



**Miami-Dade Commission on Ethics & Public Trust**  
**Report of Inquiry**

**Investigators:** Sylvia Batista

<b>Case:</b> PI18-055	<b>Case Name:</b> Alexander Tachmes, Esq.	<b>Date Opened:</b>	
<b>Complainant(s):</b> Anonymous,	<b>Subject(s):</b> Lobbyist registration on Surfside Town Center Project.	11/01/18	<b>CASE CLOSED</b>

**Allegation(s):**

Date: 12/4/18

A citizen of Surfside called with complaints about an issue in the Town concerning the possible public/private development of the City Hall and related properties. An inquiry was initiated by the COE to determine whether attorney Alexander Tachmes (Tachmes) registered to lobby on behalf of Surfside Pointe, LLC on the Surfside Town Center Project (the Project). On 10/30/18 Tachmes wrote a letter to the Mayor and Commissioners of the Town of Surfside expressing disappointment over a rumor that a resolution to terminate the Project will be proposed by a Town Commissioner at the upcoming 11/13/18 commission meeting.

In his letter, Tachmes outlines the numerous clear indications from the Town Commission and others of their support for the Project. Furthermore, Tachmes said that they began having discussions with the Town Commissioners and the Town Manager regarding the possibility of making an unsolicited proposal for the Project approximately one year ago.

The COE initiated an inquiry to determine whether Tachmes was registered to lobby the Town of Surfside in connection with the Project.

**Relevant Laws:**

The Conflict of Interest and Code of Ethics Ordinance:

Sec. 2-11.1(s)(1)(b):

As used in this section, "Lobbyist" means all persons, firms, or corporation employed or retained by a principal who seek to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the County/Municipal Commission; (2) any action, decision, recommendation of the County/Municipal Manager or any County/Municipal board or committee; or (3) any action, decision or recommendation of County/Municipal 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/Municipal Commission, or a County/Municipal board or committee. "Lobbyist" specifically includes the principal, as well as any employee whose normal scope of employment includes lobbying activities.

Sec. 2-11.1 (s)(2):

All lobbyists shall register with the Clerk of the Board of County Commissioners or Municipal Clerk within three (3) business days of being retained as a lobbyist or before engaging in any lobbying activities, whichever shall come first.

Sec. 2-11.1 (s)(2)(c):

Prior to conducting any lobbying, all principals must file a form with the Clerk of the Board of County Commissioners or Municipal Clerk, signed by the principal or the principal's representative, stating that the lobbyist is authorized to represent the principal. The principal and the lobbyist must also submit a joint affidavit stating that the principal has not offered, and the lobbyist has not agreed to accept any contingency or success fees as defined in subsection (s)(7).

**Investigation:**

***Tachmes Lobbyist Registrations with the Town of Surfside Reviewed:***

- Tachmes' Annual Registrations for the 2017 and 2018 calendar years;
- Tachmes' Principal Registration and Fee Disclosure Form for Surfside Pointe, LLC dated 02/12/18. The subject matter is "public-private transactions."

**11/02/18 – Alexander Tachmes, Lobbyist for Surfside Pointe, LLC –**

Tachmes was contacted by this investigator regarding the status of his registration to lobby on the Project. Tachmes stated that he had registered for Surfside Pointe, LLC, which is the principal related to the Project. Tachmes explained that his registration on Surfside Pointe, LLC is for public-private transactions which includes the Project now being unexpectedly rejected by the Town Commission.

**11/02/18 - Sandra Novoa, Town Clerk -**

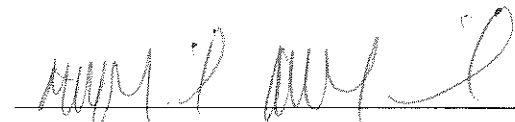
Sandra Novoa was contacted and asked whether the Town of Surfside requires a per issue registration when the principal is the same and there is more than one issue. Ms. Novoa explained that the Town code does not require a per issue registration for the same principal. However, some lobbyists do update their registrations to reflect additional matters or issues for the same principal.

**Conclusion:**

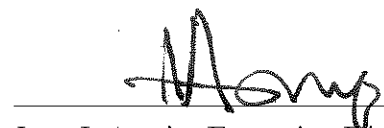
Investigation determined that Tachmes was properly registered to lobby on behalf of principal, Surfside Pointe, LLC in connection with the proposed public/private the Surfside Town Center Project. Accordingly, this matter should be closed with no further action by the COE.

  
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Sylvia Batista, COE Investigator

12/4/18  
Date

  
\_\_\_\_\_  
Michael P. Murawski, Advocate

12/4/18  
Date

  
\_\_\_\_\_  
Jose J. Arrojo, Executive Director

12/4/18  
Date