



MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of August 12, 2020

The Miami-Dade Commission on Ethics & Public Trust (COE) held a virtual meeting on August 12, 2020, by way of the Zoom virtual platform. Present were Chairman Nelson C. Bellido, Vice Chairwoman Judith Bernier, Commissioners Jan Jacobowitz, 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 Gort made a motion to approve the minutes of the June 10, 2020, meeting. Commissioner Bernier seconded it and it was unanimously approved **(4-0)**.

II. Public Comment

None

III. Public Housing and Community Development Housing Assistance Inquiries

Staff Attorney Diaz-Greco presented a request from four individuals for the month of July seeking assistance through a program overseen by the Miami-Dade Public Housing and Community Development Department. In the case of three County employees, since neither they nor any of their immediate family members oversee or administer the program, Staff Attorney Diaz-Greco recommended approval. In the case of one of these employees, Ms. Coralía Morilla, it was requested that she be denied as Ms. Morilla works and administers the Section 8 voucher program to which her mother is applying. Commissioner Bernier moved

to approve the recommendation. It was seconded by Commissioner Jacobowitz and unanimously approved **(4-0)**.

IV. Monthly Summary of Inquiries

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE for July and discussed **INQ 20-71** provided to Arleen Gomez, Executive Assistant to the Department Director of the Miami-Dade County Information Technology Department. Ms. Gomez was inquiring as to whether their employees could accept any prize they could possibly win in a drawing as a result of their participation in a technology skills development campaign administered by Plurasight, a County vendor. Ms. Gomez was advised that it is permissible because the drawing is open to all of Plurasight's customers, and not just County employees. Furthermore, the prizes do not include any travel or travel-related expenses and the prizes would be won by chance and not obtained through the performance of an official duty. However, Ms. Gomez was advised that if the value of the prize exceeded the \$100 threshold, then the recipient would need to file a gift disclosure pursuant to the County Ethics Code.

V. Miami Beach Lobbyist Appeals

Lobbyist Juan Carlos Planas received a reduced fine of \$262.50 for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance. Commissioner Bernier made a motion to approve the reduced fine. It was seconded by Commissioner Gort and approved **(3-1)**. Commissioner Bellido opposed.

VI. Executive Director's Report

- After a presentation from the Executive Director, The Ethics Commission declined to issue a formal opinion regarding prohibitions on public comment by public officials with a voting conflict on the matter relating to the conflict and instead will continue to rely on prior formal and informal opinions on the subject.
- Executive Director Jose Arrojo asked the Commission if there were any questions that he or Investigator Susannah Nesmith could entertain regarding the recent high-profile case involving former North Bay Village Commissioner Andreana Jackson. The Commission did not have any questions regarding the investigation.
- Mr. Arrojo provided the Commission an update on the planned Ethics Staff Office move the new Overtown Transit Village location by the end of September.
- The hearing date for case **(C 18-17-04)** involving State Representative Michael Grieco will be discussed at the September Commission Meeting. The feasibility of having the case heard virtually will also be determined.

VII. Complaints (In Open Session)

A Petition for attorney's fees in complaint (**C 19-50-12**) was presented with General Counsel Martha Perez first providing the background of the complaint. Commissioner Jacobowitz moved to deny the petition. It was seconded by Commissioner Gort and unanimously approved (**4-0**).

A Petition for attorney's fees in complaint (**C 19-51-12**) was presented with Advocate Michael Murawski first providing the background of the complaint. Commissioner Bernier moved to deny the petition. It was seconded by Commissioner Gort and unanimously approved (**4-0**).

A Petition for attorney's fees in complaint (**C 19-52-12**) was presented with General Counsel Martha Perez first providing the background of the complaint. Commissioner Jacobowitz moved to deny the petition. It was seconded by Commissioner Gort and unanimously approved (**4-0**).

At 10:56 AM, the Commission went into closed session.

Advocate Michael Murawski made a recommendation for a finding of No Probable Cause in complaint (**C 20-21-06**). In open session, Commissioner Jacobowitz moved to approve the finding of No Probable Cause and dismiss the complaint. It was seconded by Commissioner Gort and unanimously approved (**4-0**).

Advocate Michael Murawski presented no objection to a Motion for Continuance filed by the defense in complaint (**C 20-27-07**). In open session, Commissioner Jacobowitz moved to grant the Motion for Continuance. It was seconded by Commissioner Bernier and unanimously approved (**4-0**).

General Counsel Martha Perez presented a Motion to Dismiss complaint (**C 20-20-06**) for lack of Legal Sufficiency. In open session, Commissioner Jacobowitz made a motion to approve the dismissal of the complaint due to lack of legal sufficiency. It was seconded by Commissioner Bernier and unanimously approved (**4-0**).

General Counsel Martha Perez presented a Motion to Dismiss complaint (**C 20-22-06**) for lack of Legal Sufficiency. In open session, Commissioner Jacobowitz made a motion to approve the dismissal of the complaint due to lack of legal sufficiency. It was seconded by Commissioner Bernier and unanimously approved (**4-0**).

General Counsel Martha Perez presented a Motion to Dismiss complaint (**C 20-23-06**) for lack of Legal Sufficiency. In open session, Commissioner Jacobowitz made a motion to approve the dismissal of the complaint due to Lack of Legal Sufficiency. It was seconded by Commissioner Bernier and unanimously approved (**4-0**).

General Counsel Martha Perez presented a Motion to Dismiss complaint **(C 20-24-07)** for lack of Legal Sufficiency. In open session, Commissioner Jacobowitz made a motion to approve the dismissal of the complaint due to lack of legal sufficiency. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**.

VII. Old Business

None

VIII. Adjournment

There being no further business, the meeting adjourned at 12:52PM.

Prepared by Leonardo Mendoza, Public Information Officer