



MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of April 14, 2021

The Miami-Dade Commission on Ethics & Public Trust (COE) held a meeting on April 14, 2021. Physically present were Chairman Nelson C. Bellido, Vice Chairwoman Judith Bernier, and Commissioner Charlton Copeland. Appearing through Zoom was Commissioner Wifredo Gort. Also virtually present were José Arrojo, Executive Director; Michael Murawski, Advocate; Martha Perez, General Counsel; Gilma Diaz-Greco, Radia Turay, and Loressa Felix, 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 10:05 a.m. by Chairman Bellido. A quorum was present.

I. Approval of Minutes

Commissioner Bernier made a motion to approve the minutes of the March 10, 2021 meeting. Commissioner Copeland seconded it and it was approved **(4-0)**.

II. Public Comment

None.

III. RQO 21-01

Executive Director Jose Arrojo and General Counsel Martha Perez presented RQO 21-01, an opinion to be issued to Miami-Dade County Commissioner Raquel Regalado regarding whether she can host a radio show that discusses issues of local governance and whether hosting that show would impair her independence of judgment in the performance of her public duties. The opinion presented advised Commissioner Regalado that she may host the radio show provided she abides by the limitations imposed by the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

The Commission directed staff to re-address its conclusion and modify ethics guidance that included greater restrictions and also requested additional facts regarding the Commissioner's employment.

IV. Section 8 Landlord Requests

Staff Attorney Diaz-Greco presented one request from a County employee in the month of March 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 her approval. Commissioner Gort moved to approve the recommendation. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**.

V. Summary of Public Housing and Community Development Housing Assistance Inquiries

Staff Attorney Diaz-Greco presented a request from three individuals for the month of March seeking assistance through a program overseen by the Miami-Dade Public Housing and Community Development Department. In the case of these three County employees, since neither they nor any of their immediate family members oversee or administer the program, Staff Attorney Diaz-Greco recommended approval. Commissioner Gort moved to approve the recommendation. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**.

VI. Monthly Summary of Inquiries

Staff Attorney Radia Turay presented a Summary of Inquiries by the COE for March and presented **INQ 21-51**. In this request for an informal opinion by Annika Holder, Interim Director of Miami-Dade Community Action and Human Services (CAHSD), it was inquired whether the County Ethics Code prohibits a CAHSD employee whose job duties include oversight and administration of CAHSD's domestic violence programs from concurrently serving as an appointed member of the DVOB which advises the Board of County Commissioners (BCC) on all policy and funding matters related to Miami-Dade County domestic violence issues, including domestic violence shelter construction and operation as well as CAHSD administered domestic violence residential and non-residential programs.

Ms. Holder was advised that concurrent service would create prohibited conflicts of interest and violate numerous sections of the County Ethics Code.

VII. Executive Director's Report

- Executive Director Jose Arrojo reminded the Commission that there is ongoing activity regarding proposed revisions to the County Ethics Code. Mr. Arrojo stated the COE was working with the City of Hialeah to amend their ethics code to include legislation that would prohibit the mayor from having any form of outside employment.

- Mr. Arrojo informed the Commission that the COE has received over 140 applications to fill the investigator position opening and the COE is currently in the second phase of interviews.

VIII. Complaints (In Open Session)

The COE denied a defense Motion to Dismiss for Lack of Jurisdiction in case **(C 19 05-02)**. Commissioner Copeland moved to deny the Dismissal. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

The COE denied a defense Motion in Limine to Suppress Evidence and to Dismiss in case **(C 19 05-02)**. Commissioner Copeland moved to deny the Dismissal. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**. A hearing date was also set for May 6.

Advocate Michael Murawski requested that the Commission ratify a Letter of Instruction in case **(C 21-03-01)**. Commissioner Bernier made a motion to ratify the Letter of Instruction. Commissioner Gort seconded the motion and it was unanimously approved **(4-0)**.

At 12:59 PM, the Commission went into closed session.

Advocate Murawski presented a Stipulation to a finding of Probable Cause and Settlement Agreement in complaint **(C 21-04-03)**. In open session, Commissioner Bernier made a motion to accept the Stipulation to a Finding of Probable Cause, accept the Settlement Agreement and dismiss the Complaint. It was seconded by Commissioner Copeland and unanimously approved **(4-0)**.

Advocate Murawski presented a Stipulation to a finding of Probable Cause and Settlement Agreement in complaint **(C 21-07-04)**. In open session, Commissioner Copeland made a motion to accept the Stipulation to a Finding of Probable Cause and accept the Settlement Agreement. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**.

General Counsel Martha Perez made a recommendation to dismiss complaint **(C 21-05-03)** for lack of legal sufficiency. In open session, Commissioner Bernier moved to approve the dismissal of the complaint due to lack of legal sufficiency. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

General Counsel Martha Perez made a recommendation to dismiss complaint **(C 21-06-03)** for lack of legal

sufficiency. In open session, Commissioner Bernier moved to approve the dismissal of the complaint due to lack of legal sufficiency. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

IX. Subpoena Requests

Three subpoena requests were granted by the Commission for investigation **(PI 20-45)**.

X. Old Business

None.

XI. Adjournment

There being no further business, the meeting adjourned at 1:11 PM.

Prepared by Leonardo Mendoza, Public Information Officer