

# EYE ON ETHICS

NEWSLETTER OF THE MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST



## Issue 21 - Eye on Ethics Newsletter



### Commission on Ethics & Public Trust by the Numbers:

*Despite the challenges that the COE was presented with given the global pandemic we still face, staff was able to host 70 training events to hundreds of participants during the previous fiscal year. Training participants included elected officials, candidates, advisory board members, quasi-judicial board members and the public.*

## Director's Message



Dear Friends & Colleagues,

These last several weeks we have witnessed a flurry of activity regarding local government **lobbyists** including revisions to the County Lobbying Ordinance, new legislation restricting lobbying by political consultants, and legal challenges to lobbying restrictions.

### Quick Links

**24 Hour**  
Complaint  
Hotline  
786-314-9560



Visit Us

On July 20, 2021, the County Lobbying Ordinance was revised by a

unanimous vote of the Miami-Dade County Board of County Commissioners. The Lobbying Ordinance applies to all lobbyists engaging with Miami-Dade government, Jackson Health Systems, the Childrens' Trust, and it is also the minimum standard for lobbyists in all 34 municipalities. Because the Lobbying Ordinance is part of the County Ethics Code, the Ethics Commission has the authority to opine on the application of the ordinance and enforce compliance with its terms.

The revisions are intended to improve local government operational efficiency while increasing transparency. The new terms, in some instances, expand the category of persons that have to register as lobbyists; they refine registration requirements for vendors engaged in procurement so as to make procurement processes more efficient; they require disclosure of the "actual" lobbying client; and they provide greater clarification regarding due diligence requirements for local government elected officials and staff that are being lobbied.

Thanks to Commissioner Rebeca Sosa, for sponsoring the legislation, and to her staff, for working with the Ethics Commission, the County Attorney's Office, and the County's Procurement staff on the months- long process that led to the successful passage of the revisions. Also, our partners at the Miami-Dade County League of Cities were engaged in the process and provided useful insight from the municipal government perspective. In our shop, General Counsel Martha Diaz Perez deserves special credit for her work on the project.

The Ethics Commission will be pushing out training regarding the Lobbying Ordinance by updating our on-line ethics training for lobbyists and we hope to have new FAQs posted on our website in the next several weeks. On July 13, 2021, the Coral Gables City Commission addressed the potential diminution in public trust that is created when campaign consultants lobby their former clients. More specifically, the Commission considered at first reading, revisions to its Lobbying Ordinance that would bar a campaign or political consultant from lobbying an elected official for whom the consultant provided services for in the past election cycle. Other cities have adopted similar ordinances notably, Miami Beach and North Miami Beach.

In Miami Beach, a political consultant who also lobbies in the city, filed a federal legal challenge to the Miami Beach ordinance that bars campaign consultants from lobbying an elected official for whom the consultant provided services for in the past election cycle. The plaintiff alleged that such a bar violates protected speech guaranteed by the First Amendment. At the time of this newsletter, the case had been dismissed by the court on standing grounds.

The Ethics Commission will continue to support local laws that require lobbyist registration so that citizens know who is lobbying their elected officials and on whose behalf, and that require lobbyists to receive ethics training before they engage with government.

Best regards,  
Jose Arrojo

#### Commissioners

Nelson C. Bellido Esq.,  
Chair  
Dr. Judith Bernier,  
Vice Chair  
Judge Lawrence A.  
Schwartz  
Charlton Copeland, Esq.  
Wifredo Gort

#### Executive Director

Jose J. Arrojo, Esq.

#### General Counsel

Martha Perez, Esq.

#### Advocate

Radia Turay Esq.



## FAQ



**Florida Commission  
on Ethics**



United Way of Miami-Dade

*Aid for  
Victims of  
Haiti  
Earthquake  
DONATE  
NOW*



## Let's Help Stop the Spread of Coronavirus

*Our best shot* FOR A STRONG, HEALTHY COMMUNITY.

Doing our part helps ensure  
**#OurCounty** continues to thrive



**GET VACCINATED**



**WEAR A MASK**



**PRACTICE SOCIAL  
DISTANCE**



**SANITIZE/WASH  
OUR HANDS**

The distribution of vaccines throughout the County is dependent on availability (supply) and the County is working hard to secure more vaccines to expand distribution.



[miamidade.gov/vaccine](https://miamidade.gov/vaccine)

## COE to Partner with Miami-Dade Public Schools

The Ethics Commission will be partnering with Miami-Dade County Public Schools after a partial one-year hiatus due to COVID 19 transmission concerns and once again bring Ethical Governance Day back to our local high schools. This is an



opportunity for our community's leaders to share a bit of their time and expertise with our students and encourage full and informed civic participation just before they become part of our electorate.

Over the past decade, the Ethics Commission has, placed hundreds of civic leaders and activists in government classes throughout Miami-Dade senior high schools to talk with students about the importance of being informed and involved citizens. This year, given increasing COVID transmission rates, Ethical Governance Day will take place virtually.

Special thanks go out to Miami-Dade County School Board Chair Perla Tabares Hantman, who is sponsoring the initiative and recently presented it as an agenda item at a August school board meeting.

## In Memoriam - Machell Anderson



This month, COE staff remembered beloved and never to be forgotten former employee and dear friend Machell Anderson, who passed away unexpectedly one year ago this month.

Machell was a career public servant who dedicated 35 years to the Miami Dade State Attorney's Office as a legal secretary, trial coordinator, and executive assistant. She was assigned to work on some of the most sensitive cases handled in that office. Machell later worked alongside former County Inspector General Mary Cagle and current Ethics Commission Executive Director Jose Arrojo when they served as Chief Assistant State Attorneys. She then returned from retirement to join the Ethics Commission team.

Machell's competence, devotion to public service, and easy smile that put everyone at ease will always be remembered.

A beautiful floral arrangement now adorns the COE lobby area in remembrance of Machell.



## Need Ethics Training? We Can Now Visit Your Group



As part of one of its primary functions, the Ethics Commission is committed to public education, training and community outreach. This responsibility is discharged in a variety of settings including training sessions and workshops for government personnel, to conferences and seminars on topics of interest in the community.

The Ethics Commission is happy to provide ethics training and/or discuss civic engagement with any government entity, philanthropic organization, homeowner or business association. Sessions can now be conducted in-person, adhering to all CDC and local recommendations or mandates, as well as virtually if your group prefers to do so.

Please call Community Outreach Coordinator Robert Thompson at 305-579-2594 for more information on training sessions available and for scheduling considerations.

As always, accommodations will be made for persons with disabilities, including persons who are deaf, who are blind, use wheelchairs, or have any other disabilities that may require special assistance.

## July Ethics - Commission Meeting Actions



### Summary of the Miami-Dade County Commission on Ethics & Public Trust Meeting Held on July 14, 2021

The Miami-Dade County Commission on Ethics and Public held a Commission Meeting on July 14, 2021. The following actions took place:

**No Probable Cause Found in Case Involving a Division Director at the County Human Resources Department**

**C 21-10-04:** The Ethics Commission found No Probable Cause that Helena Denham-Carter, the Division Director of the Benefits and Employee Support Services Division at the County's Human Resources Department, violated the Exploitation of Official Position section of the Miami-Dade County Conflict of Interest and Code of Ethics ordinance. The complaint, filed by a retired County



employee, alleged that Ms. Denham-Carter had a subordinate alter the benefit election of an employee and had another subordinate take her daughter to a medical appointment. Furthermore, the complaint alleged that Ms. Denham-Carter hired a family friend for a clerical position even though her friend was not the top-ranked candidate.

The Ethics Commission noted that there has since then been a revision to the County's Conflict of Interest Disclosure for hiring panelists, managers, or persons making hiring recommendations. Going forward, these persons must disclose "any personal relationships that may affect their ability to be impartial in the process and which may present a potential conflict of interest in the recruitment process."

The Ethics Commission also directed staff to engage with the League of Cities with the goal of making the new County procedure a best practices model in all of 34 cities in Miami-Dade County.

#### **Complaint Filed Against Town of Coral Surfside Commissioner Dismissed**

**C 21-12-05:** A complaint filed against Town of Surfside Commissioner Eliana Salzhauer was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Commissioner Salzhauer violated the Truth in Government section of the Citizen's Bill of Rights when she knowingly posted false information about the Surfside Mayor on the Nextdoor app.

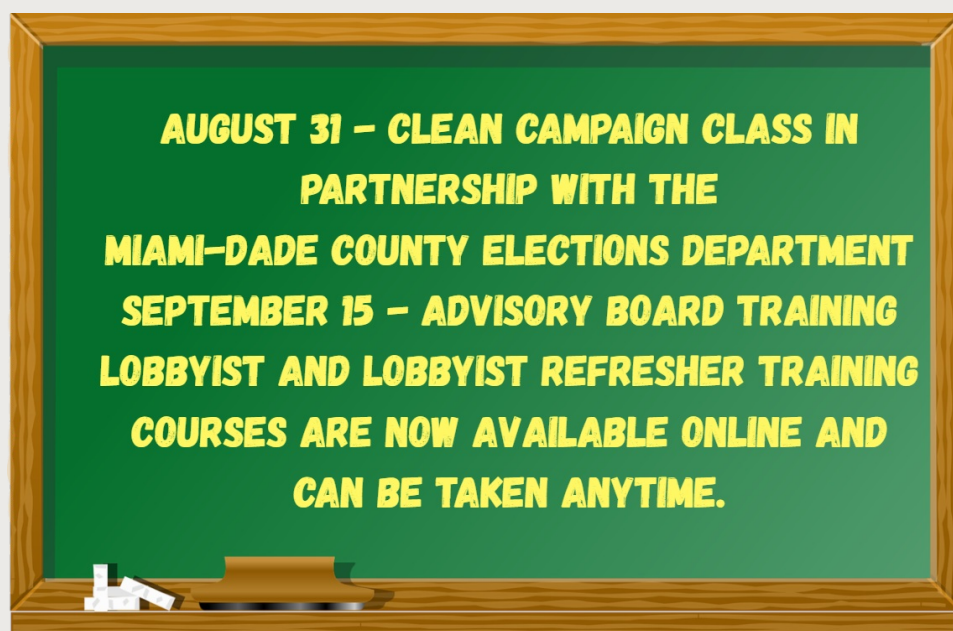
#### **Complaint Filed Against Village of Miami Shore Vice-Mayor Dismissed**

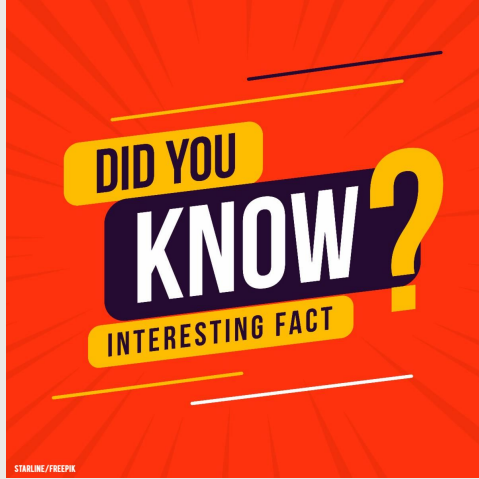
**C 21-14-05:** A complaint filed against Village of Miami Shores Vice-Mayor Daniel Marinberg was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Vice-Mayor Marinberg violated the County Ethics Code when he published personal information on the Nextdoor app about the complainant's father with the intent of "bullying" the complainant.

#### **Complaint Filed Against County Commissioner Dismissed**

**C 21-16-06:** A complaint filed against Miami-Dade County Commissioner Eileen Higgins was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Commissioner Higgins violated the County Ethics Code when she was engaged in "bias, discrimination and abuse of power" involving a plan regarding a proposed street closure.

## **Educating the Community / Upcoming Events**





The Miami-Dade County Citizens' Bill of Rights, was created to provide the public with full and accurate information, to promote efficient administrative management, to make government more accountable, and to insure to all persons fair and equitable treatment.

Click [here](#) to read the Citizens' Bill of Rights.

Miami-Dade County Commission on  
Ethics & Public Trust  
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