

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

K #: 11-083

Date Opened: 6/7/11

Date Closed: 9/19/11

Name of Investigators: Manuel W. Diaz, Kennedy Rosario

Allegation:

The COE received information from a source that wished to remain anonymous, that Ron Book (Book), Robert Holland (Holland) and Bertica Cabrera-Morris (Cabrera-Morris) had lobbied without registering on behalf of Signature Flight Services Company (SFSC), a company that won a contract at Miami International Airport.

Applicable Legislation:

(s) Lobbying.

(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.

(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.

Lynda Bell, Miami-Dade County Commissioner.

At the January 20th BCC meeting, Lynda Bell (Bell) spoke to pull the award item, because of an apparent procedural error.

Bell was interviewed on June 20, 2011, at her South Dade Office.

Bell was advised as to the scope of the investigation. She advised that neither she nor any of her staff members had been approached by Book or by Holland to discuss the award of the contract to SFSC. She recalled seeing Book in the audience during the meeting of June 7, 2011. She does not know Holland. She advised that she spoke to one lobbyist Cabrera-Morris after the BCC meeting.

Dennis Moss, Miami-Dade County Commissioner

Dennis Moss (Moss) was interviewed by investigators on June 27, 2011. He advised that he never spoke to Book concerning the FBO item. He did, however, speak to Holland concerning SFSC and the FBO item. Moss was not sure of the exact date of conversation. Moss was also contacted by a female lobbyist but did not recall the name; it was possibly Cabrera-Morris.

Jose Abreu, Director, MIA

Jose Abreu (Abreu) was interviewed via telephone on July 7, 2011. Abreu advised that he was approached by Book one to two months prior to the June 7th BCC meeting. Book asked Abreu if it was possible to consider more than one FBO at MIA. The question was asked in a general format. Book never advised that he was representing SFCS. Holland never spoke to Abreu about the FBO issue. Abreu advised that he did speak to Cabrera-Morris. She advised that MIA has made a mistake in not selecting SFCS.

Jean Monestime, Miami-Dade County Commissioner

Jean Monestime (Monestime) was interviewed on July 11, 2011. He was advised as to of the scope of the investigation. He told investigators that he recalled meeting with three individuals on June 7, 2011, in his office, concerning award for the FBO (RFP

SFSC lobbyist, De Grandy. He advised that he would check his files and provide a copy of the lobbyist registration form.

Holland was interviewed on August 30, 2011, at the COE. Present were Miriam S. Ramos, Deputy Advocate and investigators Diaz and Rosario. During the interview, Holland acknowledged that he had been hired by SFSC as a lobbyist. He acknowledged that he had not personally registered. He believed that an employee of SFSC had completed the necessary forms to register and submitted the forms to the Miami-Dade Clerk of the Board's Office. Holland assumed responsibility for not registering, and advised that he would register.

Holland was advised that he must register within 10 days of the meeting. Holland registered with the Clerk of the Board on September 12, 2011.

Public Records:

COE investigators obtained a copy of the file on the selection process for FBO maintained by the County Attorney's Office. The file contained sign-in logs for the Public Hearings for Project No RFP MDAD-02-09 for the five vendors that submitted bid responses and made oral presentations.

The form advises the following

"The individuals named above are Registered and the Registration fee is not required for Oral Presentation Only."...

"Other than the oral presentation, proposers who wish to address the county commission, a county board or county committee concerning any action, decision or recommendation of county personnel regarding this solicitation must register with the Clerk of the Board (Form BCCFORM2DOC) and pay all applicable fees."

The following names are listed on the Lobbyist Registration Sign-in sheet, September 29, 2010, submitted for SFSC. De Grandy, Holland and others, are listed on the form as "Other Team Members".

Summary of Investigation:

1. The COE received information that Book, Holland and Cabrerra-Morris had lobbied on behalf of a company that won a bid at MIA.
2. Book is not registered as a lobbyist to represent SFSC.
3. The investigation could not identify any instance(s) where Book lobbied.
4. The investigation identified two instances where Holland lobbied.
5. As a result of the investigation, Holland registered to represent SFSC.
6. Cabrera-Morris is registered to represent SFCS.
7. De Grandy is registered to represent SFSC.
8. Acosta is registered to represent SFCS.

Conclusion:

Holland came into compliance with the registration requirement upon being notified by the COE, therefore this investigation will be close without further action.