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EYE ON ETHICS

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



Issue 5 - January 2020



Commission on Ethics & Public Trust by the Numbers:

There were two civil cases litigated on behalf of the Commission on Ethics during the past fiscal year. One Circuit Court matter was successfully resolved by stipulation of the parties and dismissal of the claims filed by the plaintiff, against the Commission. The second matter is pending in the County Court and involves an action filed by the Commission to collect fines and costs assessed by the Commission against a former elected official in an enforcement case.

Director's Message



Dear Friends & Colleagues,

Those of us who work for the Miami-Dade County Commission on Ethics and Public Trust take great pride in the fact that our agency exists because the people of this great community made their desire for an ethics agency known at the ballot box. In order to ensure the integrity of the local governmental decision-making process and maintain the public's confidence in local government, the Miami-Dade Commission

on Ethics and Public Trust was established by Charter, as amended by the voters of Miami-Dade County on March 12, 1996, to serve as guardian of the public trust.

Essential to this charge of the electorate, the Ethics Commission is required by county ordinance to provide ethics training to local government elected and appointed officials, employees, and board members.

Equally important, the Commission is required to provide ethics training to those persons who **attempt to influence the actions of local government**. Thus, in Miami-Dade County, any person who seeks to lobby County government must first complete ESP training: 1) County Ethics Code training on conflict of interest provisions, gift prohibitions, and procurement code of silence restrictions; 2) Florida's Sunshine Meeting laws training; and 3) Florida Public Records laws training.

Over the years, the Ethics Commission has trained thousands of persons that are engaged in lobbying elected officials, employees, and board members on legislation, policy, zoning and purchasing or procurement matters. Our County Ethics Code is broad in its definition of lobbyist and thus the training requirement applies to traditionally defined lobbyists as well as vendors and their representatives.

This year, our elected officials in Tallahassee are considering two pieces of proposed legislation that would effectively end ethics training of local government lobbyists. House Bill 611 and Senate Bill 766 seek to preempt local government lobbyist ethics training requirements in favor of a statewide lobbyist registration system that does not require training. If this proposed legislation becomes law, then persons could lobby or seek to influence Miami-Dade County government without ever learning the basic and fundamental ethics rules of the road.

Miami-Dade County and Jackson Health Systems employ tens of thousands of persons. Our County expends literally billions of dollars on construction and infrastructure projects and procurement. Equal amounts are tied to development and zoning issues. For these reasons, it is essential that persons that seek to influence local government receive this foundational ethics and public meeting and records training prior to engaging in their influencing activities.

The Miami-Dade Commission on Ethics and Public Trust has issued a Resolution in opposition to these bills and similar legislation that would end required training of local government lobbyists. We have sought support for the Resolution from key members of our local Tallahassee legislative delegation as well as leadership in our almost three dozen municipalities.

Quick Links



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Nelson C. Bellido Esq.,
Chair
Dr. Judith Bernier
Vice
Judge Lawrence A. Schwartz
Jan Jacobowitz, Esq.
Wifredo Gort

Executive Director

Jose J. Arrojo, Esq.

Advocate

Michael P. Murawski, Esq.



We remain hopeful that our elected leaders in Tallahassee and civic minded persons from our great community and across the State of Florida will recognize the importance of local government ethics training for persons that seek to influence local government.

Best regards,
Jose Arrojo



Have a Tip? We Want to Hear From You



Community outreach is one of the main facets of COE's operations, but Ethics is a two-way street and we like to hear from the citizens of Miami-Dade County about their ethical concerns, as well.

To that end we have a 24-hour Ethics Hotline, (786) 314-2594, that is kept by investigators in order to give citizens an opportunity to reach us after hours and to report suspected misconduct by government employees, contractors, lobbyists or elected officials. Callers are not required to identify themselves and can flag ethical lapses without filing a formal complaint.

We especially like to hear from concerned citizens, citizen activists, observant employees, even lobbyists and officials who might have knowledge of ethics issues affecting local government. The County's ethics ordinance applies to all County and municipal governments, as well as many individuals in the private sector such as lobbyists and vendors who do business with those entities.

The County's ethics ordinance does not apply, however, to judges, candidates for state office, condominium board members, or state or federal lawmakers. They are subject to the jurisdiction of other watchdog organizations. Still, if we can't help you, we will try to find out who can and refer you to the proper agency.

So remember, COE's investigative staff is happy to hear from YOU. With only five full-time investigators and dozens of local governments, boards and agencies under our enforcement, we need your help.

--- **Karl Ross, Ethics Investigator, Forensic Accountant**

January Ethics - Commission Meeting Actions



The Miami-Dade County Commission on Ethics and Public Trust took the following actions at its monthly public meeting held on January 8, 2020.

Ethics Commission Introduces Newly Appointed Commissioner Wifredo Gort

Former City of Miami Commissioner Wifredo "Willy" Gort was introduced as Commissioner for the Miami-Dade County Commission on Ethics and Public Trust, replacing the late Jeffrey Cutler who passed away in September of this year.

Ethics Commission Selects New General Counsel

After conducting six public interviews, the Miami-Dade Commission on Ethics and Public Trust selected Ethics Commission Staff Attorney, Martha D. Perez, as the new Ethics Commission General Counsel.

Complaint Dismissed in Case Involving Attorney Eddy Leal

C19-30-08: The Ethics Commission unanimously voted to approve the dismissal of a complaint filed against Eddy Leal, counsel to the City of Miami. The Ethics Commission also found no Probable Cause exists that Mr. Leal violated Section 2-11.1 (m) of the Miami-Dade County Conflict of Interest and Code of Ethics. The commission heard presentations by Mr. Leal, his attorney David Winker, and the Commission Advocate, Michael Murawski.

Ethics Commission Considers Voting Conflict Rules for Elected Officials

Presentations were made by the Ethics Commission Executive Director, Jose Arrojo, and Robert Meyers of the law firm of Weiss Serota Helfman Cole & Bierman, regarding voting conflicts for elected officials considering traffic mitigating matters in small cities.

2019 COGEL Conference



Commission on Ethics and Public Trust General Counsel, Martha Perez, attended the 2019 Council on Government Ethics (COGEL) conference held this past December 15-18 in Chicago, Illinois. COGEL unites representatives from across the United States and Canada, who practice in the fields of governmental ethics, elections, campaign finance, lobbying regulations and freedom of information. The participants share in the accomplishments of their respective jurisdictions as well as the issues affecting the compliance and enforcement components of ethical government.

The 46 ground-breaking sessions challenged, stimulated and inspired all to gain insight into fresh perspectives and cutting-edge technological changes affecting ethical standards. Participants were comprised of a culturally diverse group who contributed their knowledge and expertise in the field of ethics and campaign reform.

"The conference was stimulating and instructive," said Mrs. Perez. "It reminded all of us who operate in the world of ethics education, enforcement and reform that we can learn from each other through sharing our challenges and achievements in the hopes of inspiring others to be the change in fostering accountability and transparency in government."



To read the article click on the link below:

New Leadership Appointed at Miami-Dade Ethics Commission

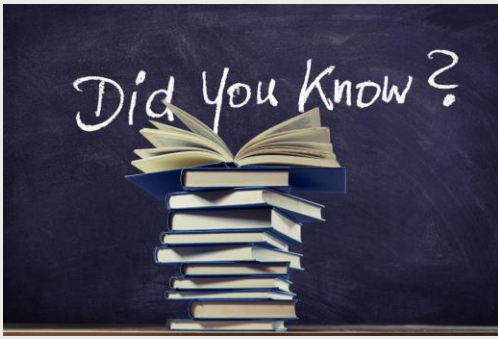
**ISLANDER NEWS,
January 8, 2020**

Educating the Community / Upcoming Events

Miami-Dade Lobbyist Training: Anyone who registers as a lobbyist for Miami-Dade County, Miami and certain other municipalities must undergo training provided by the Ethics Commission. You must create an account with the Ethics Commission, then sign up for a class and pay by credit card IN ADVANCE through this [system](#).

Lobbyist Refresher Course: Lobbyists who have completed the initial Ethics Course and have continuously registered as a lobbyist thereafter shall be required to complete a refresher Ethics Course every two years to meet requirements of Miami-Dade County and the City of Miami. Date of completion of most recent lobbyist ethics training course (original or refresher) is required. You must create an account with the Ethics Commission, then sign up for a class and pay IN ADVANCE on this [system](#).





The Miami-Dade Board of County Commissioners amended the County Code to require that all County and Municipal elected officials shall, within 90 days after being sworn into office, complete an ethics course offered by the Miami-Dade County Commission on Ethics and Public Trust.

Miami-Dade County Commission on
Ethics & Public Trust
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