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11TH CIRCUIT & COUNTY CLERK
MIAMI-DADE COUNTY, FLA.
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**MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST**

In re: CRESPO v. REGALADO

C 11-34

PUBLIC REPORT AND FINAL SETTLEMENT ORDER

Al Crespo, a private citizen, filed the above-referenced complaint against Respondent Tomas Regalado, Mayor of the City of Miami, for allegedly failing to file complete and accurate financial disclosure forms in 2010 and 2011.

The City of Miami Code at Sec. 2-619, which is found within the City's Conflict of Interest Ordinance, requires elected officials to disclose additional financial information beyond that which is required by County and State laws. An investigation into the charges against the respondent identified three instances in which information required by the City Code was filed late or inaccurately.

Pursuant to the County Code at Secs. 2-1068 and 2-11.1(a), the jurisdiction of the Ethics Commission extends to Respondent Regalado, a municipal elected official subject to the City's Conflict of Interest Ordinance.

On January 24, 2012, Respondent Regalado, in a Settlement Agreement with the Ethics Commission, agreed not to contest the allegations in this complaint. The Ethics Commission waived one of the three counts against the respondent and, in

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

IN RE:

CASE NO: C11- 34

TOMAS REGALADO

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SETTLEMENT AGREEMENT

Pursuant to section 5.13 of the Miami-Dade County Commission on Ethics and Public Trust Rules of Procedure, Respondent does hereby enter into this settlement agreement in full satisfaction of the above captioned matter based upon the following terms and conditions:

1. Respondent, TOMAS REGALADO believes it to be in his best interest and the best interest of all parties involved to avoid the expense and time of litigating this matter, accordingly he agrees **Not to Contest** the allegations contained in Counts I, II and III of Ethics complaint number C11- 34 regarding his financial disclosures.
2. Pursuant to this agreement, Respondent agrees to pay a fine of **\$500** in full satisfaction of **Count I** and **\$500** in full satisfaction of **Count II** for a total fine of **\$1000.00** to the Miami-Dade County Commission on Ethics and Public Trust. This fine will be paid within 60 days of the day this agreement is ratified by the Ethics Commission.
3. Further, Respondent agrees to accept a Letter of Instruction with regard to Count III and will file revised financial disclosure forms within 30 days of the day this agreement is ratified by the Ethics Commission. The fine with regard to Count III is waived.

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



LETTER OF INSTRUCTION

To: Mayor Tomas Regalado

From: Miami-Dade County Commission on Ethics and Public Trust

Re: Complaint C11-34 (Crespo v. Regalado)

Date: March 1, 2012

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City of Miami Mayor Tomas Regalado was charged via an ethics complaint with violating Section 2-619 of the City of Miami Code alleging that he filed financial disclosure forms in 2010 and 2011 which were incomplete, inaccurate and failed to properly disclose his assets. Section 2-619 of the City's code is referred to as the Public Disclosure of Financial Interests (PDFI) form. On January 24, 2012, Mayor Regalado entered a plea of "No Contest" to the allegations in the complaint, agreed to, among other things, pay a fine of \$1000.00 and accept this Letter of Instruction. Wherefore, the Miami-Dade County Commission on Ethics and Public Trust issues this Letter of Instruction:

On the 2010 PDFI, in the portion of the form marked "Assets over \$5,000", Mayor Regalado listed only his "Homestead which is shared with son, Jose Regalado". This is presumably a reference to his home located at 2424 S.W. 20th Street. Mr. Regalado failed to provide the value of his home. Additionally, on the portion of the form that calls for the disclosure of "Household Goods/Personal Effects" he left the space to provide such information blank. This section requires the disclosure of household goods and

A review of Mr. Regalado's PDFI filings from 2007, 2008 and 2009 (while he was a city commissioner and not yet mayor), reveal that in each of those years he disclosed household goods with a value of \$10,000.00. In addition, a review of the PDFI forms filed by other City of Miami elected officials shows that every single one of them disclosed some amount in the household goods/assets over \$5,000 section of the form. This indicates that all the elected officials in the City have an understanding of what assets need to be disclosed in that section of the PDFI form. Moreover, the fact that Mr. Regalado previously reported household assets of \$10,000 in the years 2007 through 2009, demonstrates that he was aware of the type of assets that had to be disclosed.

As the Mayor of the City of Miami, Mr. Regalado is the putative leader of the City. He, of all people should be especially diligent in filing correct and complete financial disclosure forms in a timely manner. He should set the tone of ethical and transparent behavior. Compliance with the code of ethics is not optional. It is an individual responsibility imposed by law; it should not be taken lightly nor should violations be treated lightly.

We sincerely hope that Mayor Regalado, and all elected officials will take this Letter of Instruction to heart. This Commission is a resource that is always available to answer questions or issue opinions prior to officials taking any action. We urge Mayor Regalado and all elected officials to seek guidance and advice from this Commission any time they have a question as to what "ethics" requires of them.