OFFICE OF THE INDEPENDENT ADVOCATE
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
REPORT OF INVESTIGATION

K #: 07-128 Joe Geller

Date Opened: 10/10/2007   Date Closed: 11/14/2007

Name of investigator: Arthur D. Skinner
....

Allegation:

This investigation was predicated upon the receipt of information from the State Attorney Office that North Bay Village Mayor Joseph Geller may have a voting conflict of Interest with the Related Group Project in North Bay Village. It was alleged that Mayor Geller is a lobbyist for the Related Group.

Section 2-11.1of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. (d) *Further prohibition on transacting business with the County.* No person included in the terms defined in Subsections (b)(1) through (6) and in Subsection (b)(9) shall enter into any contract or transact any business through a firm, corporation, partnership or business entity in which he or any member of his immediate family has a controlling financial interest, direct or indirect, with Miami-Dade County or any person or agency acting for Miami-Dade County, and any such contract, agreement or business engagement entered in violation of this Subsection shall render the transaction voidable. The remaining provisions of Subsection (c) will also be applicable to this Subsection as though incorporated herein by recitation. Additionally, no person included in the term defined in Subsection (b)(1) shall vote on or participate in any way in any matter presented to the Board of County Commissioners if said person has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the Board of County Commissioners: (i) officer, director, partner, of counsel, consultant, employee,

fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor, or creditor, if in any instance the transaction or matter would affect the person defined in Subsection (b)(1) in a manner distinct from the manner in which it would affect the public generally. Any person included in the term defined in Subsection (b)(1) who has any of the above relationships or who would or might, directly or indirectly, profit or be enhanced by the action of the Board of County Commissioners shall absent himself or herself from the commission meeting during the discussion of the subject item and shall not vote on or participate in any way in said matter.

(v) *Voting Conflicts: Members of Advisory and Quasi-Judicial Boards.* No person included in the terms defined in Subsections (b)(3) (quasi-judicial personnel) and (b)(4) (advisory personnel) shall vote on any matter presented to an advisory board or quasi-judicial board on which the person sits if the board member will be directly affected by the action of the board on which the member serves, and the board member has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor or creditor.

Investigation:

On October 24, 2007, the City Clerk of North Bay village stated that there was no record of any development projects in North Bay Village by the Related Group.

On November 14, 2007, Mayor Joseph Geller was interviewed by telephone. Mayor Geller stated that he was not a lobbyist for the Related Group, however he did represent a company who is a partner with the Related Group. Neither company has any projects in North Bay Village. Mayor Geller stated he has never represented the Related Group in any matter.

A review of Miami Dade County Lobbyist Registration records revealed that Mayor Geller was registered as a Lobbyist for four principal's and five projects. None of these were the Related Group.

CONCLUSION:

The investigation did not reveal any evidence that Mayor Geller had the Related Group for a client nor did he represent the Related Group in any matter that would come before the North Bay Village City Council.