

# Potential county lobbyist conflicts may spark new rules

By JESSE SCHECKNER

Miami-Dade lawmakers will look to establish a new set of rules for lobbyists representing the county's interests in Tallahassee by the next state legislative session, after more than a dozen were flagged since January as having potential conflicts.

Those lobbyists, county Commission on Ethics Executive Director Jose Arrojo said, adhered to "less-than-strict compliance" with requirement that county-contracted lobbyists provide written disclosures of all their other legislative clients, including the nature of their representation.

While lobbyists this legislative session made "a far greater effort" than the year before to notify county staff of possible conflicts, Mr. Arrojo said "some of the lobbyists felt they could be retained by parties that have interests opposite to the county's as long as they were not, quote, actively lobbying, end quote."

But what constitutes active lobbying — or even what simply constitutes a conflict of interest — is fuzzy. No definition specific to lobbying currently exists in the county's rules.

"That is still undefined," said Mr. Arrojo, a former state prosecutor who took over as ethics commission director late last year. "I know the position that some of the county contracted lobbyists have taken, because they've articulated it in written correspondence to our agency. They believe that retainer and working for a client — preparing and studying an issue, strategy and discussion — none of it should trigger a notification to the county."

Nelson Diaz of Southern Strategy Group — one of five lobbyists whose waiver requests commissioners voted 12-1 to withdraw from consideration Tuesday because, as Commissioner Sally Heyman said, "session's already over, so this is a moot issue now" — said having a clear definition of what is or isn't a conflict would help.

Good lobbyists, Mr. Diaz said, have multiple clients, many of which pay more than the county, whose policy for dealing with



Multiple lobbyists were flagged since March, Ethics head Jose Arrojo says they didn't strictly comply.



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**Sally Heyman**

potential conflicts is "flawed" and "completely one-sided."

"If the county wants to have good lobbyists — which everyone wants — then they're going to have a conflict," he said. "The problem is, the ethics commission by its very nature has to [recommend that commissioners] deny all conflict waiver requests, [and] they have never approved one and never will."

If commissioners were to somehow choose to approve a conflict waiver, he said, it then "looks like they're voting against the ethics commission, [which] doesn't look good."

This year, Miami-Dade commissioners forewent having to make that decision by deferring waiver considerations on April 9 of Mr. Diaz and lobbyists

Dean Cannon, Diana Ferguson and Yolanda Cash Jackson, of whom all but Mr. Diaz notified the county of potential conflicts in March — two months after the state legislative session began.

The May 7 commission agenda included a fifth request from lobbyist Sean Pittman, who contacted the county about a conflict March 22.

Their potential conflicts, Ethics Investigator Karl Ross wrote, included direct or indirect support of legislation that threatened to reduce state taxes on communications services and limit fee collections by local governments, bills that would preempt the rights of local governments to regulate terms of employment, including raising the minimum wage, and representation of a political action committee engaged in multiple previous and ongoing lawsuits against the Miami-Dade tax collector and property appraiser.

Ms. Jackson and Mr. Pittman could not be reached. Mr. Cannon and Ms. Ferguson did not respond to requests.

Ms. Heyman, who deferred the waivers last month until after the legislative session concluded, said that "another dozen" waivers were on their way to placed on a future agenda but that the county "put a stop to it after meetings with the attorneys and the ethics commission."

"This is a nice catch by the new guy... but [we were] halfway through session, and we're not going to hire new people," she said. "Every one of the contracts we have for the 2019 legislative session would have conflicted."

It would have been perilous for the county to shackle its lobbyists



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while state lawmakers were still in session, she said, but now that the legislative session is over, Assistant County Attorney Jess McCarty, the man responsible for supervising Miami-Dade's lobbyists in Tallahassee, will meet again with the ethics commission, county attorneys and staff to "logistically look at what we need to do [to not have] people paid by us and then go against us."

Mr. McCarty declined to comment for this article.

On Tuesday, Ms. Heyman, Mayor Carlos Gimenez, Commission Chairwoman Audrey Edmonson, Vice Chairwoman Rebeca Sosa and fellow commissioners Daniella Levine Cava, Jose "Pepe" Diaz, Joe Martinez, Dennis Moss and Javier Souto discussed what the county's next

step should be before voting 12-1 to withdraw the waivers.

Ms. Levine Cava cast the sole "no" vote.

"I find that they may overtly say they're representing our interests, but they have so many clients that it is difficult for them to take a really difficult position, I believe, when it will go counter to leadership in Tallahassee," Mayor Gimenez said, noting he'd witnessed conflicts occur firsthand while visiting the state capitol. "This session was really eye-opening for me."

Mr. Martinez said he spoke to lobbyists contracted to represent the county in its efforts to prevent the dismantling of MDX.

What he found, he said, "were some lobbyists who were not working with the best intentions of the county."

"There were some that were working with an ulterior motive, and I think it stymied us," he said.

While lobbyists with mixed allegiances did indeed hurt Miami-Dade in key areas this year, Mr. Moss said the county's own delegation, comprised of representatives voters elected to fight for their interests in Tallahassee, instead supported legislation that will damage and weaken it.

"Their whole motive has been to try to wrest local control away from locally elected officials," he said. "They're putting guns in the classroom [and] want to take away regular public school teachers' bonuses [and] give their money to charter schools. These are the kinds of things that have to cease, and they'll stop once we make sure that we hold them accountable. But we don't. We let them get away with stuff... and we just go on down the road."

Unless something's done, it's just going to get worse, Mr. Gimenez said.

"Beware of what's coming next year," he said.

The mayor said he'd heard from "sources close to" members of the Miami-Dade delegation that their next target would be the county's ability to govern itself: its home rule charter.

"I don't think they were elected to go up there to usurp the other elected officials that were actually elected locally for local issues," he said. "I think a fight is going to be launched again against our home rule, and I hope you'll join me in protecting [it]. It served us very well for the past 60 years."

## County hails tourism growth to 16.5 million visitors in 2018

By JESSE SCHECKNER

Miami-Dade's No. 1 industry reached record heights last year, according to Greater Miami Convention & Visitors Bureau CEO William Talbert III, who cited a booming port, aviation additions and concerted efforts by elected county officials as key factors.

In 2018, Miami-Dade welcomed about 16.5 million visitors, up 3.5% from the year prior, Mr. Talbert said Tuesday.

The boost, he said, fed an unprecedented number of jobs in the travel and tourism industry, which tops the county's

employment figures.

Tourists spent more than \$1 billion at PortMiami last year — spending, he said, "not happening anywhere else in the world."

"If you look at our visitor profile for 2018, one in 10 of our visitors today, their principal purpose of visit is to take a cruise," he said.

And because 95% of tourists arrive in Miami-Dade by air, according to Mayor Carlos Gimenez, the county's aviation department and airlines have stepped up their games.

American Airlines added eight new routes, Mr. Talbert said, and Miami-Dade airports created new services to Colombia, Ireland, Israel and Morocco.

Mr. Gimenez said that since his election, improvements and expansions to Miami-

Dade's tourism industry has contributed to the county's employment numbers. In 2011, employment was at roughly 12%. This year, he said, it's around 3.5%.

"A lot of [that] is due to our ever-increasing number of tourists who come here and spend dollars, visit our shops...," he said, adding that about 60,000 jobs in Miami Beach alone depend on tourism. "While we're diversifying the economy and bringing technology, entrepreneurship [and] innovation to be a central part of our economy, tourism will always be vitally important."

The renovated Miami Beach Convention Center, which opened Sept. 23, and the forthcoming 800-room headquarter hotel to be built beside it will bolster plans to build on the county's continued tourism

successes, said Mr. Talbert, who told county commissioners his office was working on consulting the community to devise its sixth "DestinationMiami" strategic plan.

"The last time we updated the strategic plan, we had five town [hall meetings]," he said. "This time, we've got 15, so if you think we haven't touched you, let us know."

To commemorate the county's record tourism numbers, Miami-Dade Commission Chairwoman Audrey Edmonson presented Mr. Talbert with a proclamation designating May 2019 as National Travel and Tourism Month.

"What you do," she said, "that's one of the reasons why the port is doing well, that's one of the reasons the airport is doing well, that's one of the reasons this whole community is doing well."



**Bill Talbert**