor's daughter that officially went out of business five months earlier. While profits were supposed to go to local daycare centers, several hundred dollars were also carried over for other events run by Taylor's foundation, including an Hispanic Heritage Day Festival held in October 2010 and hosted by Taylor while she was campaigning for mayor.

A month after the Ethics Commission dismissed a complaint (**C 11-14**) that Miami Beach City Manager Jorge Gonzalez violated the Conflict of Interest and Code of Ethics ordinance by failing to report travel expenses for his wife that were paid by the city, the Board today issued a General Letter of Instruction to all city officials. The couple had been part of a delegation that has visited Art Basel Switzerland every June since the international art show began holding an exhibition in Miami Beach. The Letter notes that the practice has been on-going for about ten years and there had been confusion over the issue. However, in 2006, the city attorney advised that the Florida State Ethics Commission (FSEC) opined that the companion's airfare must be reported as a gift. Gonzalez failed to do so in a timely fashion, but has since complied. While the COE declined to set a hard rule about gifts to a spouse of a public employee, the Letter does "...instruct all government officials that they must comply with the FSEC's opinion ... to be in compliance with State law." The Letter notes that "disclosure under such circumstances increases transparency and helps to remove even the appearance of impropriety."

The Ethics Commission found NO probable cause that a Miami-Dade County roofing inspector and construction manager underreported outside income in violation of the Conflict of Interest and Code of Ethics Ordinance. According to the Complaint (**C 11-12**), Frank Zuloaga's company reportedly earned at least \$3,600 by providing expert witness and consulting services during 2009, but in the financial statement he filed for the year, Zuloaga declared earning \$800. Evidence showed that he did not directly receive any additional income.

A Miami-Dade lobbyist who registered to represent Life Systems, Inc., in April of 2009, but did not submit the required expenditure statement by the deadline of July 1, 2010, had faced a complaint (**C 11-17**). But since Giselle Garcia complied after the action was filed and paid \$50 in processing costs, the complaint was dismissed with prejudice.

A complaint (**C 11-18**) was filed against a member of the City of Miami's Equal Opportunity Advisory Board in 2008 who failed to file the required Source of Income statement by the July 1, 2009, deadline. But, it was found that Luis Meurice had not received the notices. Once he did, he complied, and so the action was dismissed.

Requests for Opinion (RQO)

An attorney in the Miami-Dade Water and Sewer Department (WASD) who also works as a political consultant was told two years ago (RQO 09-29) that he could not serve in that capacity with any municipal client with which WASD had a contract while he was responsible for negotiating agreements with cities. Now that Douglas Pile has moved to the New Business Division of WASD where he drafts service agreements with residential and commercial developers, he has asked the Ethics Commission to revisit the restrictions in that opinion. In response to **RQO 11-15**, the COE opined that Pile may serve as a consultant to municipal candidates, political action committees or community organizations as long as they are not comprised or primarily financed by developers with whom he is negotiating agreements, nor should he represent a developer who has or may run for public office or with whom he had any negotiations within a two-year period. Pile was told he should continue to provide the department with a quarterly listing of his clients to be evaluated for any potential conflicts.

In another reference to an earlier opinion, Nifah & Partners Consulting Engineers, Inc., asked whether the firm may bid on a contract to provide architectural and engineering services for a runway rehabilitation project at Miami International Airport. That company was a subconsultant to URS, which developed the project book that provides specifications regarding the planned improvements. In RQO 10-26, the Ethics Commission opined that URS could also bid on the subsequent runway project. Today, in response to **RQO 11-16**, members ruled that Nifah and Partners may also bid on the project. The opinion notes that the Ethics commission has consistently held that a firm is not precluded from bidding on a project because it performed planning studies or related work on an earlier phase, as long as the work does not involve oversight or review of the prior work.

A management consultant for non-profit organizations who wrote several grants in response to a request for proposal to the Children's Trust, Bernice Matalon Roth, questioned (**RQO 11-14**) whether it was appropriate to have staff members on the review panels and if those reviews were public meetings. The Ethics Commission stated that as long as the staff members do not violate any provisions of the County Conflict of Interest and Code of Ethics Ordinance, they may participate and vote on grant proposals. The board also ruled that those meetings do fall under the Government in the Sunshine law, but fulfilling that notice does not necessarily require it to be on the Children's Trust website.

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.