



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigators: Manuel W. Diaz

Case No. K13-156	Case Name: Paola Iuspa-Abbot, Lobbyist	<u>Date Open:</u>	
Complainant(s): Jane Dade	Subject(s): Paola Iuspa-Abbot	Dec. 2, 2013	

Allegation(s):

Jane Dade (Dade) sent an e-mail to the COE. In the e-mail she complained that Paola Iuspa-Abbot (Iuspa-Abbot), the Director of Media Relations for Schwartz Media (Schwartz Media), 1101 Brickell Avenue, Suite 1402-N, Miami, Florida 33131, lobbied Miami-Dade County Commissioners and Miami-Dade County staff without registering as a lobbyist.

To support the complaint, Dade alleged that Iuspa-Abbot, as a publicist for Schwartz Media, sent e-mails to the Commissioners and to the staff, on behalf of CH2M Hill, a prospective Miami-Dade vendor. The e-mails, according to Dade, were sent in an effort to influence the Commissioners and the staff to select CH2M Hill as a vendor for a Miami-Dade County sewer project.

Relevant Ordinances:

Miami Dade County Conflict of Interest and Code of Ethics Ordinance
Sec 2-11.1

“(s)(1)(b) As used in this section, “Lobbyist” means all persons, firms, or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the County Commission; (2) any action, decision, recommendation of the County Manager or any County board or committee; or (3) any action, decision or recommendation of County personnel during the time period of the entire decision-making process on such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission, or a County board or committee. “Lobbyist” specifically includes the principal, as well as any employee whose normal scope of employment includes lobbying activities.”

“(s)(2) All lobbyists shall register with the Clerk of the Board of County Commissioners within three (3) business days of being retained as a lobbyist or before engaging in any lobbying activities, whichever shall come first.”

Investigation:

Interviews

Paola Iuspa-Abbott, Schwartz Media – Director of Media Relations

Iuspa-Abbott was interviewed via telephone.

Iuspa-Abbot explained that Swartz Media was hired by CH2M Hill through lobbyist Albert Dotson, Jr. (Dotson). Esq., Bilzin Sumberg, 1450 Brickell Ave, 23rd Floor, Miami, Florida 33131. Schwartz Media was retained to research for favorable articles concerning CH2M Hill and forward those articles to Miami-Dade elected officials and Miami-Dade staff members. The article, *When CH2M Hill Wins, Minorities Win*, was an article found on-line (South Florida Times). She acknowledged that she forwarded the article to Miami-Dade elected officials and Miami-Dade staff members.

She advised that part of her responsibilities is to gather published information concerning clients and forward the information to decision makers. In this case, Miami-Dade elected officials and Miami-Dade staff members.

She said that she attended a meeting with Dotson where the strategy was discussed and he advised that such mailings were not in violation of any County regulations.

Robert G. Beatty (Beatty), Esq., South Florida Times - Publisher

Beatty was contacted via telephone.

He confirmed that the South Florida Times published the article, *When CH2M Hill Wins, Minorities Win*, in its digital edition on November 15, 2013. Beatty described the article as a “contribution piece,” which was written by Bill Diggs, the former Chair of the Miami Chamber of Commerce. Beatty advised that Diggs had made other contributions to the South Florida Times.

Beatty advised that the South Florida Times had no contractual agreements with Schwartz Media. He confirmed that the article was not a paid advertisement.

Ted Schwartz (Schwartz), Schwartz Media, Inc. 1101 Brickell Avenue, North Tower #1402, Miami, Florida 33131 – President

Schwartz was contacted via telephone. He was advised of the Iuspa-Abbot complaint.

Schwartz confirmed that Schwartz Media had been employed by CH2M Hill to promote itself and also to inform Miami-Dade County elected officials and Miami-Dade County staff concerning the company. Schwartz confirmed that part of the company’s strategy was to send positive articles concerning CH2M Hill to Miami-Dade County decision makers.

Documents reviewed.

Article: *When CH2M Hill Wins, Minorities Win* By Bill Diggs

(Copy in file)

Copies two e-mails – Both sent by Iuspa-Abbot to the County Mayor’s office on November 15, 2013. Both were obtained through the Miami-Dade Information Technology Division.

E-mail (1) contained a copy of the article. The e-mail contained no editorial comments by the sender, nor did the email contain any other comments encouraging the Mayor to make any decision concerning CH2M Hill.

E-mail (2) was contained a copy of the article. The e-mail is prefaced with the following statement,

News from CH2M HILL

CH2M HILL calls upon Miami-Dade County to move forward with wastewater infrastructure negotiations.

Miami-Dade County – Lobbyist Registration Log (Online)

Dotson registered on 9/20/13 for the following,

Water ramp; Sewer Department ISD Project #-E13-WASD-OIR and other CH2M Hill related matters.

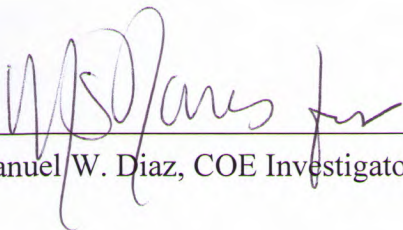
Conclusion:

After discussion and review with the COE Advocate he advised that this issue appears to be an issue of first impression. Some previous cases have presented similar issues but it would be best to have Schwartz Media request an opinion about the behavior.

After discussion with Schwartz, he requested the following from the COE,

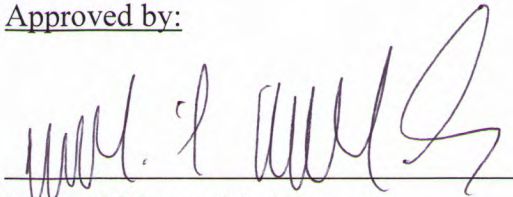
“We (Schwartz Media) would like to request the following opinion from the Ethics Commission: Whether a media relations firm may send publicly reported news stories or clippings to the Mayor, Board of County Commissioners and other staff--provided that the publicly reported news stories or clippings have not been altered nor any editorial comments added to those stories or clippings—without being considered to be lobbying.”

The request for opinion will be responded to by the COE Executive Director and made a part of the investigative file.

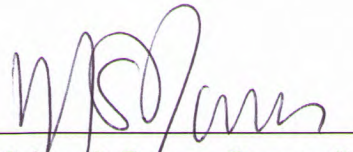


Manuel W. Diaz, COE Investigator

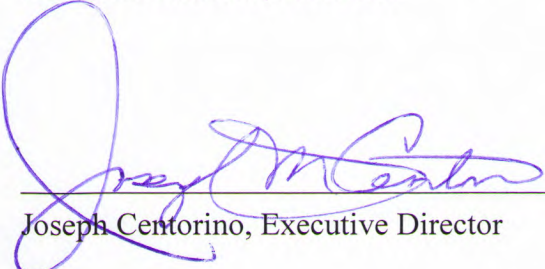
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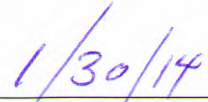
Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director



Date Closed