



# MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

**Meeting of June 9, 2021**

The Miami-Dade Commission on Ethics & Public Trust (COE) held a meeting on June 9, 2021. Physically present were Chairman Nelson C. Bellido, Vice Chairwoman Judith Bernier, Commissioner Charlton Copeland, and Commissioner Gort. Appearing virtually through Zoom was Commissioner Lawrence Schwartz. Also present were José Arrojo, Executive Director; 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 10:00 a.m. by Chairman Bellido. A quorum was present.

## **I. Approval of Minutes**

Commissioner Schwartz made a motion to approve the minutes of the May 21, 2021 meeting. Commissioner Bernier seconded it and it was approved **(4-0)**. *Commissioner Copeland arrived just after this vote.*

## **II. Public Comment**

None.

## **III. RQO 21-02 Re: Interfaith Advisory Board – Section 2-11.1(i) County Ethics Code**

General Counsel Martha Perez presented a memorandum regarding RQO 21-02, issued to Laura Morilla, Board Liaison to the Interfaith Advisory Board (IAB), who was present. The recommendation concluded that the IAB board members are not required to file financial statements until such time as the board attains half of its full membership. General Counsel Perez recognized former COE Legal Intern Leyana Quintero for her assistance in the drafting of the memorandum. Commissioner Schwartz made a motion to accept the report and recommendation. Commissioner Gort seconded it and it was approved **(5-0)**.

## **IV. Section 8 Landlord Requests**

Staff Attorney Gilma Diaz-Greco presented one request from a County employee in the month of May wishing

to contract under the Federally- funded Section 8 Program. In the case of this individual, neither he nor any of his immediate family members were employed by the Miami-Dade Public Housing and Community Development Department, so Staff Attorney Diaz- Greco recommended approval. Commissioner Copeland 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 by the COE for May and no specific INQ was highlighted.

## **VI. Miami Beach Lobbyist Appeals**

Miami Beach Lobbyist Albert Balido had his fine waived for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance. Commissioner Schwartz moved to issue the waiver of the fine. It was seconded by Commissioner Copeland and unanimously approved **(5-0)**.

Miami Beach Lobbyist Cesar Fernandez had his fine waived for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance. Commissioner Schwartz moved to issue the waiver of the fine. It was seconded by Commissioner Copeland and unanimously approved **(5-0)**.

Miami Beach Lobbyist Phillip Hudson had his fine waived for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance. Commissioner Schwartz moved to issue the waiver of the fine. It was seconded by Commissioner Gort and unanimously approved **(5-0)**.

## **Executive Director's Report**

- Executive Director Arrojo reported that there are currently two proposed revisions to ethics ordinances. One is a proposed revision to Section 2-11.1(s) of the Ethics Code also referred to as the County Lobbyist Ordinance. The revisions eliminate outdated language in the ordinance and clarify the obligation to register for attorneys that are participating in quasi-judicial hearings where *ex parte* communications are not allowed. The revisions more clearly detail which parties are exempt from traditional registration requirement when they are participating in certain procurement transactions.

The other revision is to the City of Gables Lobbyist Ordinance regarding political consultants. The COE has been working with the Mayor's staff and the city attorney. The city is considering amendments to the

ordinance to prevent persons who act as paid political consultants for elected officials from lobbying that specific elected official or board for some time period after the election. The proposed amendment has not come up for first reading as of yet.

- Executive Director Arrojo presented the Commission with suggested questions for the upcoming Advocate position interviews. The Commission agreed that each of the Commissioners, except for Commissioner Schwartz who will be appearing virtually, will have the opportunity to ask the candidates a question.
- Executive Director Arrojo introduced newly-hired COE Investigator Rodney Vega who then expressed his gratitude with the COE for giving him the opportunity to be part of the team.

## **VII. Complaints (In Open Session)**

Staff Attorney Radia Turay requested that the Commission ratify a Letter of Instruction and impose a \$1,000 fee for investigative costs in case **(C 18-17-04)**. Commissioner Schwartz made a motion to ratify the Letter of Instruction and impose the \$1,000 fee. Commissioner Bernier seconded the motion and it was unanimously approved **(5-0)**.

Staff Attorney Loressa Felix requested that the Commission approve a Proposed Public Report and Final Order in case **(C 19-05-02)**. Commissioner Copeland moved to approve the Proposed Public Report and Final Order. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

The Commission asked Respondent John Riley in case **(C 19-05-02)** if he wished to proceed with his motion despite his attorney not being present. Mr. Riley agreed to proceed and requested that a Motion for Reconsideration be granted in his case. Commissioner Copeland moved to deny the Motion for Reconsideration. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

Staff Attorney Radia Turay requested that the Commission ratify a Letter of Reprimand in case **(C 21-09-04)**. Commissioner Schwartz made a motion to ratify the Letter of Reprimand. Commissioner Bernier seconded the motion and it was unanimously approved **(5-0)**.

***At 10:43 PM, the Commission went into closed session.***

General Counsel Martha Perez presented a Memorandum of No Probable Cause in complaint **(C 21-08-04)**. In open session, Commissioner Schwartz made a motion to find No Probable Cause and dismiss the Complaint. It was seconded by Commissioner Bernier and unanimously approved **(5-0)**.

Staff Attorney Radia Turay presented a Motion for Extension of Time in case **(C 21- 10-04)**. Commissioner Schwartz moved to approve the Motion for Extension of Time. It was seconded by Commissioner Copeland and unanimously approved **(5-0)**.

**VIII. Subpoena Requests**

Subpoena requests were made in cases **(C 21- 11-05)**, **(PI 21-05)**, and **(PI 21-03)**.

**IX. Old Business**

None.

**X. Adjournment**

There being no further business, the meeting adjourned at 12:00 PM.

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Prepared by Leonardo Mendoza, Public Information Officer