

The Miami Herald

Posted on Tue, Feb. 21, 2012

Miami-Dade ethics report rips ticket freebies

By David Smiley

dsmiley@MiamiHerald.com



Michael Tilson Thomas leads the orchestra in the National Anthem during the opening ceremony at the New World Symphony building, January 25, 2011.

When the world's preeminent tennis players, race car drivers, chefs and musicians appear and perform in certain South Florida venues, complimentary tickets are set aside for disadvantaged kids, senior citizens and other needy members of the public.

But it's often local politicians, their friends, families and politically "important people" who end up getting a free pass, according to [a newly published report](#) by the Miami-Dade Commission on Ethics and Public Trust.

The draft report on the receipt and distribution of complimentary tickets by

local governments — primarily Miami, Miami Beach and Homestead — says officials often abuse free tickets that flow through their offices by attending events themselves or doling tickets out as political chits rather than handing them off to needy constituents, a term typically called "public benefits" in bureaucratic jargon.

The report recommends elected officials be removed entirely from the process. The ethics commission is holding a public discussion on the issue March 1.

"'Public Benefits' should, in our view, benefit the actual public at large," the report states. "It is clear that the primary beneficiaries of these 'public benefits' are the government officials; this needs to end."

Through contracts, often for use of public facilities or public subsidies, local governments have negotiated complimentary passes for elected officials and administrators with the understanding that those tickets would then flow out into the community.

Such agreements have gone on for years in Miami-Dade County with little outside scrutiny.

But around October, the ethics commission began looking at local ticket policies after helping prosecutors investigate allegations that Miami Beach administrators withheld a \$15

million reimbursement grant from the New World Symphony in an attempt to demand tickets to its new Frank Gehry-designed headquarters in South Beach.

The joint public corruption probe ended without charges being filed.

But Chief Assistant State Attorney Jose J. Arrojo wrote that it was possible Miami Beach's city manager and top deputy violated a county law prohibiting public officials from "soliciting or demanding any gift" by requesting symphony tickets for themselves and others as part of a public benefits package linked to the city's investment in the construction of the New World Center.

He wrote that Miami Beach's longstanding policy of negotiating tickets from companies that run city facilities or venues that receive city dollars would make a criminal case difficult to prove.

Both the Miami Beach city manager and his deputy have denied any wrongdoing.

Mayor Matti Herrera Bower said any suggestion that city politicians are hoarding tickets for themselves or to woo supporters is off-base.

"These people have no clue what they're talking about, I'm sorry to tell you," Bower said. "They're just angry because, well maybe not angry, but they're just wrong."

In light of the circumstances surrounding Miami Beach officials and the symphony, and frequent and similar complaints from other jurisdictions, the ethics commission agreed there should be guidance on how local governments receive and distribute event tickets, according to Joseph Centorino, executive director of the ethics commission.

"The problem we saw is there really weren't clear-cut guidelines out there," said Centorino, who is also the former head of the Miami-Dade State Attorney's public corruption unit and oversaw the investigation into whether Miami Beach officials tried to extort the symphony.

Centorino and his staff reviewed ticket policies throughout the county. But the ethics report narrows in on Miami, Miami Beach and Homestead, where officials receive tickets to such star-laden events like the Sony Ericsson tournament, NASCAR races and the South Beach Wine and Food Festival.

In Miami, commissioners and the city manager routinely receive tickets to events at the James L. Knight Center, Bayfront Park and even the Sony Ericsson tennis tournament, which is held on Key Biscayne.

According to the report, Miami's mayor, city manager and five commissioners each receive two tickets to all 22 tennis tournament sessions, as well as a parking space, in exchange for a deal with Miami-Dade County to use the Miami Marine Stadium parking lot on Virginia Key.

"One elected official in the city advised that he gives the tickets away to 'friends ... and other 'important people,'" the report states. "Thus, we see another example of elected officials using the so-called 'public benefits' in a manner that inures to their personal or political benefit."

The report does not name the Miami official.

The report also focuses on free tickets to the Homestead-Miami Speedway — where the NASCAR championships are held — and La Ley Sports Complex at the city of Homestead. Lease agreements for the two facilities guarantee that the city receives designated skyboxes and dozens of skybox and general admission tickets per event, plus free parking passes at the sports complex.

Those tickets, according to once city official, are routinely distributed to Homestead officials.

Mayor Steve Bateman and Vice Mayor Jon Burgess did not respond to calls seeking comment.

A city of Homestead spokeswoman said officials have yet to receive any complimentary passes to the newly-reopened La Ley Sports Complex, which only lists upcoming fitness boot camps on its website.

Miami Beach's ticket policy, inked by a vote in the early 1990s, calls for tickets to go to the mayor, all six commissioners, the city manager, assistant city manager, city attorney and chief deputy city attorney, and for the establishment of a committee to distribute passes to disadvantaged members of the public unable to afford to attend events at city facilities.

From January through March of last year, the city received 1,300 complimentary tickets worth more than \$64,000. That included 91 tickets worth almost \$10,000 to expensive parties with Food Network celebrities during four days of the South Beach Wine & Food Festival and Miami Wine & Spirits Expo, both of which return to the city this week.

The ethics report concludes that Miami Beach has ignored its own ticket policy because it never created a distribution committee and few "individuals who may not have the financial ability to purchase tickets for cultural events end up benefitting from these free tickets."

And even when tickets are handed out to the public, the report suggests that recipients are made "well aware of which commissioner's beneficence is responsible for the free tickets" and that "this practice is likely to lead to political pandering, including the currying of favor with blocs of potential voters."

Bower said she and other officials routinely distribute the tickets they receive to nonprofit organizations or to affordable housing facilities such as Rebecca Towers, a South Beach public housing complex for senior citizens. And she and others note the Florida Commission on Ethics condoned officials receiving tickets as long as they properly disclosed them as gifts.

Bower said she has no problem with a new policy regulating tickets for the public benefit, but said the ethics commission is only tackling the issue because it became political.

"If it's so bad and it's been going on for 20 years, where were they that now when somebody complains they find this out? That, to me, is more of a concern," she said. "They could have figured it out before it became a political football."

Miami Commissioner Marc Sarnoff said he hasn't been to the Sony Ericsson tournament in years and agrees with the ethics commission that elected officials should not "give to the friends and family plan." He said tickets that flow into his office are sent out to nonprofits such as Coconut Grove Cares.

But Sarnoff took exception to a portion of the ethics commission report that says elected officials should be replaced by an independent committee because the doling out of tickets can be a means by which politicians preserve support and curry favor.

"Somebody could say, 'Well you're currying favor with disadvantaged kids.' So be it," he said.

Centorino said even if the ethics commission adopts a ticket policy, municipalities aren't necessarily required to pass their own versions. But elected officials could still face penalties if investigators find they violated the ethics commission's rules.

Said Centorino: "We're putting people on notice."

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