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**MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST**

In re: BRIAN BEASLEY

C 09-29

PUBLIC REPORT AND FINAL ORDER

Marie Birts, a citizen and former City Commissioner in the City of South Miami, filed the above-referenced COMPLAINT against RESPONDENT Brian Beasley, who at the time was Vice Mayor of the City of South Miami and Vice Chair of the South Miami Community Redevelopment Agency (CRA). Mr. Beasley, in his private capacity, is a licensed real estate agent.

The facts of the COMPLAINT suggested violations of the County Ethics Code at Sec. 2-11.1 (c)(1), *Prohibition on transacting business with the [city]*; Sec. 2-11.1 (g), *Exploitation of official position prohibited*; Sec. 2-11.1 (m), *Certain appearances and payments prohibited*; Sec. 2-11.1 (o), *Prohibition on acquiring financial interests*; and Sec. 2-11.1 (u), *Prohibition on certain business transactions*. Parallel prohibitions exist in the City of South Miami Conflict of Interest and Code of Ethics Ordinance.

Specifically, the COMPLAINT alleged that during 2008, when the South Miami CRA was considering the purchase of certain property, Vice Chair Beasley's personal and professional association with the real estate agent representing the sellers, as well as related matters prior to the agent's solicitation to the CRA, may have resulted in conflicts of interest that would have barred the sale of the property to the CRA. Additionally, allegations were made that RESPONDENT may have used undue influence and insider information to encourage the CRA's purchase of the property.

Pursuant to the Code of Miami-Dade County at Sec. 2-1068, the jurisdiction of the Ethics Commission extends “to any person required to comply with the County or municipal Code of Ethics Ordinances....”

On October 28, 2009, the Ethics Commission staff found the COMPLAINT to be LEGALLY SUFFICIENT. In closed session on April 14, 2010, the Ethics Commission deliberated whether PROBABLE CAUSE existed to charge RESPONDENT with any of the aforementioned violations. The Ethics Commissioners noted that the environment of political animosity in the City of South Miami may have contributed to the filing of the COMPLAINT. Additionally, the Ethics Commission was persuaded by RESPONDENT’s defense that he had comported himself according to the advice of his city attorney, who had consulted with the Ethics Commission staff, in the matter under discussion.

On April 14, 2010, the Ethics Commission dismissed COMPLAINT C 09-29 for lack of PROBABLE CAUSE.

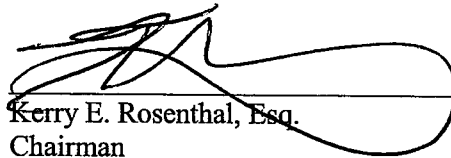
Therefore it is:

ORDERED AND ADJUDGED THAT COMPLAINT C 09-29 is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on April 14, 2010.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman

Signed on this date: 4/20/10