



For Immediate Release: October 10, 2018  
Contact: Jose Arrojo, Executive Director  
305-579-2594 / [jose.arrojo@miamidade.gov](mailto:jose.arrojo@miamidade.gov)  
Rhonda Victor Sibia, Communications Director  
305-350-0631 / [rhonda@miamidade.gov](mailto:rhonda@miamidade.gov)

### **COE finds South Miami Mayor wrong to vote for his legal defense**

The Miami-Dade Commission on Ethics and Public Trust (COE) today found Probable Cause to a complaint (**C 18-32-08**) that South Miami Mayor Philip Stoddard violated the Conflict of Interest and Code of Ethics Ordinance by speaking in favor of a proposal for the City to pay his legal defense associated with an earlier ethics complaint. In the first action earlier this year (**C 18-08-01**), Stephen Cody accused Mayor Stoddard of violating the Citizens' Bill of Rights provision guaranteeing the "Right to be Heard" at city commission meetings. In April, the South Miami City Commission voted to pay for the mayor's defense after Stoddard participated in the discussion of the resolution. Mayor Stoddard then sought legal advice, and abstained from voting. Later he requested an opinion from the Ethics Commission. A second vote on the same matter failed when it was held in August, during which Mayor Stoddard left the room and filed a conflict of interest form, as required by State and County rules. Because the ethics violation was "cured," the COE dismissed the more recent complaint but will issue a strongly worded Letter of Instruction to the mayor.

The COE dismissed a complaint filed by County Commissioner Xavier Suarez against Mayor Carlos Gimenez, who had expressed concerns that Commissioner Suarez violated the Sunshine Law when he and Coral Gables Commissioner Vince Lago collaborated on a transit-related lawsuit against the County while both served as voting members of the Transportation Planning Organization. The Mayor's memo was circulated to numerous individuals and agencies, which Commissioner Suarez claimed was an effort to defame him for political purposes. The COE found his complaint (**C 18-38-09**) Not Legally Sufficient because it did not allege any violation of the Ethics Code and the Mayor was reporting what he believed was a suspected incidence of unlawful and unethical behavior.

A public feud between Palmetto Bay Councilman David Singer and citizen activist Gary Pastorella ended up as three complaints before the Ethics Commission, but all were dismissed. The first, **C 18-34-09**, filed by Pastorella, complained about the Councilman's insults and threats toward him and his group, Concerned Citizens of Old Cutler. The staff recommendation stated that, "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." The second complaint, **C 18-35-09**, regarded Councilman Singer's political action committee and Facebook page that advocated against certain Palmetto Bay candidates, which Pastorella charged violate Florida statutes. But, the COE has no jurisdiction to enforce state laws. Finally, in **C 18-36-09**, Pastorella accused Singer with improperly using the Village seal on certain communications, but the Ethics investigation found no violation.

Ethics Commissioners approved a Letter of Instruction for an employee of a company that designs and manufactures products for traffic control, for whom Probable Cause was found last month that she lobbied without following the

proper registration requirements. Ivette Arango O'Doski represented the firm Trafficware when she organized a meeting between her company executives and various elected and appointed Miami-Dade County officials in May 2017. She had registered to lobby, but failed to file an authorization form and affidavit specific to Trafficware. She quickly complied once notified of the requirements. The complaint (**C 18-30-07**) was dismissed, but the Letter reminds her of the lobbying rules and urges Ms. O'Doski to use it to guide her future conduct.

In response to a Request for Opinion (**RQO 18-04**), the Ethics Commission permitted a member of Kendall Community Council 12 to contract as a Section 8 program landlord, as long as his property is located outside of the jurisdiction of his Council. Javier Gonzalez-Abreu's condominium is in Homestead, outside of Community Council 12. Additionally, Community Councils deal primarily with zoning matters and do not have any say over the Public Housing and Community Development Department which administers the federally-funded Section 8 program, that provides a subsidy to landlords who rent to low-income tenants. However, the COE opinion advised the Community Council member not to vote on any land use matter that involves the Section 8 program because that may affect his or her private financial interests.

A complaint (**C 18-33-09**) filed against South Miami City Attorney Thomas Pepe by a member of the city's Planning Board, Lee Jacobs, alleging incorrect information about affordable housing was found Not Legally Sufficient because it did not allege any issue within the jurisdiction of the Ethics Commission.

*The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.*

###