



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator:

Case PI17-041-	Case Name: Severino	<u>Date Open:</u> November 15, 2017	<u>Date Closed:</u> CASE
Complainant(s): Anonymous	Subject(s): Stephanie Severino	CLOSED	
		Date: 1/5/18	

Allegation(s):

The COE received an unsigned letter from an anonymous complainant questioning whether Stephanie Severino, an occasional local Spanish-language radio personality, has proper authority and permission to perform that work given that her full-time job is assistant communications director for the office of Miami-Dade County Mayor Carlos Gimenez (Gimenez). The correspondence specifically questioned whether Severino filed an Outside Employment declaration.

Relevant Ordinances:

Sec. 2-11.1 (k) (2) Conflict of Interest and Code of Ethics Ordinance: *All full-time County [...] employees engaged in any outside employment for any person firm, corporation or entity other than Miami-Dade County [...] shall file under, under oath, an annual report indicating the source of the outside employment, the nature of the work pursuant to same and any amount or types of money or other consideration received by the employee from said outside employment. Said County employee's reports shall be filed with the Supervisor of Elections no later than 12:00 noon on July 1 of each year [...]*

Sec. 2-11.1(k)(1) Conflict of Interest and Code of Ethics Ordinance: *No person included in the terms defined in Subsections (b)(5) [departmental personnel] and (6) [employees] shall receive any compensation for his or her services as an officer or employee of the County, from any source other than the County, except as may be permitted by Section 2-11 of this Code of Ordinances.*

Sec. 2-11(c) Miami-Dade County Code: ***Approval of department head required.*** *Any outside employment by any full-time County employee must be approved in writing by the employee's department head who shall maintain a complete record of such employment.*

Investigation

Interviews

November 28, 2017

The undersigned investigator met with **Stephanie Severino** regarding the anonymous letter that led to the opening of this case.

Severino stated that she is the Assistant Director of Communications on Mayor Gimenez's staff. She started as a speechwriter who also did media relations. Now the main focus of her work is writing press releases regarding such items as county news and events.

Severino said she makes regular appearances on several local media outlets, all in Spanish. Among them are radio stations 1040 AM (Actualidad 1040 AM), 1260 AM (Radio Caracol) in addition to 107.1 FM (Exitos 107.1 FM); and television stations Univision Channel 23, America TeVe Channel 41 and a DirecTV channel, El Venezolano, whose audience is mostly in Venezuela.

Severino appears regularly on Exitos 107.1 on Thursday mornings. She said she had been doing the gig on an unpaid basis for about a year until August, when the station began paying her for her appearances. [In a telephone conversation on December 4, 2017, and in subsequent e-mails, Severino clarified that from March 1, 2017 through November 30, 2017, she appeared Monday to Friday on Exitos 107.1 from 6-10 a.m., and was paid for her appearances during this stretch, although she asserts she did not actually receive money until August. She said the hours proved too strenuous given her full-time job and responsibilities as a mother, and so she will scale back to short, unpaid appearances as before.]

Severino provided a copy of her Outside Employment Permission Request, dated February 15, 2017, from her immediate supervisor, Michael A. Hernandez.

Severino said she didn't believe she needed to file a financial disclosure form until she began being paid in August. Severino was advised that she needs to file a disclosure on or before July 1, 2018 for the money she was paid during 2017.

END SEVERINO

The investigator met with **Michael Hernandez**, Director of Communications, Mayor Gimenez's staff, in person at Starbuck's, December 20, 2017.

Hernandez affirmed that the County Mayor was aware of Severino's role during the time she was engaged in Outside Employment with Exitos 107.1, although Hernandez insisted that his authorization as Severino's supervisor, and not the mayor's, was all she needed to be approved for the work. Hernandez also affirmed that Severino's role during her six-month, 20-hours-per-week stint with Exitos 107.1, was primarily as a co-host and broadcast board operator, and not as a spokesperson for the Mayor's office. As a co-host, Severino engaged primarily in non-County government talk, such as celebrity news and interviews, social gossip.

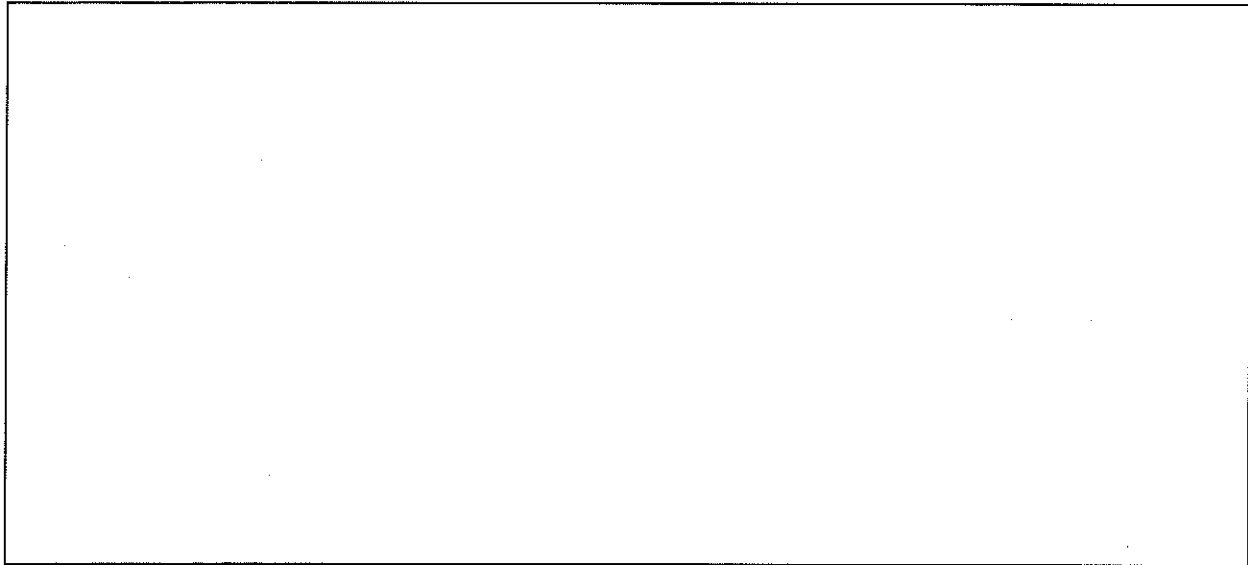
Hernandez stated that all of the employees of his office can be called upon to work odd and extended hours, and frequently do, such that Severino's radio station hours during that time, 6 to 10 a.m., would not have prevented her from working at least 40 hours at her County job.
END HERNANDEZ

A COE investigator contacted Severino who advised that the three regular radio gigs are scheduled on Thursdays as follows:

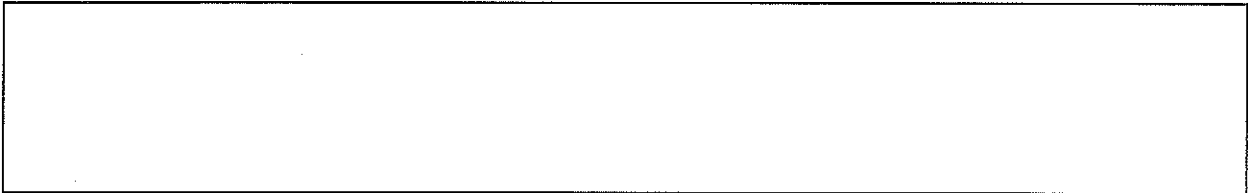
- Exitos 107.1 FM at 8 a.m. (in studio; two segments of 4 minutes each)
- Radio Caracol 1260 AM at 10 a.m. (by telephone)
- Actualidad 1040 AM at 11:20 am (by telephone)

Severino described her on-air role this way: "I share with listeners current news and events related to County government. I also answer questions when the lines are opened for listeners to share with me their concerns and when needed, I follow up with them to make sure their issue was resolved."

Severino also makes appearances on the above-noted television stations, but not on a regularly scheduled basis.



Document/Audio/Video Review:



Conclusion

After discussion with the COE Advocate it was determined that Ms. Severino is not in violation of Section 2-11.1(k)(2) of the County Ethics Code since she has until July 2018 to file her disclosure for her outside employment. Although Section 2-11 of the County Code, requiring permission from a department director for a County employee to engage in outside employment, is not within the purview of the Ethics Commission, Ms. Severino had permission from her supervisor, who also informed that the Mayor was aware and approved of such employment.

It should be noted, however, that the closeness of the activity for which she was compensated privately to that for which she was engaged in on behalf of the County, as well as the possible overlap of her private outside employment activity with her public duties concerning discussion topics, could have raised some ethical concerns under Section 2-11.1(k)(1). However, it is not feasible at this point to determine the extent of any overlap, if any occurred, particularly where this activity concluded in November.

This activity also raises problematic appearance issues insofar as regular appearances on radio programs carried by local stations by a member of the mayor's staff, while that member is also involved in paid presentations outside of her County duties on one of those stations, could lead to confusion among members of the public regarding whether a particular presentation is being

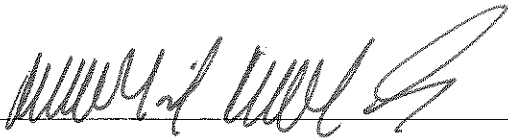
made on behalf of the County, when it is actually not.

Based on the foregoing, it would be advisable for Ms. Severino to seek an ethics opinion from this agency in connection with any proposed future outside employment of this type.

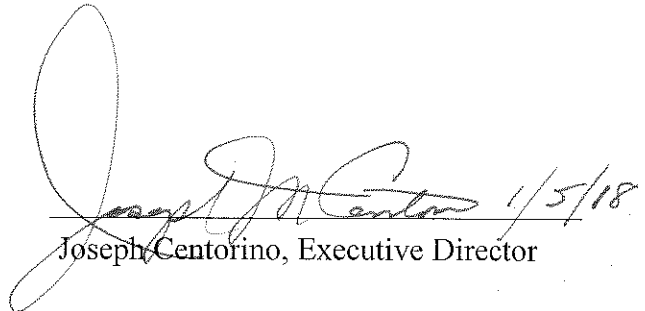
This matter should be closed at this time with no further action.



Robert Steinback, COE Investigator



Michael Murawski, Advocate



Joseph Centorino, Executive Director