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EYE ON ETHICS

NEWSLETTER OF THE MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST



Issue 15 - December 2020 Happenings



Commission on Ethics & Public Trust by the Numbers:

The Enforcement Section has been significantly engaged during the 2019-2020 fiscal year in over 100 preliminary and formal investigations.

Director's Message



Dear Friends & Colleagues,

Ending a very challenging year, December saw significant action, public attention, and reporting on local government ethics issues. The month brought litigation regarding public access to local government, new statutory penalties for abuse of office, an ethics enforcement action, and lots of ethics training for newly elected and reelected local government officials and their staff.

In a case arising out of an alleged deprivation of citizens' rights to appear before a city commission, three persons filed a lawsuit charging that Miami officials violated the Miami-Dade and City of Miami Charters when

Quick Links

24 Hour

Complaint
Hotline

786-314-9560



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Commissioners

Nelson C. Bellido Esq.,
Chair

Commissioners were read a statement that purported to summarize over eight hours of comments by over three hundred persons opposing a proposed ordinance. Cited in support of the lawsuit is the Miami-Dade Charter's Citizens' Bill of Rights that guarantees any interested person the right to appear before the County Commission or any municipal council for the presentation, adjustment, or determination of an issue, request, or controversy. The Ethics Commission has concurrent jurisdiction to interpret and enforce the Citizens' Bill of Rights.

Florida Statutes were also amended to provide penalty provisions, including impeachment, removal from office, and monetary penalties of up to \$10,000, for any state or county elected official who abuses his or her public position in order to obtain a "disproportionate" benefit for himself, herself, or a spouse, children, or employer. In 2018, voters overwhelmingly approved an amendment to the Florida Constitution adding the disproportionate benefit prohibition.

Finally, the Ethics Commission provided ethics training to close to 100 newly elected and reelected County and municipal officials, and staff, many of whom are new to local government. In several video conference and in-person training sessions, including one in partnership with the Miami-Dade County League of Cities, Ethics Commission staff provided instruction on the County Ethics Ordinance and Florida's Sunshine Board Meeting and Public Records laws, as well as the County's Citizens' Bill of Rights.

Stay tuned for the Ethics Commission's Annual Report that should be out very soon and will detail the Ethics Commission's work this past year.

With the rest of the country, the Ethics Commission is hopeful that 2021 will bring some return to normalcy as we remain committed to our charge of building confidence in local governance.

Best regards,
Jose Arrojo

Dr. Judith Bernier,
Vice Chair
Judge Lawrence A.
Schwartz
Charlton Copeland, Esq.
Wifredo Gort

Executive Director
Jose J. Arrojo, Esq.

Advocate
Michael P. Murawski, Esq.

General Counsel
Martha Perez, Esq.



FAQ



**Florida Commission
on Ethics**

Let's Help Stop the Spread of Coronavirus



COVID-19: Back-to-Work Safety

Protect Yourself

FloridaHealth.gov/COVID-19 • Florida Department of Health

Wear a cloth face covering over your mouth and nose. Go to [CDC.gov](https://www.cdc.gov) and search "cloth face coverings" or scan the code with your phone app. Face coverings should:



- Fit snugly and comfortably on your face.
- Allow you to breathe easily.
- Be machine washed and dried every day.



Don't touch your eyes, nose or mouth with unwashed or gloved hands, or when you adjust or remove your face covering or safety glasses.

Wash your hands with soap and water for at least 20 seconds or use a 60% or more alcohol-based hand sanitizer. Clean hands:



- Before and after shifts and breaks.
- After blowing your nose, coughing or sneezing.
- After using the restroom.
- Before eating.
- Before and after preparing food.



Keep 6 feet between you and your co-workers or customers.

- Avoid groups of 10 or more during work meetings and breaks.
- Don't shake hands with co-workers or customers.
- Don't share drinks or food, and don't carpool, with co-workers.
- Keep your distance from co-workers or customers who look sick.



6 feet



Don't share work surfaces, phones, computers, supplies or work tools with co-workers—if possible. If you must share, disinfect surfaces and things before you use them. Also:

- Disinfect surfaces and things that customers touch.



If you feel sick or have COVID symptoms, stay home or go home.

- Call your health care provider and follow-up with your supervisor.
- Go to [CDC.gov](https://www.cdc.gov) and search for "COVID symptoms" or scan the code with your phone app.

COVID Symptoms:

- Cough
- Shortness of breath or difficulty breathing
- Fever
- Chills
- Muscle pain
- Sore throat
- New loss of taste or smell



For health and safety steps for specific occupations, go to [CDC.gov/coronavirus/2019-ncov/community/worker-safety-support](https://www.cdc.gov/coronavirus/2019-ncov/community/worker-safety-support) or scan the code with your phone app.



Reminder to Newly Elected & Re-Elected Officials



On June 4, 2013, the Miami-Dade Board of County Commissioners amended Section 2-11.1 of the County Code to require that all County and Municipal elected officials "shall, within ninety (90) days after being sworn into office, submit to the Clerk of the Board a certificate of completion of an ethics course offered by the Miami-Dade County Commission on Ethics and Public

Trust." The course is to include, at a minimum, a review of the Conflict of Interest and Code of Ethics

Ordinance; the Sunshine Law; the Public Records Law and the Citizens' Bill of Rights. Failure to comply with this requirement could result in a complaint being filed against a non-compliant elected official for a violation of the Conflict of Interest and Code of Ethics ordinance.

Depending on circumstances, some courses may include more than one municipality. For questions about the requirements or to schedule a course, please call 305-579-2594 or email us at ethics@miamidade.gov.

UM Law Professor Appointed as Ethics Commissioner

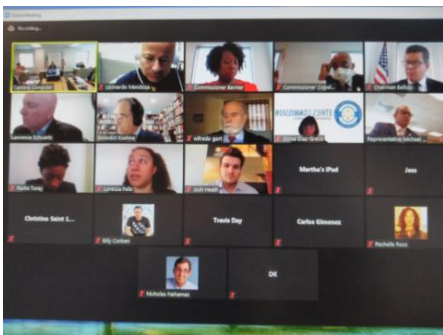


University of Miami School (UM) of Law Professor, Charlton Copeland, has been appointed by UM Law School Dean, Anthony Varona, as a new Commissioner of the Miami-Dade County Commission on Ethics and Public Trust, replacing Professor Jan Jacobowitz who stepped down from the position last month.

Professor Copeland brings deep expertise and served on the Commission from 2010-2014, including in the role of Chair from 2012 to 2013. He teaches administrative law, constitutional law, civil procedure, the regulatory state, and other courses related to government regulation. Professor Copeland brings a commitment to fair process and transparency that is as essential to the effective functioning of our local democracy. In addition to being a preeminent scholar, he is dedicated to teaching and public service. In addition to prior accolades, Professor Copeland has recently been named the recipient of the 2021 Clyde Ferguson Award, given by the American Association of Law Schools to an outstanding law teacher, who in the course of his or her career has achieved excellence in the areas of public service, teaching, and scholarship.

"I am delighted to be have the opportunity to rejoin the Miami Dade Ethics Commission, states Professor Copeland. "As I think we have all learned there is likely nothing more important in protecting the viability of democracy than protecting and preserving citizen trust in public officials and in government. The Commission endeavors to do that. And I am excited about contributing to these efforts at this crucial time."

COE Rules on Matter Involving Michael Grieco



The Ethics Commission found that Michael Grieco, a former Miami Beach City Commissioner, and current State Representative, violated the Citizens' Bill of Rights section relating to truth in government when he told a local reporter that he did not have a political committee, had not set one up, and did not solicit donations for one, in response to questions regarding his involvement with a committee called "People for Better Leaders." The Ethics Commission also found that Mr. Grieco violated the section

when he told a reporter that allegations that he was involved in the committee were absolutely untrue, and that one could look right into his soul.

The Commission will issue a Letter of Instruction and will consider the assessment of fees and costs at the next Commission meeting in January 2021.

Nelson C. Bellido, Chairperson of the Miami-Dade County Commission on Ethics and Public Trust,

commented that the Commissioners:

"Carefully considered all of the evidence, including testimony from Mr. Grieco, and unanimously found clear and convincing evidence that he violated Counts I and II alleging violations of Section (A) 2. of the Charter's Citizens' Bill of Rights entitled 'Truth in Government' while dismissing Count III relating to the City of Miami Beach Standards of Conduct regarding indirect solicitation of a vendor. This is a case of first impression, and we hope that the outcome serves to deter other public officials from engaging in similar conduct."

December Ethics - Commission Meeting Actions



Summary of the Miami-Dade County Commission on Ethics & Public Trust Meeting Held on December 9, 2020

The Miami-Dade County Commission on Ethics and Public held a Commission Meeting on December 9, 2020. The following actions took place:

Miami Beach Lobbyists Fined for Non-Compliance

Lobbyist Luis Revuelta received a reduced fine of \$200 for his failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance.

Lobbyist Barbara Pederzoli received a reduced fine of \$100 for her failure to file expenditure and compensation statements as required by the City of Miami Beach Lobbyist Ordinance.

No Probable Cause Found in Case Involving Former Miami Gardens Mayor

C 20-33-09: The Ethics Commission found No Probable Cause that former Miami Gardens Mayor Oliver Gilbert violated the Mandatory Fair Campaign Practices ordinance. The complaint alleged that Mr. Gilbert took a candidate's campaign flyers out of the hands of a voter at a polling place in Miami Gardens and threw them on the ground.

Former Sunny Isles Beach Commission Candidate Stipulates to Probable Cause

C 20-39-10: Former Sunny Isles Beach Commission Candidate Fabiola Stuyvesant stipulated to a finding of Probable Cause for violating the Financial Disclosure, Candidates for County and Municipal Office section of the Miami-Dade County Conflict of Interest and Code of Ethics ordinance. The complaint alleged Ms. Stuyvesant failed to sign and date a Statement of Financial Interests document required of all municipal candidates. The complaint also alleged that Ms. Stuyvesant failed to list a major creditor as required under the liabilities section of the financial document.

Complaint Dismissed Against Former Miami-Dade County Commissioner

C 20-41-11: The Ethics Commission unanimously found No Probable Cause and dismissed a complaint filed against former Miami-Dade County Commissioner Audrey Edmonson. The complaint alleged that Ms. Edmonson violated the Truth in Government section of the Citizen's Bill of Rights when she furnished false information with respect to surplus County properties that the complainant had expressed interest in acquiring.

Complaint Filed Against City of Coral Gables Commissioner Dismissed

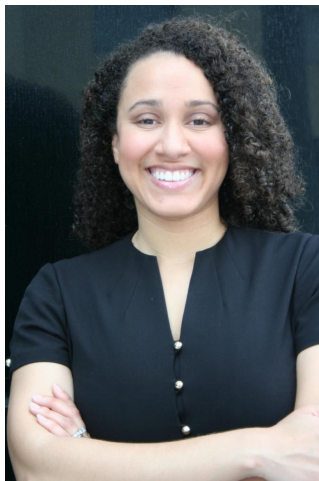
C 20-44-11: A complaint filed against City of Coral Gables Commissioner Patricia Keon was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Commissioner Keon was

exploiting her official position by advocating for developers.

Complaint Filed Against Then Miami-Dade Commission Candidate Dismissed

C 20-40-10: A complaint filed against then Miami-Dade Commission Candidate Kionne McGhee was found to be Not Legally Sufficient and was dismissed. The complaint alleged that Mr. McGhee violated the Minimum Housing Condemnation Act, failed to pay for electrical work done at his house, and failed to disclose property on the 2019 Financial Statement required to be completed by county and municipal candidates.

Ethics Commission Staff Profile



New Commission on Ethics and Public Trust Staff Attorney Loressa Felix understands the importance of public trust in local governance and is deeply committed to ensuring and strengthening that relationship. "It is essential that Miami-Dade citizens feel that local government is transparent, ethical, and fair," says Ms. Felix.

Originally from West Virginia, Ms. Felix has been a resident of the South Florida for over twenty years receiving a Bachelor of Arts in International Studies and Political Science from the University of Miami and a Juris Doctor from Florida International University, College of Law. She currently holds leadership positions with the Florida Bar, Eleventh Judicial Circuit Grievance Committee and the Miami-Dade County League of Women Voters. She is also a member of the Florida

Association of Women Lawyers, Gwen S. Cherry Black Women Lawyers Association, and the National Black Prosecutors Association.

Ms. Felix joined the Ethics Commission in September 2020 to provide ethics advice and issue ethics opinions to parties covered under the County Ethics Ordinance. She prepares reports and memoranda for presentation to the Miami-Dade Ethics Commission and conducts investigations, makes probable cause determinations, and assists in the prosecution of ethics violation cases before the Ethics Commission. "Our work ensures that Miami-Dade citizens can rely on that promise and know that we will safeguard their trust," stresses Ms. Felix.

Ms. Felix is a former Miami-Dade County Assistant State Attorney of seven years where she was a part of the Career Criminal Robbery Unit, a Felony Attorney, and an Assistant Chief of County Court. She also has several years of civil litigation experience in both private practice and with Legal Services of Greater Miami, Inc.

Ms. Felix currently lives in South West Miami-Dade and is married with two children.

Ethics Commission in the News

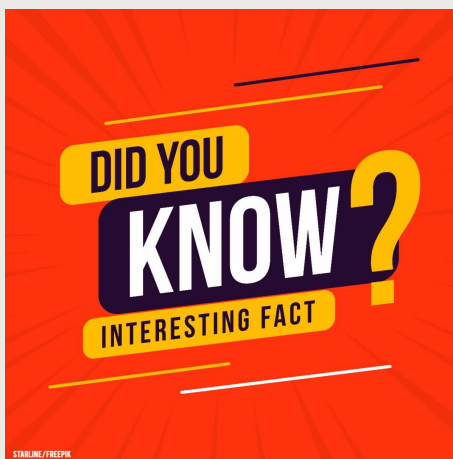
To read the article click on the link below:

Michael Grieco's Fundraising Falsehoods Violated Ethics Rules, Panel Finds

Miami Herald, December 21, 2020



Educating the Community / Upcoming Events



The Ethics Commission's budget for Fiscal Year 2020-2021 of 2.571 million dollars presents an actual increase in available funding for staff and operations, while allowing for an overall year to year total budget reduction caused by eliminating rent payments for the prior leased Biscayne Building offices.

Miami-Dade County Commission on
Ethics & Public Trust
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