

# EYE ON ETHICS

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



## Issue 23 - Eye on Ethics Newsletter



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

The agency continues is on-site or virtual training for elected officials, candidates, advisory board members, quasi-judicial board members, and the public. During the previous fiscal year a total of **84** Training/Outreach events were conducted.

## Director's Message



Dear Friends & Colleagues,

The past few weeks saw the Ethics Commission fully engaged in all three of its main functions: ethics guidance, training & outreach, and regrettably, enforcement.

On the ethics guidance front, the Ethics Commission issued a formal opinion to County Commissioner Raquel Regalado. Commissioner Regalado co-hosts a daily radio program that focuses, in part, on local government policy and legislative issues. Additionally, from time to time, senior County employees appear on the program as subject matter experts. Because the topics covered on the

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**Commissioners**  
Nelson C. Bellido Esq.,  
Chair

radio program may also come before the County Commission, Commissioner Regalado sought ethics guidance. The Commissioner was gracious enough to appear before the Ethics Commission and answer questions as part of its consideration of the matter. With some limitations, the Ethics Commission opined that the Ethics Code did not prohibit the Commissioner's work as a radio program co-host.

As regards training and outreach, October 20<sup>th</sup>, 2021, was the tenth anniversary of Ethical Governance Day. This year, over 150 volunteer community leaders spoke to hundreds of students at 70 high schools about the importance of being well-informed and civically engaged citizens. The day kicked-off with Mayor Daniella Levine Cava and School Board Member Mari Tere Rojas in Little Havana speaking to students at Young Women's Preparatory Academy. Special thanks go out to all the volunteer speakers, teachers and school administrators that facilitated the program.

In a case that originated with a tip called into the Ethics Commission's Hotline, former Medley Councilwoman Lilly Stefano, was arrested on felony offenses related to the resale of donated foods through a nonprofit she managed. An Ethics Commission Investigator served as the co-lead investigator in that case. Weeks prior to her arrest, the Ethics Commission had reprimanded and fined the Councilwoman for voting on a matter where she had an ethical conflict because it involved the same nonprofit. As a result of her arrest, Ms. Stefano has been suspended from office by the Governor. Thanks go out to the State Attorney for allowing the Ethics Commission to partner with her office on this case.

In upcoming weeks, the Ethics Commission will be partnering with the Miami-Dade County League of Cities to provide ethics training for newly elected local officials. We will also be co-hosting a video discussion regarding the representation of local government witnesses in ethics and criminal investigations. In this latter training, we will be partnering with prosecutors, municipal attorneys, and criminal defense attorneys so as to provide differing views on the ethical representation of government witnesses.

The Ethics Commission has one more meeting for the year, so stay tuned.

Best regards,  
Jose

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**

## Let's Help Stop the Spread of Coronavirus





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## VIDEO - Chairman Comments After Elected Official Arrest



As briefly mentioned in the Director's Message, a joint investigation between the Miami-Dade Commission on Ethics and Public Trust (COE) and the Miami-Dade State Attorney's Office, led to the arrest and charging of Town of Medley Councilwoman, Ana Lilia "Lilly" Stefano, on a First-Degree Felony count of Organized Scheme to Defraud and Second Degree Felony Grand Theft.

The case arose from an ethics investigation by the COE alleging that Stefano used her outside employment with the nonprofit Santana Moss Foundation, where she serves as its Executive Director, to sell donated food items from local food banks in violation of a donor agreement with the Feeding America Network, a nonprofit food bank serving needy residents of South Florida.

Councilwoman Stefano had been previously sanctioned twice by the Ethics Commission. In October 2021, the Ethics Commission reprimanded and fined Ms. Stefano for violating the Ethics Code's voting conflict and exploitation of public position provisions when in her official capacity as

Councilwoman for the Town of Medley, she used the power of her office to sponsor, discuss, and vote on an item that granted the Santana Moss Foundation the special benefit of gaining permanent access into the Lakeside Retirement Park in Medley.

In June 2021, Councilwoman Stefano was reprimanded and fined for using the Medley Town logo in flyers from "the Office of Councilwoman Lily Stefano" that were purportedly intended to "educate" voters in the Town about the upcoming elections when the evidence revealed that the flyer was actually purposed to encourage residents to vote for her and the slate of candidates she was endorsing for other elected offices in the Town.

The investigation established that retired NFL Football Player Santana Moss did not have any knowledge of Councilwoman Stefano's activities or her use of the nonprofit bearing his name for the described transactions. Mr. Moss fully cooperated with investigators.

In an interview with Willard Shepard of NBC 6, Nelson C. Bellido, Chairperson of the Miami-Dade Commission on Ethics & Public Trust spoke of the case and upheld the importance of maintaining the public trust by holding public officials accountable.

Click [here](#) to view the interview in its entirety.

## Ethical Issues for Potential Advisory Board Members



Serving on an advisory board is an important and valuable role citizens can play in their local government. The information that board members provide about community needs and opinions can have a profound effect on policies and lead to improved service.

However, it is critical for participants to be aware of the unique requirements of public service to ensure transparency and avoid conflicts of interest.

Before accepting a position on an advisory board, please [click here](#) to review the provisions of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance.

For further information, visit [ethics.miamidade.gov](https://ethics.miamidade.gov), email questions to [ethics@miamidade.gov](mailto:ethics@miamidade.gov) or call 305-579-2594.

## COE Staff Profile



Staff Attorney Nolen "Drew" Bunker, who joined the Commission on Ethics this past September, recalls always having an interest in the law. "It's something that I thought about as a kid, watching episodes of *The Practice*, but that I began to pursue in earnest after I took a criminology course in college."

Born and raised in Mansfield, Ohio, a city located midway between Columbus and Cleveland, Drew had a typical rural upbringing, being raised near a family-owned crop farm that produced primarily field corn and soybean. "We would play hide and seek in the corn fields, it was a very 'Norman Rockwell' type

of upbringing," remembers Drew.

Upon graduating from high school, Drew attended The Ohio State University (OSU), majoring in History, French, and International Studies. He became the first person in his family to graduate from college.

After college, pursuing a passion to teach others, Drew took a year off and lived in France, where he taught English. He taught at two different elementary schools in Saint-Gilles-Croix-de-Vie, a small town on the western coast of France with a population of roughly eight thousand. "It was one of the most memorable times of my life," says Drew. "Not only was I teaching others, but I was learning so much about myself."

Upon his return stateside, Drew furthered his studies at OSU, obtaining his law degree in 2011. He then began his legal career working for two years as a staff attorney for the U.S. Court of Appeals for the 11<sup>th</sup> Circuit and then clerking for a U.S. magistrate in Orlando.

Drew then moved to South Florida, having ties to the area by way of a good friend he had in law school and his eldest sister who had moved to nearby Delray Beach. The Miami-Dade State Attorney's Office (SAO) hired Drew as an Assistant State Attorney, where he spent more than six years. "Working at the SAO was very fulfilling and rewarding," reflects Drew. "I was able to help victims gain the justice they so much deserved."

Having worked several years in the Public Corruption Unit of the SAO, Drew had the opportunity to work on some joint investigations with the Commission on Ethics (COE), thereby allowing him to learn of the valuable role of the COE in our community. In September, when the opportunity to join the COE presented itself, Drew applied and was hired.

"In my short time at the Commission on Ethics, I have learned how varied and complex Miami-Dade County is and the numerous services it provides its residents," says Drew. "I want our community to know that our government is working to ensure that each citizen is treated fairly and those given the public trust are held to account for their behavior."

## October/November Ethics - Commission Meeting Actions



### Summary of the Miami-Dade County Commission on Ethics & Public Trust Meetings Held on October and November, 2021

The Miami-Dade County Commission on Ethics and Public held Commission Meetings on October and November,

2021. The following actions took place:

#### Recommendation to Issue a Formal Opinion to Miami-Dade County Commissioner Approved

The Ethics Commission approved the recommendation of the Executive Director and directed him to issue a formal opinion letter to the requestor, Miami-Dade Commissioner Raquel Regalado, in RQO 21-01. Commissioner Regalado previously sought direction from the COE as to 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.



#### **Letter of Instruction Ratified in Case Involving the Former Director of Miami-Dade County Department of Transportation and Public Works**

**C 21-11-05:** The Ethics Commission ratified a Letter of Instruction for Former Director of the Miami-Dade County Department of Transportation and Public Works, Alice Bravo. Ms. Bravo previously stipulated to a Finding of Probable Cause for violating the Continuing Application After County Service section of the Miami-Dade County Ethics Code.

#### **Letter of Reprimand Ratified in Case Involving Town of Medley Councilwoman**

**C 21-13-05:** The Ethics Commission ratified a Letter of Reprimand for Town of Medley Councilwoman Lily Stefano. Councilwoman Stefano previously stipulated to a finding of Probable Cause for violating the Further Prohibition on Transacting Business with the County and Exploitation of Official Position sections of the Miami-Dade County Ethics Code.

#### **Letter of Reprimand Ratified in Case Involving County Vendor**

**C 21-22-08:** The Ethics Commission ratified a Letter of Reprimand for County Vendor John Kennedy. Mr. Kennedy previously stipulated to a Finding of Probable Cause for violating the Prohibition on Transacting with the County section of the Miami-Dade County Ethics Code.

#### **Motion for Stay Approved in Case Involving Former Opa Locka Commissioner**

**C 19-05-02:** A Motion for Stay Pending Appeal was unanimously approved by the COE in a case involving former Opa Locka Commissioner John Riley. The COE previously found Mr. Riley to be in violation of the Financial Disclosure and Conflicting Employment sections of the Miami-Dade County Ethics Code and \$1,000 in fines and \$1,000 in investigative costs were ordered.

#### **No Probable Cause Found in Case Involving Sunny Isles Beach City Commissioner**

**C 21-23-09:** The Ethics Commission found No Probable Cause that Sunny Isles Beach Commissioner and candidate for Mayor Dana Goldman, violated the Truth in Government section of the Citizens' Bill of Rights by posting misleading endorsements on her campaign website.

#### **Complaints Filed Against Town of Bay Harbor Islands Mayor Dismissed**

**C 21-24-09:** A complaint filed against Town of Bay Harbor Islands Mayor, Joshua Fuller, was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Mayor Fuller "possibly ignored" the Right to be Heard section of the Citizens' Bill of Rights when a Resolution was voted on in a meeting that was allegedly cancelled.

**C 21-26-09:** The Ethics Commission found No Legal Sufficiency on a second complaint alleging that Bay Harbor Islands Mayor, Joshua Fuller, violated the Truth in Government section of the Citizens' Bill of Rights. The complaint alleged that Mayor Fuller furnished false information to the public about a matter related to the participation of Bay Harbor Islands Council members in the Town Employees Group Health Insurance.

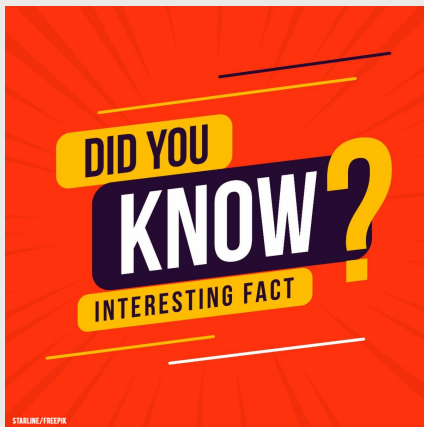
#### **Proposed County Code Application Impacting Ethics Commission Presented**

The Executive Director provided the Ethics Commission with a report regarding the "contract staff" provision in Airport Miscellaneous Construction Contract. This provision of the ethics code allows the Mayor, after consultation with the Ethics Commission, to designate members of County contractors as being covered by certain provisions of the ethics code. This provision of the ethics code has historically been unused by prior administrations.

#### **Complaints Filed Against City of Miami Beach Mayor Dismissed**

**C 21-27-10 / C 21-28-10** Two identical complaints filed against City of Miami Beach Mayor, Dan Gelber, were found to be Not Legally Sufficient and were dismissed. The complaints alleged that Mayor Gelber violated the Prohibited Campaign Contributions by Real Estate Developers section of the City of Miami Beach Standards of Conduct Ordinance when he attended a virtual conference call meeting, also attended by the City Manager and several real estate developers and business

## Educating the Community / Upcoming Events



*Board members may not recommend the services of any lawyer, architect, public relations firm, or any other person or firm to assist in any transaction involving the County/Municipality or any of its agencies, unless done in connection with the duties of office.*

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