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**Commission on Ethics &  
Public Trust  
Miami-Dade County**

# Memorandum

To: Michael Murawski, Advocate  
Office of the Independent Advocate

Date: October 20, 2010

Cc: Miriam Ramos, Assistant Advocate  
Office of the Independent Advocate

From: Kennedy Rosario, Investigator OIA

Re: K10-140

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The September 8-21, 2010 edition of CommunityNewspapers.com published an article under the byline 'Property Tax Alert', authored by current City of Miami Beach Commissioner Michael Gongora. The byline specifically mentions that the article is written by "Commissioner Michael Gongora".

In the article, Gongora, explains the "Notice of Proposed Property Taxes" letter that Miami-Dade County property owners receive annually from the County's Property Appraiser's Office. The article explains the criteria / methodology a property owner may use to dispute their property's appraised/assessed value by filing a petition with the County's Value Adjustment Board.

At the end of the article, Gongora, an attorney with the law firm of Becker & Poliakoff , wrote "my law Firm is well versed in handling these types of claims" and lists his Becker & Poliakoff telephone number as a point of contact in the article.

At first blush, this article appears to violate the County's Conflict of Interest Ordinance. By utilizing his official position as a current Miami Beach Commissioner to solicit business for his private law firm , Gongora runs afoul of the ethics code.

The Commission on Ethics (COE) conducted an investigation into this seemingly obvious violation of the code

COE investigators spoke with the City of Miami Beach Manager, the Miami Beach Chamber of Commerce (the Chamber), Community Newspaper publisher, and Commissioner Gongora. It was determined that the article was solicited by the Chamber of Commerce .

The Chamber of Commerce is tasked by the publisher with editing and content of the article. .

The Chamber blamed an inexperienced clerk who forwarded the article to the publisher .

Gongora, as well as other City Commissioners and the City Manager are routinely asked to contribute articles by the Chamber concerning issues of local interest .

On these "informational" issues, Commissioners are identified by their official titles.

Communitynewspapers.com, according to the City Manager, is not a Miami Beach vendor nor does the City utilize the service for City advertisement.

It is recommended that a letter of instruction be issued to all parties involved, especially the Miami Beach Chamber of Commerce, that more care must be taken in ensuring that articles written by municipal officials be free of any perceived or actual violation of the Miami-Dade County Conflict of Interest Ordinance and specifically that Commissioners may not use their official titles to boast their private business concerns.

Therefore this investigation should be closed.