

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

#K12-070

Date Opened: 04/11/12

Date Closed: 10/30/12

Investigator: Sylvia Batista

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On April 9, 2012, the COE received information regarding The Family Corners, Inc. (Family Corners), a non-profit corporation which employs City of North Miami Councilwoman, Marie Erlande Steril ("Steril") as its Executive Director. Sources alleged that Steril utilizes City staff and resources to conduct the work of Family Corners, which includes fundraising and collecting donated goods for the benefit of the people of Haiti.

The COE's issue relates to a violation of the Conflict of Interest and Code of Ethics Ordinance Section 2-11.1(g) *Exploitation of Official Position Prohibited*.

### **Investigation:**

Research on Family Corners revealed that the Florida non-profit corporation was established on 09/19/05. Steril is listed as the registered agent of the company. The Board of Directors consists of Bernadette Pierre, Eddy Gervais, John Julien, Simone Dargenson and Berman Fleurena.

A review of Steril's statements of financial interests (Form 1) reflect that she listed the City and Family Corners as her primary sources of income in 2007, 2008, 2009 and 2011. The 2009 Form 1 listed Family Corners as a secondary source of income. In Steril's 2010 Form 1, Family Corners is listed as a primary source of income, but is later crossed out and initialed.

**9/5/12 – Public records produced by the City –**

The COE received copies of e-mails and other documentation from the City in connection with Family Corners. The records reflect that City staff assisted Steril in her Family Corners fundraising efforts from 2010 through the present. Specifically, Stephanie Thomas (Thomas) and Natasha Colebrook-Williams (Colebrook-Williams), who comprise the staff of the Mayor and Council Office, assisted Steril in organizing fundraising events on behalf of Family Corners.

The first event was "Family Corners 4<sup>th</sup> Annual Fundraising" event held on 5/8/10 at the Museum of Contemporary Art (MOCA). Tickets to attend the event were offered at \$100 per person. The form letter that was delivered to sponsors informed that part of the proceeds of the fundraising will benefit the Annual Mobile Clinic in Haiti. E-mails reflect that Thomas and Colebrook-Williams assisted Steril in organizing this event.

A second Family Corners fundraising event was held on 07/20/11 at MOCA. An e-mail reflects that Thomas assisted in organizing this event. Tickets to this event were offered at \$100 per person. Again, the form letter to sponsors advised that part of the contributions would go to the Annual Mobile Clinic in Haiti.

Finally, records reflect that letters went out to potential sponsors inviting them to sponsor Family Corners and the City's Haiti Seventh Annual Mobile Clinic, which was

scheduled to take place from July 20-22, 2012 in Cabaret, Haiti. Both Thomas and Colebrook-Williams were involved in efforts to collect money and medical supplies for the annual mobile clinic in Haiti. Colebrook-Williams communicated multiple times by e-mail with Marie Bracco (Bracco) of the Federal Express Marketing Department and prepared the paperwork for the in-kind shipping request of medical supplies for the mobile clinic. In an e-mail to Bracco, replying to the question of the identity of the shipper, Natasha asserted that the effort “is a partnership between the City and Family Corner.” The “LAC Community Board In-Kind Shipping Request” lists “Vice Mayor Steril, City of North Miami, Mayor & Council Office” as the shipper, and uses the Family Corner’s federal employer identification number on the Application for Consumer’s Certificate of Exemption.

**9/26/12 – Stephanie Thomas, Constituent Services, City of North Miami -**

Thomas advised that she is Constituent Services Coordinator for the City. Stephanie said that her duties include arranging appointments, travel, and serving as the liaison between constituents and the Mayor and Council Office.

Thomas was asked about the work that she has done in connection with Family Corners while working for the City. She said that she is not sure about how the joint effort between Family Corners and the City came about. Thomas said that her supervisors, Steril and the City Manager, told her that there was collaboration between the City and Family Corners to work on fundraising efforts for the benefit of the mobile clinic in Haiti. She said that she is not aware if there was something formally done to create the “partnership” between the City and Family Corners. Thomas said that Family

Corners does not have its own staff members and Family Corners does not pay her for her work. She said that she receives her salary from the City.

**9/26/12 – Natasha Colebrook-Williams, Constituent Services Coordinator –**

Colebrook-Williams was asked about the work that she has done for Family Corners while working for the City. She said that the request to do fundraising work on the project for a mobile clinic in Haiti came from Steril. Colebrook-Williams said that when she spoke to Lumane Claude, she said that it was okay to proceed. She said that, as part of the fundraising effort for Family Corners, Steril sent solicitation requests for items to be donated for the mobile clinic. Colebrook-Williams explained that Federal Express is one of the sponsors of the mobile clinic. She said that she arranged for the donated items to be delivered to Haiti by Federal Express as an in-kind contribution.

**10/30/12 – Marie Erlande Steril, Vice Mayor, City of North Miami –**

Vice Mayor Steril was asked about Family Corners and her fundraising efforts in conjunction with her City staff. Steril advised that she is the Executive Director of Family Corners. She said that she is a social worker. Steril explained that Family Corners has not paid her a salary for one year. Family Corners pays her a \$1,000 monthly stipend to reimburse her for gasoline and other expenses incurred.

Steril said that in 2010, after the earthquake in Haiti, the City put together events to raise money for Haiti. At the same time, Family Corners was doing something else to raise funds for Haiti. Steril said that she decided to combine the two which resulted in the present arrangement.

Steril explained that others on the council have engaged in fundraising without prior council approval. Councilman Scott Galvin is doing a fundraiser with the JCs.

Former Mayor Burns did a mobile clinic in Haiti under his leadership. Steril said that presently everyone on the council is partnering with a non-profit, although they are not employed by the non-profit. She advised that by partnering with the City, she is not the social worker in a little office, but rather she is now in a bigger place and can get more done due to increased access.

Steril said that she understood the importance of perception and will bring the matter for a resolution.

**Conclusion:**

The May 2010 and July 2011 Family Corners' annual fundraisers were reported to be the biggest fundraiser events that it puts on each year. Steril admitted that she receives one thousand dollars (\$1000.00) a month as a "stipend" from Family Corners.

Regardless of what Steril calls the \$1000 monthly payment, it is clearly income to her. Steril relies almost entirely on the fundraiser to raise money for her non-profit agency.

While the fundraisers, in part, purportedly also served the charitable function of raising money for the Mobile Clinic for Haiti; this altruistic intention does not justify the entanglement of Steril's private, non-profit agency with City administration.

This investigation showed that on several occasions, Steril forwarded e-mails relating to the fund raising events to city staff and requested city staff to pass them on to other individuals. At some point, city staff simply declared the fundraiser to be a "joint effort" between the city and Family Corner. However, there was never any council approval of a "joint effort" nor was there ever any public debate or discussion of the matter.

Section 2-11.1 (g) of the Miami-Dade County Conflict of Interest and Code of Ethics ordinance entitled Exploitation of official position prohibited states that:

“No person included in the terms defined in Subsection (b)(1) through (6) and (b)(13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or others *except as may be specifically permitted or adopted or hereafter to be ordained or adopted by the [City Council].*” (emphasis added)

While Steril clearly employed city staff to assist with her private, non-profit function, the instances uncovered seemed to be of a very de minimus nature. Steril has been advised that she should discontinue any intermingling of her private, non-profit entity with city administration and staff. She was advised that, in the future, if she was contemplating any activity that possibly might entangle her non-profit agency with the city she should, at the very least, seek an opinion from the Ethics Commission.