

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

Summary of Minutes and Agenda Actions

Meeting of April 11, 2018

The Miami-Dade Commission on Ethics (COE) convened in the Biscayne Building, 19 West Flagler Street, Suite 820, Miami, FL, on April 11, 2018. Present were Chairman H. Jeffrey Cutler, Vice-Chairman Nelson Bellido, and Commissioners Judith Bernier and Carol Zeiner. Also present were Joseph Centorino, Executive Director; Michael Murawski, Advocate; Gilma Diaz-Greco, Martha Perez and Radia Turay, Staff Attorneys; Rhonda Victor Sibilia, Communications Director; Rachele Ross, Executive Secretary; Susannah Nesmith and Nilda Olmo, Investigators; Shannon Smith and Roxanna Ros, Legal Interns; and members of the public. The meeting was called to order at 10:01 a.m. by Chairman Cutler. A quorum was present.

I. Approval of Minutes

Commissioner Zeiner made a motion to approve the minutes of the March 14, 2018, meeting. Vice Chair Bellido seconded it and it was unanimously approved (4-0).

II. Public Comment

None.

III. Section Eight Requests

Staff Attorney Gilma Diaz-Greco had two requests from individuals wishing to contract under the federally-funded Section 8 program, and since neither they nor immediate family members are employed by the Miami-Dade Public Housing and Community Development Department, recommended approval. Vice-Chair Bellido made a motion to approve the recommendation. It was seconded by Commissioner Zeiner and unanimously approved (4-0).

IV. Housing requests

Staff Attorney Diaz-Greco presented the requests of two County employees to seek assistance through programs overseen by the Miami-Dade Public Housing and Community Development Department, and since neither they nor any of their family members oversee or administer the programs, recommended they be approved. Commissioner Bellido made a motion to approve the recommendation. It was seconded by Commissioner Bernier and unanimously approved (4-0).

V. Monthly Summary of Inquiries

Staff Attorney Radia Turay presented a Summary of Inquiries issued by the COE staff from March 1st through the 30th, of which two – INQ 18-55 and INQ 18-66 -- were briefly discussed.

VI. Executive Director's Report

--Executive Director Joseph Centorino presented a process to select his replacement that was proposed following a meeting with Vice Chair Bellido. After discussion, Commissioners amended the proposal to have qualified applications sent to them periodically, beginning with the first six, so they don't have such a short time to review before rating them at the May 9, 2018, meeting, and stated that one of them would work with a staff member to tally those ratings. The written proposal was also corrected to reflect the July 11th meeting date. Commissioner Zeiner made a motion to approve the amended proposal. It was seconded by Commissioner Bernier and unanimously approved (4-0).

-- Mr. Centorino discussed the staff recommendation that the Board of County Commissioners deny a conflict waiver for three prominent lobbyists who supported legislation on behalf of private clients during the 2018 state legislative session that would have preempted the County's local authority by preventing the County from imposing a ban on the sale of puppies. The legislation did not pass but is expected to be reintroduced during the next session. Ron Book, Nelson Diaz and Sean Pittman are on Miami-Dade County's lobbying team, but also represent the retail pet industry. They had requested a waiver from the ordinance that prevents them from representing any entity that opposes a County position without a waiver from the County Commission.

-- He discussed the role of Ethics Officers of Miami-Dade County and the municipalities and shared the agenda of meetings with the two groups held on March 21 and 22 in COE offices.

--Mr. Centorino noted that this office has been tracking behind the scenes the unsolicited proposal to build a new County courthouse, concerned about the confidentiality requested by the proposers under the County ordinance on unsolicited proposals. He noted that the Courthouse project will now through a competitive Request for Qualification and Request for Proposal process that will be under the "cone of silence."

-- When asked for a status update by Chairman Cutler, Mr. Centorino reported that he and Advocate Murawski had toured the proposed office space in the Overtown Transit Village and are now awaiting detailed floor plans. He said he would arrange a tour for any commissioner interested in seeing the property.

VII. Complaints

-- Staff Attorney Martha Perez presented a Letter of Instruction to be sent to Miami Beach City Commissioner Kristen Rosen-Gonzalez regarding a complaint (C 17-38) that she exploited her official position when she got involved in the police investigation of a political supporter, for which the COE found No Probable Cause last month. Among other language, the Letter cautions the Commissioner, in the event she should forward information to police in the future, that she be careful "it does not appear that she is using her official position...to intervene in a criminal investigation." It further states that, "Rosen-Gonzalez's rush to defend [her supporter] was ill-conceived and demonstrated a lapse in judgment" and adds, "the public's trust is diminished when it appears that a City Commissioner has influence over members of the police department." Commissioner Zeiner made a motion to ratify the Letter. It was seconded by Commissioner Bernier and it was approved 3-1 (Bellido voted no).

The Ethics Commission convened in closed session at 10:54 a.m. Commissioners returned to open session at 11:12 a.m. and took the following actions:

-- Vice Chair Bellido made a motion to find No Legally Sufficiency to a complaint about inadequate gift disclosure filed (C 18-03-01) against North Miami Beach City Commissioner Phyllis Smith because she had properly filed all required documentation relating to a trip to Monte Carlo, Monaco. Commissioner Bernier seconded the motion and it was unanimously approved (4-0).

-- Commissioner Zeiner made a motion to approve the respondent's request for a continuance of the Probable Cause hearing for C 18-08-01. Commissioner Bernier seconded the motion and it was unanimously approved (4-0).

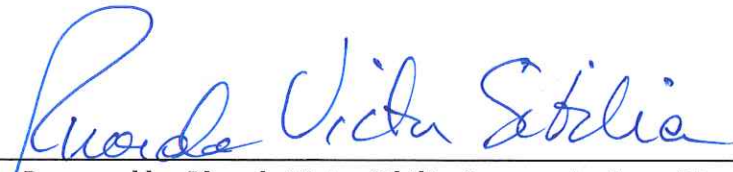
-- Vice Chair Bellido made a motion to support the respondent's request for continuance of the Probable Cause hearings for **C 18-10-02**. Commissioner Zeiner seconded the motion and it was unanimously approved (**4-0**).

-- Vice Chair Bellido made a motion to find Not Legally Sufficient a complaint **C 18-13-03** against County Commissioner Daniella Levine-Cava because it lacked any specific allegation. Commissioner Zeiner seconded the motion and it was unanimously approved (**4-0**).

-- Vice Chair Bellido made a motion to support the staff request for a deferral of **C 18-15-03** to the next meeting. It was seconded by Commissioner Bernier and unanimously approved (**4-0**).

VIII. Adjournment

There being no further business, the meeting adjourned at 11:14 a.m.



Prepared by Rhonda Victor Sibilis, Communications Director