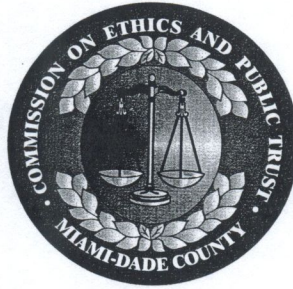


CLERK OF THE BOARD

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CLERK, CIRCUIT & COUNTY CTS
MIAMI-DADE COUNTY, FLA.
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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: KIENZLE V. ROSNER

C 12-30

**PUBLIC REPORT
AND
FINAL DISMISSAL ORDER**

Stephanie Kienzle, a private citizen, filed the above-referenced complaint against Respondent Myron Rosner, former Mayor of the City of North Miami Beach and a former member of the Miami-Dade County Board of Rules and Appeals. Respondent was alleged to have voted on matters benefiting Russell Galbut in exchange for contributions made by Mr. Galbut to the former Mayor's reelection campaign. If true, respondent's action could possibly violate Section 2-11.1 (e) of the County Ethics Code, *Gifts*, which prohibits an appointee from accepting something of value in exchange for performing an official public action.

Based on data provided in the complaint, respondent Rosner, in his 2011 bid for reelection as Mayor of North Miami Beach, accepted over \$10,000 in campaign contributions from Russell Galbut, Mr. Galbut's family members and various corporations in which Mr. Galbut has financial interests. On June 17, 2011, and July 21, 2011, sitting as a member of the County Board of Rules and Appeals, respondent vocally supported, voted and purportedly influenced another board member to hear an appeal from the Mondrian Hotel, a property in which Mr. Galbut has financial

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interests. These meetings were the only two that respondent attended in 2011 and were the only times that the Mondrian appeal was addressed. (The Board meets monthly.)

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...." The County Ethics Code at Sec. 2-11.1(a) extends the jurisdiction of the County Ethics Ordinance to municipal elected and appointed officials.

On August 16, 2012, the Ethics Commission moved to dismiss the complaint for lack of legal sufficiency. Absent material evidence of a *quid pro quo* arrangement, the Ethics Code is not violated when board appointees vote on matters related to former campaign contributors.

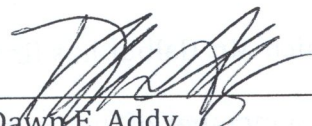
Therefore it is:

ORDERED AND ADJUDGED THAT the complaint against Respondent Myron Rosner is hereby dismissed for lack of legal sufficiency.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on August 16, 2012.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Dawn E. Addy
Chair

Signed on this date:

Nov. 1, 2012