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### **Former Dade Medical College president accused of illegal lobbying**

The Miami-Dade Commission on Ethics and Public Trust today found Probable Cause that former Dade Medical College President Ernesto Perez lobbied Homestead and Coral Gables city officials on behalf of his school without registering, as required by law. Investigators discovered that Perez met many times in 2011 and 2013 with several Homestead officials about purchasing Community Redevelopment Agency land and building a campus of Dade Medical College and a parking garage. He was not registered to lobby in either year. Also in 2013, Perez contacted several Coral Gables officials about plans to convert an office building in that city for use by an affiliate, the University of Southernmost Florida, without registering to lobby. The complaint (**C 14-24**) cites a total of eight counts of violations of the Conflict of Interest and Code of Ethics Ordinance against Perez.

When Ethics Commissioners determined last month that there was insufficient evidence to find Probable Cause to a complaint (**C 13-29**) that top officials in the City of Miami exploited their official positions when relatives of Deputy City Manager Luis Cabrera were hired for part-time positions in the Parks Department, they also registered concern over the circumstances surrounding the hiring. Today they approved a Letter of Instruction to the City Manager which urges the city to adopt the recommendations of Miami's Independent Auditor General regarding hiring practices, and to advertise all open positions. It states, "Having a veritable cache of jobs available to dole out with unlimited discretion and virtually no oversight invites cronyism, exploitive behavior and creates an appearance of impropriety that strikes at the very heart of the public's trust."

Ethics Commissioners found No Probable Cause to a complaint (**C 14-23**) that Miami City Commissioner Marc Sarnoff failed to report as a gift a photograph presented by City National Bank at the opening of its Brickell office in 2011. The investigation found that the photo of the Florida Everglades is hanging in the District 2 conference room at City Hall and labeled as "on loan" to the district office by the bank and, therefore, should not be considered as a gift to the commissioner.

The COE found No Probable Cause to a complaint (**C 14-20**) filed by a parking enforcement supervisor in Miami Beach against his department superiors alleging that they provided false or misleading information to the news media in violation of the Citizen's Bill of Rights. It stemmed from a request by a reporter for WPLG-Ch. 10, for copies of parking tickets that had been dismissed during the first six months of 2013. City officials provided 767 records, when a total of 1,058 tickets written in Miami Beach had been dismissed during that time. Since the COE determined that the remaining 291 violations were dismissed through the Miami-Dade County court system and that the city did not have those files, it concluded that the public records request was met and the complaint was dismissed. A Miami Beach official told Commissioners that new procedures have been adopted that will ensure the city maintains the records of all city parking violations, including those dismissed through the County system.

No Probable Cause was found to a complaint (**C 14-22**) against a section chief at the Water and Sewer Authority by an employee claiming he has been retaliated against ever since assisting an investigation in 1998, most recently in March of this year. Anthony Blaha blames the recent disciplinary action on his reputation as a “troublemaker,” but his supervisor, Daniel Edwards, had no knowledge of his history and documented the discipline in response to Blaha’s failure to complete an assignment.

A former employee of the Miami-Dade Animal Services Department also filed a complaint (**C 14-27**) against her superiors alleging retaliation under protection of the “whistleblower ordinance” by having her position eliminated. However, because Jacquelyn Johnston neglected to express her concerns about the department to the Inspector General or the Mayor and did not file the complaint within 60 days of the adverse action – as required by the whistleblower protection ordinance – her complaint was considered Not Legally Sufficient and was dismissed.

In response to a Request for Opinion (**RQO 14-02**) concerning a private attorney who serves as legal counsel to the Value Adjustment Board (VAB), the Ethics Commission determined that it did not have jurisdiction over the position. The VAB is a quasi-judicial board created by state statute and governed by rules under the Florida Department of Revenue that provides local taxpayers with an avenue to contest the value of their real estate and personal property as assessed by the County Property Appraiser. State guidelines regarding other lawyers in a firm that employs a VAB legal counsel instruct such counsels to “avoid conflicts of interest or the appearance of a conflict of interest in their representation.”

In other matters today, Deputy General Counsel Miriam Ramos presented an updated summation of guidelines for outside employment for county and municipal workers. The memo is available online at [ethics.miamidade.gov/publications](http://ethics.miamidade.gov/publications).

*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.*

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