

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of March 20, 2013

The Miami-Dade Commission on Ethics convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on March 20, 2013. Present were Commission Chair Charlton Copeland, Vice-Chair Nelson Bellido, Commissioner Dawn Addy and Commissioner Lawrence Schwartz. Also present were Joe Centorino, Executive Director; Michael Murawski, Advocate; Miriam Ramos, Deputy General Counsel; Victoria Frigo, Senior Staff Attorney; Rhonda Victor Sibia, Communications Director; Rachelle Cedeno Ross, Administrative Legal Clerk; Assistant Miami Beach City Attorney Raul Aguilar and attorneys Manual Guarch and Ben Kuehne.

The meeting was called to order at 10:01 a.m. A quorum was present.

I. Approval of Minutes from February 20, 2013

Vice Chair Bellido moved to approve the minutes. The motion was seconded by Commissioner Schwartz and passed unanimously (4-0).

II. Request for Opinion

Staff Attorney Victoria Frigo presented questions about a food and beverage contract at the Miami Beach Convention Center from the city attorney and a competing bidder. Ovations Food Services LP is seeking the concession. Its sister company, Global Spectrum LP, manages the Convention Center, including overseeing and evaluating the food and beverage contract. Because the Ethics Commission was not named in the contract to opine on organizational conflicts, Ms. Frigo recommended issuing a non-binding opinion that a conflict of interest would exist if an existing managing contractor were to exercise oversight over an affiliated company. It also notes that, if municipalities include language in future contracts or proposals providing the Ethics Commission with authority to rule on potential conflicts for bidders, then such opinions would be binding. Commissioner Addy made a motion to approve the recommendation and bring back to the board a Letter of Instruction to city attorneys. Commissioner Schwartz seconded the motion and it was approved unanimously (4-0).

III. Section 8 Requests

Commissioner Addy moved to approve one contract involving married County employees seeking to become Section 8 landlords. Commissioner Bellido seconded the motion, and it passed unanimously (4-0).

IV. Monthly Summary of Inquiries

A summary of Inquiries issued since the last meeting was presented to the Commissioners for review.

V. Miami Beach Lobbyist Appeals

Deputy General Counsel Miriam Ramos presented eight lobbyists who were late filing their expenditure statements with the city of Miami Beach. She recommended waiving the fee for seven of them since it was their first time registering as lobbyists and

reducing the fee for the eighth. Commissioner Addy moved to approve the recommendation. It was seconded by Commissioner Schwartz and passed unanimously (4-0).

VI. Executive Director's Report

Joseph Centorino discussed the proposed regular monthly meeting time on the second Thursday of each month, to take effect permanently in June. The next meeting will be held on April 11th, but the Public Corruption Conference will force a change in date for May. He elaborated on the upcoming conference and invited Commissioners to take part. Mr. Centorino announced that the new Ethics Commission website (ethics.miamidade.gov) is now on line. He also reported that we have an Ethics Commission Facebook page (facebook.com/miamidadeethics). Discussion ensued on whether Ethics Commissioners should take part and whether we should allow two-way communications. It was agreed to take a wait-and-see attitude. Mr. Centorino announced that the search is on to hire a part-time attorney to relieve the workload of Staff Attorney Victoria Frigo at her request. He said he expects to announce the two additions to the investigative staff by the next meeting.

Miriam Ramos presented the revised rules of procedure, but Ethics Commissioners asked to defer the discussion to the next meeting.

VII. Public Comments

There were no public comments

VIII. Complaints

The Ethics Commission convened in closed session at 10:53 a.m. Upon returning to open session at 11:02 a.m., the Commission took the following actions:

Found No Legal Sufficiency to a complaint (**C 13-04**) filed by the owner of an 85-year-old house in Coral Gables related to the planned demolition of his home. Mads Thomsen alleged he did not receive impartial treatment during two hearings before the Coral Gables Historic Preservation Board and was treated disrespectfully. Even if true, the actions alleged are not violations of the Conflict of Interest and Code of Ethics Ordinance, so Commissioner Addy made a motion to dismiss the complaint. It was seconded by Commissioner Schwartz and unanimously approved (4-0).

Dismissed with prejudice a complaint (**C 13-06**) against a member of the Coral Gables Construction Regulation Board in 2010 who failed to file the required financial disclosure form by the deadline. Jorge Otero had been incorrectly advised by a clerk in the city that he didn't have to file the disclosure for 2010 if he completed the form for 2011, which he did on time. He has since completed the paperwork. Commissioner Addy made the motion to dismiss the complaint. It was seconded by Commissioner Schwartz and unanimously approved (4-0).

IX. Old Business

There was no old business.

X. Adjournment

There being no further business before the Ethics Commission, Commissioner Bellido moved to adjourn. The motion was seconded by Commissioner Addy and it passed unanimously (4-0). The meeting adjourned at 311:04 a.m.