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# EYE ON ETHICS

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



## Issue 25 - Eye on Ethics Newsletter



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

*This past fiscal year, the Ethics Commission increased its total opinions issued to 216. This represents an increase of 61 opinions from the previous fiscal year.*

## Director's Message



Dear Friends & Colleagues,

Over the past several weeks, elected officials have proposed several revisions to the county and municipal ethics codes that will impact elected officials, local government employees, lobbyists, and anyone seeking to contract with local government.

The Board of County Commissioners is considering significant changes to the Cone of Silence section of the County Ethics Code. The Cone of Silence currently limits communications by elected officials, local government staff, bidders on local government contracts, and lobbyists during the period when selection committees are

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### Commissioners

Dr. Judith Bernier, Chair  
Wifredo Gort, Vice Chair

evaluating bids. The proposed revisions would lift limits on communications with everyone except the selection committee members. The proposal was the subject of a discussion topic agenda item before the Board at which I was asked to address the commissioners' questions regarding the Cone of Silence.

Also at the County, the Board of County Commissioners is considering a change to the definition of "immediate family member" in the County Ethics Code. At the Ethics Commission's request, the Board is considering expanding the current definition to include "siblings" so that contracts with local government by the brothers and sisters of elected officials, board members, and employees could give rise to prohibited conflicts of interests.

Meanwhile, the North Miami Beach Commission is considering a change to its municipal Conflict of Interest Ordinance to prohibit elected officials and others from being compensated as a "listing agent, real estate agent, or broker" in a real estate transaction if the sale of the property is contingent on any approvals by the city Commission or other city board. I was asked to address the commissioners' questions regarding the proposed amendment at its first reading before the city Commission.

On the training front, last month the Ethics Commission staff provided courtesy ethics training to the Miami-Dade Beacon Council's executive staff. Local ordinance-required ethics training was provided to elected officials, charter officers and employees in the Village of El Portal and to board members in North Miami Beach. Special thanks to the Beacon Council's executive officers and to Charter Officers and City Attorneys in El Portal and North Miami Beach.

Also, after providing training entitled "Investigation and Administrative Prosecution of Ethical Misconduct by Police Officers" to local police executives and professional compliance detectives, the Ethics Commission is now engaged with the Miami-Dade Fire Rescue Department. The goal is to develop a similar program tailored to firefighters, looking at the interplay between ethics investigations of firefighters and the Firefighters Bill of Rights, which governs the processing of complaints against firefighters by their employing departments. Special thanks to the Miami-Dade Fire Chief and his staff.

Look for us in Sunny Isles Beach and Indian Creek Village, where we will be providing ethics training to municipal officials in the near future.

Best regards,  
Jose

Nelson C. Bellido Esq.  
Judge Lawrence A.  
Schwartz  
Charlton Copeland, Esq.

**Executive Director**  
Jose J. Arrojo, Esq.

**General Counsel**  
Martha Perez, Esq.

**Advocate**  
Radia Turay, Esq.



## FAQ



## Let's Help Stop the Spread of Coronavirus

# BOOST YOUR IMMUNITY

GET A **#COVID19** VACCINE

# BOOSTER

AVAILABLE FOR AGES 12 AND  
UP IN **#OURCOUNTY**



TO FIND A LOCATION CLOSEST TO YOU,  
GO TO [MIAMIDADE.GOV/VACCINE](https://miamidade.gov/vaccine).

## COE Takes Part in Monthly Career & Job Fair Series



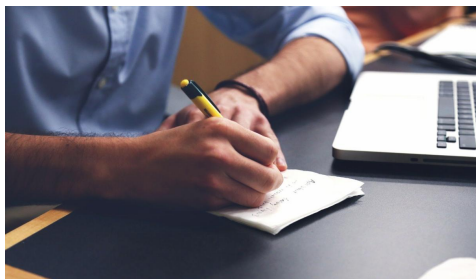
Commission on Ethics (COE) community outreach representatives recently partnered with the Miami-Dade County Human Resources Department and CareerSource South Florida to support a series of monthly career fairs that will be held at various locations throughout the County. The goal of this initiative is to promote Miami-Dade County as an employer of choice while providing job seekers the opportunity to explore the diversity of occupations available in County government.



The first in this series of Career/Job Fairs was held on February 23<sup>rd</sup> at the Stephen P. Clark Center lobby. The next event will take place on March 23<sup>rd</sup> at the Miami Dade College Homestead Campus located at 500 College Terrace in Homestead.

For more information regarding these upcoming events [click here](#).

## Financial Disclosure Requirement



The Financial Disclosure section of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance provides that all board members and county employees must file financial disclosure with the County's Election Department by July 1<sup>st</sup> of each year covering the preceding calendar year.

With the goal of assuring that these individuals adhere to the financial disclosure requirements of the Ethics Code, the COE monitors compliance as mandated by the Code and undertakes the following:

- *Training board liaisons and department personnel representatives (DPRs) on financial disclosure*
- *Notifying all board liaisons and department personnel representatives (DPRs) to ensure the board members and County employees timely file their financial statements*
- *Assisting all County departments and board members by providing guidance on financial disclosure*
- *Contacting and assisting non-compliant board members with the intent to gain compliance*

The Ethics Commission receives lists from the Elections Department of non-compliant filers and despite its best efforts to obtain compliance, the COE is at times obligated to contact the Miami-Dade County Commission notifying them of board members being removed from their boards due to financial disclosure non-compliance.

If you have any questions regarding the financial disclosure process you are encouraged to the COE at 305-579-2594.

## February/March Ethics - Commission Meeting Actions



### Summary of the Miami-Dade County Commission on Ethics & Public Trust Meetings Held on February 9th and March 9th, 2022

The Miami-Dade County Commission on Ethics and Public held Commission Meetings on February 9th and March

9th, 2022. The following actions took place:

#### **City of Miami Building Department Employee Stipulates to Finding of Probable Cause**

**C 22-02-01:** City of Miami Project Manager, Maria Chalgub, stipulated to a finding of Probable Cause and entered into a settlement agreement for violating the Exploitation of Official Position Prohibited section of the Miami-Dade County Ethics Code. The complaint alleged that Ms. Chalgub violated the Ethics Code by using a city owned vehicle to transport individuals who were going door to door speaking to voters during an event in furtherance of the campaign for then City of Miami Commission candidate Christine King. The stipulated agreement includes a \$500 fine and the issuance of a Letter of Instruction.

#### **City of Miami Building Department Employee Stipulates to Probable Cause**

**C 22-03-01:** City of Miami Senior Mechanical Inspector, Alejandro Cosano, stipulated to a finding of Probable Cause and entered into a settlement agreement for violating the Exploitation of Official Position Prohibited section of the Miami-Dade County Ethics Code. The complaint alleged that Mr. Cosano violated the Ethics Code by using a city owned vehicle to transport individuals who were going door to door speaking to voters during an event in furtherance of the campaign for then City of Miami Commission candidate Christine King. The stipulated agreement includes a \$500 fine and the issuance of a Letter of Instruction.

#### **No Probable Cause Found in Case Involving El Portal City Manager**

**C 21-20-07:** The Ethics Commission did not find Probable Cause that Village of El Portal City Manager Christia Alou, violated the Public Records section of the Citizens' Bill of Rights by allegedly failing to timely provide public records.

#### **Collaborative Efforts Between Ethics Commission and Public Schools' Ethics Advisory Committee Presented**

The Ethics Commission was advised of a meeting between the COE Executive Director and the Chair of the Miami-Dade County Public Schools (MDCPS) Advisory Committee, in order to establish a formal referral protocol back to MDCPS when school employees, as frequently happens, seek ethics guidance from the Ethics Commission.

#### **Ethics Commission Staff Continues to Provide Tailored Ethics Training**

The Ethics Commission was advised of staff's continuing efforts towards providing tailored ethics training to local government agencies including County and municipal police departments, the County Fire Rescue Department and Jackson Health Systems Staff.

#### **Probable Cause Found in Case Involving Opa-Locka Assistant City Manager**

**C 22-04-02:** City of Opa-Locka Assistant City Manager, George Ellis Jr., stipulated to a finding of Probable Cause and entered into a settlement agreement for violating the Exploitation of Official Position section of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance. Mr. Ellis will be issued a Letter of Reprimand and required to pay a fine in the amount of \$500.

A COE investigation revealed that Mr. Ellis made direct telephone calls to a manager at the Opa-Locka Hialeah Flea Market during which he improperly solicited a monetary contribution for a City of Opa-Locka sponsored event.

#### **Complaint Filed Against City of Miami-Dade County Commissioner Dismissed**

**C 22-05-02:** A complaint filed against Miami-Dade County Commissioner Danielle Cohen- Higgins was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Commissioner Cohen-Higgins violated the Voting Conflict section of the County Ethics Code when she voted on a resolution concerning the construction of a specific bridge because there were two other possible sites for the construction of bridges which were near her residence and would have negatively impacted her by bringing down her property value.

### Complaint Filed Against Vice-Mayor of Miami Shores Dismissed

C 22-07-02: A complaint filed against Vice-Mayor of the Village of Miami Shores, Daniel Marinberg, was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Vice-Mayor Marinberg communicated agenda matters through "emails, social media, or other evasive devices," in violation of the Sunshine Law.

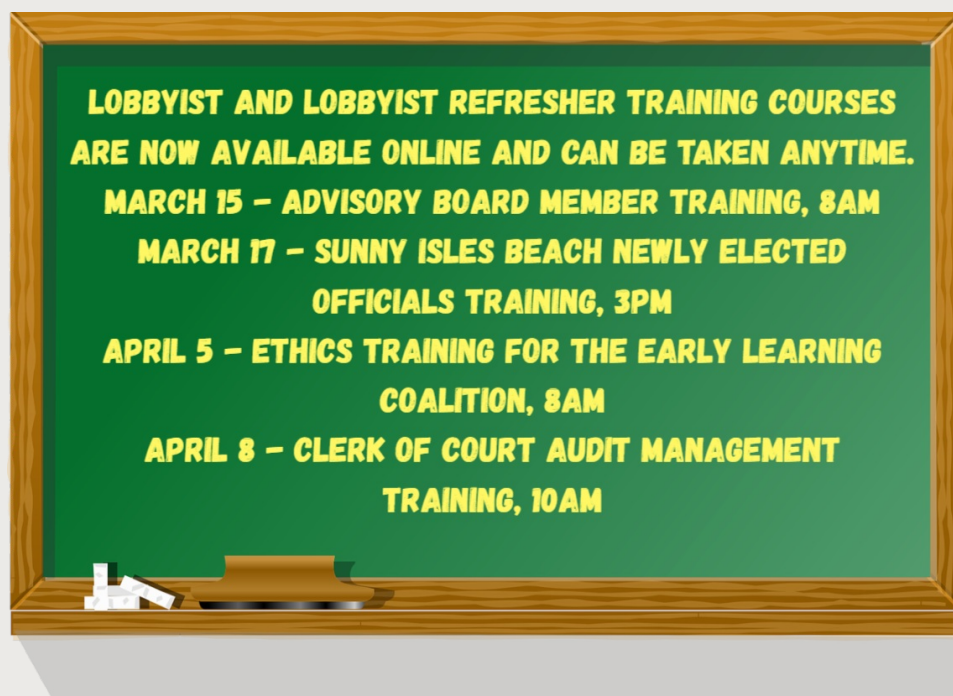
### Recommendation to Issue a Formal Opinion to Clerk of the Courts Board Division Director Approved

The Ethics Commission approved the recommendation of the COE General Counsel and directed her to issue a formal opinion letter to the requestor, Basia Pruna, Director of Clerk of the Board Division of the Clerk of the Courts in RQO 22-01. Mr. Pruna previously sought direction from the COE as to whether a Contingency Fee declaration executed by the Lobbyist and the Principal satisfies the requirement under the Principal and Lobbyist Registration section of the County Ethics Code.

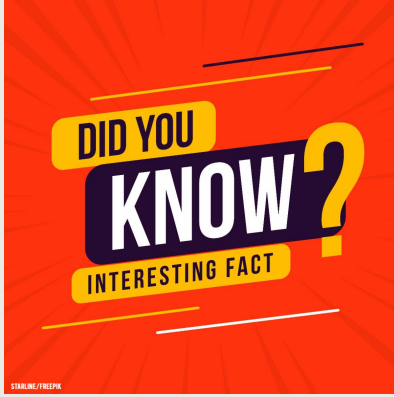
### Policy Guidance is Sought from the Ethics Commission Regarding Amendments to the County Procurement Cone of Silence

The COE Executive Director briefed the Ethics Commission regarding proposed revisions to the County Cone of Silence section of the County Ethics Code. The proposed revisions would remove current limitations on communications regarding procurement matters by elected officials, staff, bidders, and lobbyists and would maintain only those restricting communications with procurement selection committee members. The Ethics Commission requested additional information and may at its next meeting direct staff to make formal policy recommendations regarding the proposed revisions to the ordinance.

## Educating the Community / Upcoming Events



*Each board member at the COE must be a resident of Miami-Dade County. While serving on the Commission, a member cannot hold or campaign for an elective office or hold office in any political party or political committee.*



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Ethics & Public Trust  
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