

CLERK OF THE BOARD

2010 MAR 15 PM 3:15

CLERK, CIRCUIT & COUNTY COURTS,
DADE COUNTY, FLA.
#1



FILE COPY

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

In re: J.P. MORGAN

C 10-05

PUBLIC REPORT AND FINAL ORDER

The ADVOCATE for the Commission on Ethics filed the above-referenced COMPLAINT against RESPONDENT J.P. Morgan alleging violations of the City of Miami Beach Lobbying Ordinance at § 2-481 et seq.

The COMPLAINT alleged that the RESPONDENT acted as an unregistered lobbyist when he colluded with Frank Pintado to send an email to City Commissioner Jerry Libbin on March 18, 2009. The email encouraged Commissioner Libbin to support an upcoming resolution to terminate the City's current parking contract. Mr. Pintado had a business relationship with a different parking company that previously held the City contract.

Pursuant to the Code of Miami-Dade County at § 2-1068, the jurisdiction of the Ethics Commission extends "to any person required to comply with the County or municipal Code of Ethics Ordinances...." The City of Miami Beach Ethics Ordinance at § 2-481 defines "lobbyists" to mean "all persons employed or retained, whether paid or not, by a principal who seeks to encourage the passage, defeat or modification of any ordinance, resolution, action or decision of any commissioner." As per § 2-482 (a) of the

City Code, "All lobbyists shall, before engaging in any lobbying activities, register with the city clerk."

On January 12, 2010, the Ethics Commission staff found the COMPLAINT to be LEGALLY SUFFICIENT. On February 25, 2010, in closed session, RESPONDENT Morgan proffered that the memo sent to Commissioner Libbin was a work product Mr. Morgan had created as a journalist and community activist. The product first appeared on Mr. Morgan's website citydebate.com. RESPONDENT Morgan further stated that he merely interviewed Mr. Pintado for this work product and represented neither the interests of Mr. Pintado nor of Mr. Pintado's parking company.

On February 25, 2010, the Ethics Commission granted RESPONDENT'S MOTION TO DISMISS for LACK OF PROBABLE CAUSE based on the information proffered.


Therefore it is:

ORDERED AND ADJUDGED THAT Complaint C 10-05 is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on February 25, 2010.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman

Signed on this date: 3/10/10