



MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Tim Will
_____ /

Complaint No. 05-03

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

Mark Blumstein ["Complainant"] filed the above-mentioned complaint against Tim Will, Mayor of the Town of Surfside ["Respondent"]. The complaint alleges violations of The Citizens' Bill of Rights, under the Home Rule Charter, specifically, Section A.2, *Truth in Government*, which provides:

No municipal official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.

According to the complaint, the Mayor made false and misleading statements by omitting facts in an official letter to the Residents of Surfside concerning the renovation of the Town's Community Center. The complaint alleges that the Respondent made six (6) statements which were false in his letter advocating his position on the Community Center project.

At its meeting on March 16, 2005, the Ethics Commission determined the complaint to be legally sufficient; however, the Ethics Commission cannot enforce or impose a

penalty upon complaints based on CBR violations because the Ethics Commission's Enabling Ordinance does not provide the authority.

Therefore it is:

ORDERED AND ADJUDGED THAT the Complaint is **DISMISSED**.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics and Public Trust in public session on March 16, 2005.

MIAMI-DADE COUNTY COMMISSION
ON ETHICS AND PUBLIC TRUST

By:



Kerry Rosenthal
Chairperson