



**CASE CLOSED**  
Date: 9/6/2018

Miami-Dade Commission on Ethics & Public Trust

Report of Inquiry

**Investigator:** Sylvia Batista

<b>Case:</b> PI 18-034	<b>Case Name:</b>	<b><u>Date Open:</u></b>	<b><u>Date Closed:</u></b>
<b>Complainant(s):</b> Abby Diaz, Miami-Dade County Dept. of Regulatory & Economic Resources (RER),	<b>Subject(s):</b> Members of the Dr. Antonio Jorge Social and Economic Development Council (SEDC).	07/10/18	

**Allegation(s):**

On 07/10/18 Abby Diaz, Planning Technician of the County's Department of Regulatory and Economic Resources (Diaz) provided information to the COE regarding e-mail communications between members of the Dr. Antonio Jorge Social and Economic Development Council (SEDC). The alleged communications were related to topics that the SEDC was going to discuss and vote on at an upcoming meeting.

Diaz said that she was asked to help out with two boards, the SEDC was one of them. She found that members of the SEDC were frequently in violation of the Sunshine Law. Diaz advised that she had several e-mails between members of the SEDC that violated the Sunshine Law, however, she ultimately produced only one e-mail. Diaz advised that her colleague, Robert Hesler, has more e-mails between SEDC members in which they discuss items that are coming up before them.

Diaz also alleged that at the SEDC meeting held on 07/27/18, Robert Shwarzreich, an SEDC member, told her that he and the SEDC Chair, Raul Moncarz, had worked for weeks on an item that was discussed at the meeting and voted on.

While the COE has no jurisdiction over the Sunshine Law, an investigation was initiated intending to refer the matter to the SAO should evidence of a violation be uncovered.

**Relevant Law:**

Florida Statutes, Section 286.011.

**Investigation:**

***E-mails, Document and Audio Review:***

- Information regarding SEDC located on the County's website. The selection explains that SEDC makes suggestions and recommendation to the Board of County Commissioners as to the appropriate short and long-term policies and measures to reactivate the County's economy with special attention to the needs of low income members of the population in an effort to reduce socio-economic disparities.

The SEDC meets every fourth Friday of the month at 2 p.m. on the 6<sup>th</sup> Floor of the Stephen P. Clark Center.

- **SEDC mission statement:** To improve the quality of life of all residents of Miami-Dade County by providing the County Commission and Mayor with timely, objective, transparent and thoughtful advice on significant social and economic issues. The Council aims to pursue a balanced perspective among economic development, social justice, and environmental sustainability, both in the short and long term.
- June 13, 2018 e-mail from SEDC member Pedro Pellet (Pellet) to Diaz and Robert Hesler of RER and to SEDC Chair, Raul Moncarz. In his e-mail, Pellet provides what he describes as "relevant and indirect information related to the concept of happiness" as his contribution before departing to Casablanca. The concept of happiness was set for discussion and official action at the 06/22/18 SEDC meeting.
- A review of the selection from the audio recording of the 06/22/18 meeting was provided by Diaz. SEDC member Kristina Raattama discusses the proposed conceptual indicators for the Miami-Dade County Scorecard project. Raattama suggested that they should form three (3) groups from the councilmembers in attendance, and each group will discuss one of the indicators. The three categories of indicators are *prosperity*, *sustainability*, and *happiness*.

*Prosperity* – what are the things that an individual would say they need in order to make them prosper? This would include high school graduation rate, the work being done by the Children's Trust, home conditions, cost of living. It would be from an individual's perspective.

*Sustainability* – this involves the overall community. What are the things that reflect a high functioning economy? What is the quality of the local economy? Is the economy strong and high functioning?

*Happiness* – this ties into the perspective of the individual. What are the types of categories that are relevant for folks to be happy?



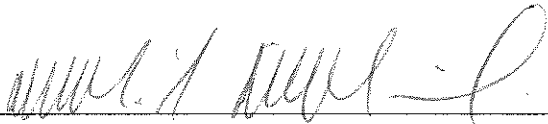
**Conclusion:**

In view of the information provided in this investigation, it appears that there is insufficient evidence to show a violation of the Sunshine Law. For that reason, no further action will be taken by the COE on this matter.

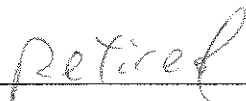
(Signature)

  
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Sylvia Batista, COE Investigator

Approved by:

  
\_\_\_\_\_  
Michael Murawski, Advocate 9/5/18

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Miriam S. Ramos, Deputy General Counsel

  
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Joseph Centorino, Executive Director