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

In re: PASCUZZO v. WALDMAN

**C 12-17; C 12-18; C 12-19; C 12-20;
C 12-21; C 12-22; C 12-23**

**PUBLIC REPORT
AND
FINAL DISMISSAL ORDER**

Patrick Pascuzzo, a private citizen, filed the above-referenced complaints against Judy Waldman, Councilwoman in the City of Homestead. The complaints alleged activities that occurred during the time the Councilwoman was running for reelection and subsequent to her reelection in 2011.

Pursuant to the Code of Miami-Dade County at Sec. 2-11.1 (y), the jurisdiction of the Ethics Commission extends "to any person required to comply with the County or municipal Code of Ethics Ordinances...." The County Ethics Code at Sec. 2-11.1(a) extends the jurisdiction of the County Ethics Ordinance to municipal officers.

One complaint, C 12-22, related to an alleged violation of an ordinance within the jurisdiction of the Ethics Commission, *i.e.*, the County Ethics Code at Sec. 2-11.1 (d), which prohibits elected officials from voting on matters presented by certain individuals with whom they have relationships. Councilwoman Waldman was accused of voting on a matter related to a contributor to her election campaign.

Several other complaints dealt with the postings of an unknown blogger with no known association with the Councilwoman, an email from the Councilwoman's campaign email address sent to a City of Homestead employee and a photograph that was purportedly

photo-shopped by the Councilwoman for use on her campaign materials. These actions are not prohibited by any known laws. Other allegations dealing with campaign funds related to state election laws.

In public session on March 27, 2012, the Ethics Commission found none of the complaints legally sufficient. Complaints C 12-17, C 12-18, C 12-19 and C 12-23 were not legally sufficient because they did not allege a violation of any identifiable laws. Complaints C 12-20 and C 12-21 were not legally sufficient because they alleged violations of state election laws, which are outside of the authority of the County Ethics Commission to interpret and enforce. Complaint C 12-22 was not legally sufficient because it did not allege an action, which if true, might violate the County Ethics Code. Voting on matters related to contributors to election campaigns is *not* prohibited by Sec. 2-11.1 (d) of the County Code.

Consequently, since all of the above-referenced complaints were found to be not legally sufficient, they were dismissed.

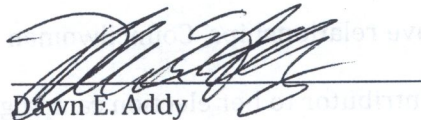
Therefore it is:

ORDERED AND ADJUDGED THAT the above-cited complaints against Judy Waldman are hereby dismissed for lack of legal sufficiency.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on March 27, 2012.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:



Dawn E. Addy
Chair

Signed on this date:

4/25/2012