

# COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

K #:11-115

Date Opened: August 24, 2011

Date Closed: November 14, 2011

Name of investigator: Kennedy Rosario

---

### **Allegation:**

On August 23, 2011, the COE received an electronic communication from an individual who indicated he/she, "would like to submit a formal anonymous Ethics Complaint for violation of lobbying registration laws." The complainant wrote, "... the Mayor did not conduct the legally required review to determine whether [Brian] May and others were registered".

The complainant's e-mail went on to state that "[o]n or about Tuesday, August 16, 2011, Lobbyist Brian May, accompanied by certain individuals (also not registered to lobby) met and lobbied Mayor Carlos A. Gimenez on behalf of the Las Vegas Sands Corporation...."

The complainant alleged that the meeting in question had a "successful objective of getting the Mayor to support casinos in Miami-Dade....and to secure County infrastructure funding for their development."



### **Investigation:**

The COE requested and received the "Office of the Mayor Sign-In Log" sheets and the Mayor's calendar for the period August 8-22, 2011, from the Mayor's staff. A review of said documents revealed that on the date in question, Brian May (May), Nicolas Iarossi, Jr. (Iarossi) and Andrew Abboud (Abboud) met with Mayor Gimenez.

A search of the Clerk of the Court database, followed by a direct inquiry, revealed that none of the above named individuals were registered as lobbyist representing the Las Vegas Sands Corporation.

On October 17, 2011, COE Investigators Breno Penichet and Kennedy Rosario met with Mayor Gimenez, Assistant Chief of Staff Alex Ferro (Ferro) and Director of Policy and Legislative Affairs Inson Kim (Kim). Mayor Gimenez was advised of the nature of the complainant. Mayor Gimenez acknowledged that the named individuals presented their Las Vegas Sands project to build an integrated destination resort in Miami-Dade County, more specifically in a six square block area/property east of the old arena. The project would be contingent on favorable gaming legislation emanating from the Florida Legislature. Kim supplied the COE her hand-written notes of the meeting. The lobbying ordinance was also discussed, specifically including the subsection that states ....any all County personnel, shall be diligent to ascertain whether persons required to register pursuant to this Subsection have complied....County personnel may not knowingly permit a person who is not registered...to lobby.

On October 20, 2011, Investigators Penichet and Rosario met with May. May acknowledged the above named meeting and its content, also advising that other meetings had been held with members of the Florida Legislature as well as with City of Miami Commissioner Marc Sarnoff. The issue of who must register to lobby County/ Municipal personnel was discussed. It was May's contention, based on Lobbying seminars he had attended, that these meetings did not constitute lobbying. However,

he agreed to register with the County Clerk and also agreed to ensure Abboud and Iarossi's compliance.

Registration documents for all three individuals were forwarded to the COE.

On October 28, 2011, the COE conducted a training seminar for the Mayor's staff, including, as a primary topic, the provisions of the lobbying ordinance. A list of those in attendance at the training session has been made a part of this investigative file.

**CONCLUSION:**

Since no formal complaint was filed in this matter and compliance with the lobbyist registration requirement was achieved, the instant case is closed without further action.