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EYE ON ETHICS

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



Issue 6 - February 2020



Commission on Ethics & Public Trust by the Numbers:

Lobbyist training was greatly expanded during the previous fiscal year to reach over 1,000 registered lobbyists resulting from formal ethics opinion guidance and increased enforcement particularly for vendors advocating procurement decisions at Jackson Health Systems hospitals

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 was created by the voters of this community to ensure the integrity of the local governmental decision-making process and maintain the public's confidence in local government as required by County

Ordinance. With the production and distribution of its Annual Report for fiscal year 2018-2019, the Ethics Commission reinstates its annual required public reporting to the voters on its three base charges: ethics trainings, opinions, and enforcement.

Quick Links



In the past fiscal year, the Ethics Commission trained elected officials and candidates throughout Miami-Dade County on the County ethics code, with sessions in Miami Gardens, North Miami Beach, North Miami, Bal Harbour, Miami, and Homestead. More than 1,000 lobbyists and vendors received training on how to ethically conduct business with local government. The County and various cities hosted 40 ethics training sessions that our staff conducted for County and municipal employees and board members. Ethics Commission lawyers shared their local government ethics expertise with visiting dignitaries, members of the judiciary, non-profit agency boards of directors, local government lawyers, student groups, and professional associations.

The Ethics Commission's legal staff provided approximately 200 written informal ethics opinions to County and city elected officials, employees, board members and lobbyists who sought guidance from our office. This, in addition to an even greater number of daily verbal ethics consultations with persons covered under the ethics code.

On the enforcement front, the Ethics Commission handled more than 100 preliminary and formal investigations into alleged ethics violations. These included 52 Complaints filed by members of the public or initiated by our staff. Ethics Commission investigators and legal staff also logged 81 hotline calls and responded to daily inquiries on the Ethics Commission's electronic mailbox.

The Ethics Commission did all of the above, serving the County and almost three dozen municipalities on an annual budget of 2.3 million dollars. The Ethics Commission budget comprised less than .03% of the entire County budget of over 7.9 billion dollars, one of the smallest department or agency budgets in the County.

This year, we are moving forward with new leadership and membership on the Ethics Commission, new leadership on our staff, and increased community outreach through our recently initiated monthly Eye on Ethics Newsletter. We are confident that we will be able to continue to play an integral part in ensuring the integrity of the local governmental decision-making process and maintaining the public's confidence in local government as we strive to serve as guardian of the public trust.

To read the 2019 Annual Report in its entirety click on the report's cover page below.

Best regards,
Jose Arrojo

Commissioners

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.



**Florida Commission
on Ethics**

MIAMI-DADE
COMMISSION ON
ETHICS & PUBLIC TRUST



2019 ANNUAL REPORT

Building trust and confidence in local government



305 579 2594 | www.ethics.miamidade.gov | Miami, Florida

Ethics Staff Attends Florida Bar Ethics Related Course

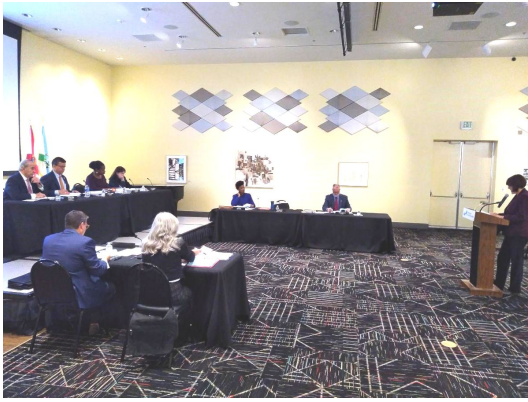


This past month, Commission on Ethics & Public Trust attorneys attended a Continuing Legal Education (CLE) course sponsored by the Florida Bar's Continuing Legal Education (CLE) Committee and the City, County, and Local Government Law Section. The course, which took place in Orlando, is part of an ongoing effort of the Florida Bar to provide quality legal education courses to all of its members.

The program was led by an excellent group of speakers who lectured on case law and policy considerations in Public Record and Sunshine Law; ethics trends in social media; a journalist's perspective on public record compliance by government agencies; and a review of Florida's Code of Ethics for Public Officers and Employees (Chapter 112). It was a great opportunity for the ethics commission staff to meet other government attorneys while catching up on the latest initiatives affecting ethics and conflict of interest laws in local government.

The Ethics Commission is charged with enforcing the access to public records provisions of the County Charter's Citizens Bill of Rights, applicable to the County and all municipalities in Miami-Dade County.

February 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 February 12, 2020.

Presentation: Protecting the Identity of Alleged Violation Reporting Individuals

Ethics Commission Executive Director, Jose Arrojo, made a presentation regarding the COE's non-disclosure policy that seeks to protect the identity of reporting individuals. Mr. Arrojo requested policy guidance regarding the current practice that

encourages individuals, including department heads and elected officials, to contact the Ethics Commission without fear of reprisal. Section 112.324, Florida Statutes, relating to the public records exemption for pending ethics investigations was also discussed.

Presentation: INQ 20-04 Gifted Super Bowl Tickets, Section 2-11.1 (e) Relating to Gifts

Executive Commission Executive Director, Jose Arrojo, made a presentation regarding **INQ 20-04** and Section 2-11.1 (e) of the County Ethics Code, relating to gifts, and its application to a County elected official's receipt of tickets to the Super Bowl game. In this opinion, Section 2-11.1 (e), allowed County Mayor Carlos Gimenez to accept Super Bowl tickets from Stephen Ross given there was no evidence that the offer or acceptance of the gift was part of a defined quid pro quo transaction. Additionally, although the disclosure of the gift may not have been required, the opinion recommended that the gift be disclosed.

Mr. Arrojo requested policy guidance regarding "appearance of impropriety and best practices" recommendations when the Ethics Code does not specifically prohibit conduct, but the conduct may negatively impact the public's trust in local government.

Presentation: Expansion of the County Ethics Ordinance to CRA's

Executive Commission Executive Director, Jose Arrojo, made a presentation regarding County Commission Resolution R-499-16, and new state laws requiring mandatory ethics training for local Community Redevelopment Agencies (CRAs). Mr. Arrojo explained that meetings between COE lawyers, representatives from the County, the various CRAs, and municipal lawyers will take place to determine to what extent the County Ethics Ordinance applies to CRAs and how the COE can offer ethics training to CRAs in compliance with new state laws.

Several Complaints Filed Against Village of Palmetto Bay Mayor Dismissed

C 19-50-12, C 19-51-12, C 19 52-12 The Ethics Commission unanimously voted to find 3 separate complaints against Village of Palmetto Bay Mayor Karyn Cunningham Not Legally Sufficient and Dismissed each of the cases.

Complaint Filed Against City of North Miami Councilwoman Dismissed

C-19-47-11: The Ethics Commission found No Legal Sufficiency and Dismissed a case against City of North Miami Councilwoman Mary Estime-Irvin.

Ethics Commission at St. Thomas Law School Career Fair

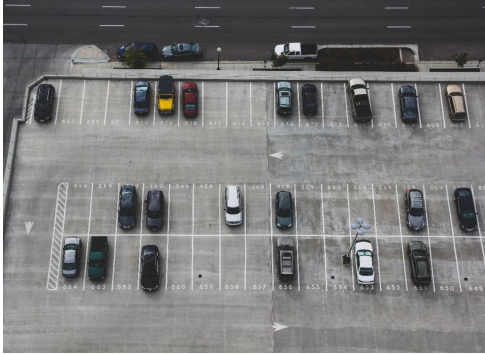
Ethics Commission staff recently attended the St. Thomas University School of Law annual Career & Informational Fair where federal, state, local public service organizations, and private firms were



represented at the Cordero Breezeway at the Law School.

This year, the event was expanded to include Pro Bono & Public Service resources that promoted awareness of the many private, public and government sector career opportunities available. The Ethics Commission and the many other organizations valued the opportunity to present internship, clerkship, mentorship and/or employment opportunities to the law student.

Side Parking Business at Firefighter Station Exposed



The Miami-Dade County Commission on Ethics and Public Trust issued an investigative report in a case where it was alleged that firefighters assigned to County Station 39 at the Port of Miami were renting out parking spaces to other firefighters from the County and other jurisdictions and to members of the public in exchange for money for the station "kitty," a fund used to buy condiments and pay the television cable bill at the fire station.

The report, which was shared with the Office of the Mayor and other County administrators for remedial action, established that County Firefighters assigned to the County's Sea Port Fire Station 39, allowed friends, family, and strangers to park their car for days in spaces assigned to that fire station and not available to the general public. The costs associated with parking in the spaces was less than what the general public would have had to pay at the regular County lots at the Sea Port that are available for cruise customers.

To read the detailed investigative report [click here](#).



To read the articles click on the links below:

Was a Commissioner Improperly
Opinion Shopping? Investigators Will
Decide

Miami Herald, February 27, 2020

A Side Parking Business at PortMiami
Ends for Firefighters After County Ethics
Probe

Miami Herald, February 21, 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](#).

Clean Campaign Class: The two-hour seminar provides essential information on legal pitfalls, fundraising and record keeping to candidates, campaign treasurers, volunteers and anyone else who wants to understand the legal and ethical obligations of seeking public office. The class is free and open to the public. Attorneys can earn Continuing Legal Education credits from the Florida Bar.



SAVE THE DATE

Use of Public Resources Luncheon

When: April 23, 2020, at 12 pm

Where: Miami Shores Country Club

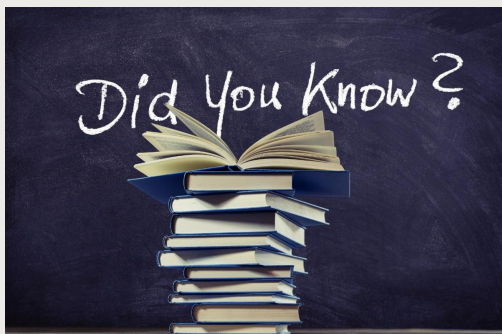
10000 Biscayne Boulevard, Miami Shores, Florida, 33138

Cost: \$35 (includes lunch)

RSVP: rodzand@miamidade.gov

For more information call (305) 579-2594 or click [here](#).

Florida Bar CLE Credits have been applied for



Ethics Commission staff developed content for county-wide, ordinance required ethics refresher training for all county employees. The content has been formatted for video presentation with test questions and has been taken by thousands of County employees.

Ethics & Public Trust

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