



MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of July 14, 2021

The Miami-Dade Commission on Ethics & Public Trust (COE) held a meeting on July 14, 2021. Physically present were Chairman Nelson C. Bellido, Vice Chairwoman Judith Bernier, and Commissioner Gort. Appearing virtually through Zoom was Commissioner Lawrence Schwartz. Also present were José Arrojo, Executive Director; Martha Perez, General Counsel; Radia Turay, Advocate, Gilma Diaz-Greco, 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 June 9, 2021 meeting. Commissioner Bernier seconded it and it was approved **(4-0)**.

II. Public Comment

None.

III. Public Housing and Community Development Housing Assistance Inquiries

Staff Attorney Diaz-Greco presented a request from two individuals 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 these two County employees, since neither they nor any of their immediate family members oversee or administer the program, Staff Attorney Diaz-Greco recommended approval. Commissioner Schwartz moved to approve the recommendation. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

IV. Monthly Summary of Inquiries

Staff Attorney Loressa Felix presented a Summary of Inquiries by the COE for June and presented **INQ 21-98**.

In this request for an informal opinion, Aimee Gandarilla, a Procurement Assistant at the City of Miami, inquired as to whether she could participate in the City of Miami's Homeownership Preservation Program (HPP) despite being an employee of the city.

Ms. Gandarilla was advised that she is not prohibited from participating in the program given that she does not work in the department that oversees or administers the program and she is not involved in any way in the selection, administration, or enforcement of the HPP.

V. Miami Beach Lobbyist Appeals

Miami Beach Lobbyist Jonathan Kilman appealed the imposition of a fine for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance. Commissioner Schwartz moved to issue a waiver of the fine. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**.

Miami Beach Lobbyist Eduardo Pardo-Fernandez appealed the imposition of a fine for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance. Commissioner Bernier moved to issue a waiver of the fine. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

Miami Beach Lobbyist Rolando Marante appealed the imposition of a fine for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance. Commissioner Schwartz moved to issue a waiver of the fine. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

Executive Director's Report

- Executive Director Jose Arrojo advised the Commission that close to 100 individuals had applied for the vacant Investigator position and 31 individuals had applied for the vacant Staff Attorney position. Mr. Arrojo mentioned that group interviews for those positions would soon be conducted.
- Executive Director Arrojo stated that the end of the fiscal year was closely approaching and that the office will be in the black and that the budget for this upcoming year will be 2.8 million dollars, a bit higher than the current budget primarily built in due to personnel costs.
- Executive Director Arrojo stated that office staff will return to full in-person staffing sometime next month and mentioned that live in-person trainings had already commenced.

- Chairman Nelson Bellido recognized outgoing Investigator Sylvia Batista and presented her with a plaque in appreciation of her more than two decades of service to the COE.

VI. Complaints (In Closed Session)

Advocate Radia Turay made a recommendation for a Finding of No Probable Cause in complaint **(C 21-10-04)**. In open session, Commissioner Schwartz moved to approve the Finding of No Probable Cause. It was seconded by Commissioner Gort and approved **(3-1)**. Chairman Bellido opposed.

Advocate Radia Turay presented a Motion for Extension of Time in complaint **(C 21-11-05)**. Commissioner Schwartz moved to approve the Motion for Extension of Time. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

Advocate Radia Turay presented a Motion for Extension of Time in complaint **(C 21-13-05)**. Commissioner Schwartz moved to approve the Motion for Extension of Time. It was seconded by Commissioner Gort and unanimously approved **(4-0)**.

Advocate Radia Turay presented a Motion for Extension of Time in complaint **(C 21-15-06)**. Commissioner Schwartz moved to approve the Motion for Extension of Time. It was seconded by Commissioner Bernier and unanimously approved **(4-0)**.

General Counsel Martha Perez made a recommendation to dismiss complaint **(C 21-12-05)** for lack of legal sufficiency. In open session, Commissioner Schwartz moved 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 made a recommendation to dismiss complaint **(C 21-14-05)** for lack of legal sufficiency. In open session, Commissioner Schwartz moved 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 made a recommendation to dismiss complaint **(C 21-16-06)** for lack of legal sufficiency. In open session, Commissioner Schwartz moved 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. Subpoena Requests

Subpoenas were issued in **(PI-34)**, **(PI 21-30)**, and **(C 21-11-05)**.

Commented [PMD(1): It's not accurate because they are not all "cases" in the traditional meaning of the term, rather, they are investigations originating from sworn and third-party/self-initiated allegations

VIII. Old Business

None.

IX. Adjournment

There being no further business, the meeting adjourned at 11:33 AM.

Prepared by Leonardo Mendoza, Public Information Officer