



MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of July 8, 2020

The Miami-Dade Commission on Ethics & Public Trust (COE) held a virtual meeting on July 8, 2020 by way of the Zoom virtual platform. Present were Chairman Nelson C. Bellido, Vice Chairwoman Judith Bernier, Commissioners Jan Jacobowitz, Lawrence Schwartz, and Wifredo Gort. Also present were Jose Arrojo, Executive Director; Michael Murawski, Advocate; Martha Perez, General Counsel; Gilma Diaz-Greco and Radia Turay, Staff Attorneys; Leonardo Mendoza, Public Information Officer; Rachelle Ross, Commission Clerk; Investigators Nilda Olmo and Susannah Nesmith; and members of the public. The meeting was called to order at 10:02 a.m. by Chairman Bellido. A quorum was present.

I. Approval of Minutes

Commissioner Schwartz made a motion to approve the minutes of the June 10, 2020, meeting. Commissioner Jacobowitz seconded it and it was unanimously approved **(5-0)**.

II. Public Comment

None

III. Section 8 Requests

Staff Attorney Diaz-Greco presented one request from an individual in the month of June wishing to contract under the Federally funded Section 8 Program. In the case of that individual, neither she nor any of her immediate family members were employed by the Miami-Dade Public Housing and Community Development Department, so Staff Attorney Diaz-Greco recommended that she be approved. Commissioner Schwartz moved to approve the recommendation. It was seconded by Commissioner Jacobowitz and unanimously approved **(5-0)**.

IV. Public Housing and Community Development Housing Assistance Inquiries

Staff Attorney Diaz-Greco presented a request from one individual for the month of June seeking assistance through a program overseen by the Miami-Dade Public Housing and Community Development Department. In the case of this employee, since neither she nor any of her immediate family members oversee or administer the programs, Staff Attorney Diaz-Greco recommended she be approved. Commissioner Schwartz moved to approve the recommendation. It was seconded by Commissioner Bernier and unanimously approved **(5-0)**.

V. Monthly Summary of Inquiries

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE for June and discussed **INQ 20-58** provided to Gabriel Delgado, Project Manager at the Miami-Dade Department of Transportation and Public Works. As project manager, Mr. Delgado oversees various consultants that the County hires and was inquiring whether he would be able provide letters of reference for these consultants when they are applying for jobs outside of the County.

Mr. Delgado was advised that while the Ethics Code does not address the issue of County employees providing letters of reference for a County Contractor, in connection with the contractor's efforts to obtain work outside of County government, these letters should avoid advocacy which could be construed as lobbying and there should not be any payment or other incentive for providing the reference.

VI. Executive Director's Report

- Executive Director Jose Arrojo introduced a proposed request for formal opinion from the Commission regarding prohibitions on public comment by public officials with a voting conflict on the matter relating to the conflict. The matter will be brought back up at the next commission meeting and representatives from the municipal bar will be present to answer any questions that the commission may have.

- Staff Attorney Gilma Diaz-Greco presented Ethics Resolution 20-02 establishing a 90-day grace period for County employees to file the Outside Employment Statement. Commissioner Jacobowitz made a motion to approve the resolution. It was seconded by Commissioner Schwartz and unanimously approved **(5-0)**.

VII. Complaints (In Open Session)

General Counsel Martha Perez presented a Petition for Attorney's Fees in complaint **(C 20-08-01)** however, since the respondent in the Petition was not available, a continuance was requested. Commissioner Schwartz made a motion to approve the continuance until the September Commission meeting. It was seconded by Commissioner Jacobowitz and unanimously approved **(5-0)**.

At 10:44 AM, the Commission went into closed session.

Advocate Michael Murawski made a recommendation for a Finding of No Probable Cause in complaint **(C 20-14-02)** filed against City of North Miami Parks Director Derrick Corker. The allegation in the complaint was that Mr. Corker was engaging in any business with the City of North Miami. Advocate Murawski did however recommend a Finding of Probable Cause that Mr. Corker was not in compliance with Sections 2-316 (k)(1)(c) and 2-316 (k)(2) of the North Miami Ethics Code for the years 2018 and 2019. However, it was also recommended that the complaint be dismissed, and the Respondent be issued a Letter of Instruction since it appeared that the violations were inadvertent and insubstantial.

In open session Commissioner Schwarz moved to approve the finding of No Probable Cause that Mr. Corker was engaged in business with the City of North Miami and dismissed the complaint. It was seconded by Commissioner Gort and unanimously approved **(5-0)**. Commissioner Schwartz then moved to approve the finding of Probable Cause that Mr. Corker was not in compliance with Sections 2-316 (k)(1)(c) and 2-316 (k)(2) of the North Miami Ethics Code. It was seconded by Commissioner Bernier and unanimously approved **(5-0)**. Commissioner Jacobowitz then made a motion to dismiss the complaint without an issuance of a letter of instruction. It was seconded by Commissioner Bernier and unanimously approved **(5-0)**.

Advocate Michael Murawski made a recommendation for a Finding of No Probable Cause in complaint **(C 20-18-04)**. In open session, Commissioner Schwartz moved to approve the Finding of No Probable Cause. It was seconded by Commissioner Bernier and unanimously approved **(5-0)**.

VIII. Annual Evaluation of the Commission Advocate

The commission unanimously approved a 4.6% increment in the annual salary of Advocate Michael Murawski after hearing a recommendation from the Executive Director.

IX. Old Business

None

X. Adjournment

There being no further business, the meeting adjourned at 11:48AM.