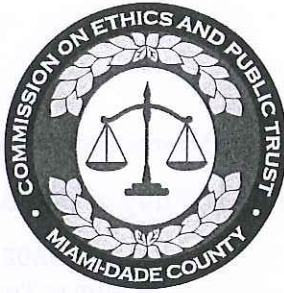


**FILE COPY**



CLERK OF THE BOARD  
2018 OCT 22 PM 2:41

CLERK, CIRCUIT & COUNTY CTB  
MIAMI-DADE COUNTY, FLA.  
#1

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

**C 18-34-09**

**In re:**

**David Singer**

---

**PUBLIC REPORT AND FINAL ORDER**

Complainant, Gary Pastorella (Pastorella), filed this complaint against City of Palmetto Bay Councilman David Singer (Singer).

The complaint failed to specifically allege any matter within the jurisdiction of the Miami-Dade County Commission on Ethics and Public Trust.

The Ethics Commission has no jurisdiction to enforce Florida Statutes, however, Section 2-11.1(h) of the Conflict of Interest and Code of Ethics ordinance is the counterpart to F.S. 112.313(8). Pastorella's allegation concerning the use of "confidential information" fails to allege that the information Singer may have known about was confidential; Pastorella only alleges that Singer came to learn information through his position as a Councilman. There is no allegation that the information was confidential or that Singer disclosed such information in such a manner as to violate 2-11.1(h).

While the allegation that Singer humiliates and/or embarrasses Pastorella is troubling, boorish behavior by elected officials, while not condoned and certainly discouraged, does not constitute a violation of the Conflict of Interest and Code of Ethics ordinance.

On October 10, 2018 the Ethics Commission agreed with the recommendation of the Advocate that the complaint was Not Legally Sufficient and dismissed the complaint.

Wherefore it is:

**ORDERED AND ADJUDGED** that COMPLAINT C18-34-09 against David Singer is dismissed.

16

FILE COPY

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session on this 10<sup>th</sup> day of October, 2018.

MIAMI-DADE COUNTY COMMISSION ON ETHICS  
& PUBLIC TRUST

By: 

H. Jeffrey Cutler

Chairman

Signed on : 10-15-2018