



**CASE
CLOSED**

Date: 10/2/19

Miami-Dade Commission on Ethics & Public Trust
Investigative Report

Investigator: Sylvia Batista
Complainant: Anonymous
Date Opened: 08/21/19
Date Submitted: 09/27/19

Case No. PI19-33
Subject/
Case Name: Charles Citrin,
City of Hialeah Gardens

Allegation(s):

Information received by the Miami-Dade County Office of the Inspector General (OIG) was referred to the COE for our review and assessment.

The information alleges that City of Hialeah Gardens City Attorney Charles Citrin (Citrin) is the principal of Citrin Financial and Insurance, Inc. (Citrin Financial). Citrin Financial is alleged to be a City of Hialeah Gardens vendor which provides medical and other insurance services to the City and its employees. Citrin is alleged to be consulting both as City Attorney and Insurance Agent/ Broker of record.

The COE initiated an inquiry to determine whether a violation of the Conflict of Interest and Code of Ethics Ordinance has taken place.

Relevant Laws:

The Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1-

(g) *Exploitation of official position prohibited.* 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 herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners (or municipal commission).

(n) *Actions prohibited when financial interests involved.* No person included in the terms defined in subsections (b)(1) through (6) and (b)(13) shall participate in any official action directly or indirectly affecting a business in which he or any member of his immediate family has a financial interest. A financial interest is

defined as a special financial interest, direct or indirect, as that term is used in Section 4.03 of the County's Charter; or as a financial interest as defined in Section 769 of the Restatement of the Law of Torts as an investment or something in the nature of an investment. This section shall not prohibit any official, officer, employee or person from taking official action (1) to promote tourism or downtown development or redevelopment within the subject municipality or any portion thereof, or (2) to authorize the expenditure of public funds for promoting tourism or downtown development or redevelopment, so long as no such authorized public funds are to be paid to such person or a member of his or her immediate family or any business in which he or she or any member of his or her immediate family has a financial interest.

Document Review:

- **Corporate details of Citrin Financial and Insurance, Inc.**, a Florida for-profit corporation formed in 1998:
Director: Charles A. Citrin;
RA, Officer and Director: Bart H. Chepenik;
V-P: Deborah Citrin;
Address: 3724 Pine Tree Dr., Miami Beach, FL 33140
- Agreement dated 03/21/06 between the City of Hialeah Gardens and Charles A. Citrin, Esq. as City Attorney to serve as a public officer of the City.
- Resolution 2105 approving Agreement with Charles A. Citrin, Esq. to serve as City Attorney dated 02/07/06.
- E-mail reply from City Clerk, Maria L. Joffe to the public records request from the COE. The reply states that there is no agreement between the City of Hialeah Gardens and Citrin Financial and Insurance, Inc.
- Resolution 2743 approving the Agreement for the City's health insurance between Aetna and the City of Hialeah Gardens through the City's Insurance Broker, Millennium Benefits Insurance.

09/27/19 – Charles Citrin, City Attorney for Hialeah Gardens –

Citrin was interviewed by COE in connection with the allegations.

Citrin said that he does not provide insurance services to the City of Hialeah Gardens. Citrin said he became the City Attorney in Hialeah Gardens in 2000.

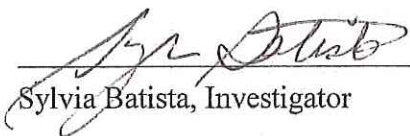
Citrin Financial and Insurance, Inc. is an insurance agent/broker. Citrin Financial sells insurance to the City of Miami Beach, Hialeah, Sweetwater and North Bay Village, but not to Hialeah Gardens. Citrin Financial sells health insurance or supplemental insurance. As an insurance broker, Citrin gets estimates on insurance coverage.

Citrin said that whenever a person comes before the City, if he knows them, he always recuses himself. He relinquishes his seat whenever there is a discussion regarding insurance by City Council. He has never spoken about his insurance business.

Citrin said that currently Hialeah Gardens contracts its insurance benefits through Millennium Benefits Insurance. Citrin added that Angel Gonzalez is the licensee for Millennium Benefits. Citrin contacted the City Clerk and asked that she provide the COE with a copy of the City Resolution ratifying the agreement for the City's health insurance with the City insurance broker, Millennium Benefits.

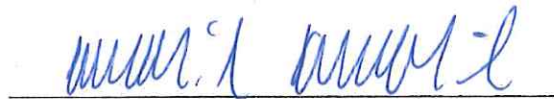
Conclusion:

After consultation with the Ethics Advocate, it was determined that the information received that Citrin was acting as both the City Attorney and as the City's insurance broker is not accurate. Accordingly, this matter is closed with no further action.



Sylvia Batista, Investigator

Date: 10/4/19



Michael Murawski, Advocate

Date: 10/2/19



Jose Arrojo, Executive Director

Date: 10/2/19