



701 NW 1st Court,
8th Floor, Miami, FL
33136
(305) 579-2594
Hotline: (786) 314-9560
ethics@miamidadegov

COMMISSIONERS

Dr. Judith Bernier,
CHAIR
Wifredo "Willy" Gort
VICE-CHAIR
Nelson C. Bellido Esq.
Judge Lawrence A.
Schwartz
Leonard D. Pertnoy, Esq.

Executive Director
Jose J. Arrojo, Esq.

Advocate
Radia Turay, Esq.

For Press Inquiries:
Leonardo Mendoza
Public Information Officer
(305) 579-2594
Leonardo.Mendoza@
miamidadegov

Summary of the Miami-Dade Commission on Ethics & Public Trust Meeting Held on January 18, 2023

MIAMI, FL (January 18, 2023) The Miami-Dade County Commission on Ethics and Public Trust held a public meeting on January 18, 2023. The following actions took place:

New Miami-Dade Commission on Ethics & Public Trust Commissioner Sworn In

Senior Circuit Court Judge and current COE Commissioner, Lawrence A. Schwartz, administered the oath of office to newly appointed COE Commissioner Leonard D. Pertnoy.

Commissioner Pertnoy was appointed to fill the St. Thomas University Law School appointment on the board replacing former St. Thomas University Law School Professor, Keith W. Rizzardi who recently resigned from his position on the Commission.

St. Thomas University School of Law Professor Leonard D. Pertnoy is a distinguished legal educator and attorney. He has served as a member, vice-chairperson, or chairperson of committees of the Eleventh Judicial Circuit and Florida Bar, and he was the President of the Florida Council of American Inns of Court. His publications include articles in the American Journal of Trial Advocacy, Defense, the Florida Bar Journal, and the Albany, Dickinson, Mercer, Montana, St. Thomas, and Syracuse Law Reviews. He is listed in Who's Who in American Law and in Who's Who Worldwide. He was an attorney in private practice for many years and has served as a Dade County Bar Association Pro Bono Attorney. He has been a presenter at many national conferences, institutes, and public media programs. He also is active in the community as a member of numerous organizations, including the World Hunger Organization, the National Wildlife Society, the Sierra Club, and the Smithsonian Society. At the St. Thomas University School of Law, Professor Pertnoy has served as Clinical Director, Assistant Dean, and Associate Dean; currently, he teaches Florida Practice, Professional Responsibility, and Real Estate Transactions.

"I am honored to be appointed to this important Commission on Ethics and Public Trust," stated Commissioner Pertnoy. "I look forward to the opportunity of assuring honesty and integrity in our government and in our legal system."

Professor Pertnoy received his A.B. from the University of Vienna, Austria, his B.A., from the University of Louisville, and his J.D., from the University of Miami.

Complaint Filed Against Town of Bay Harbor Islands Clerk Found Not Legally Sufficient

C 22-67-12: A complaint filed against Town of Bay Harbor Islands Clerk, Yvonne Hamilton, alleging a violation of the Citizens' Bill of Rights, was found Not Legally Sufficient and dismissed. The complaint alleged that Ms. Hamilton violated the Right to be Heard section of the Citizens' Bill of Rights by knowingly not providing public records defined as "Billing Summary" information in support of invoices submitted by the Town Attorney seeking payment for legal services rendered. The Commission found that the Right to be Heard provision does not create a right to public records.

Complaint Filed Against Former City of Doral Mayoral Candidate Found Not Legally Sufficient

C 22-68-12: A complaint filed against a then City of Doral Mayoral candidate who is now Mayor, Christine Fraga, alleging a violation of the Ethical Campaign Practices Ordinance, was found Not Legally Sufficient and dismissed. The complaint alleged that Ms. Fraga, a Chairperson of a Florida Political Committee (PC), distributed a political advertisement with her image on it offering free car washes to those who displayed an "I voted sticker." This, the complaint alleges, implied that only voters for Ms. Fraga would receive the free service as it was being advertised

by Ms. Fraga's own PC and not by the car wash company. The Commission found that the Ethical Campaign Practices Ordinance does not apply to political committees but only to candidates or their campaign staffs.

No Probable Cause Found in Case Involving Mayor of North Bay Village

C 22-60-10: The Ethics Commission unanimously found No Probable Cause that North Bay Village Mayor, Brent Latham, violated the Exploitation of Official Position section of the Miami-Dade County Code. The complaint alleged that Mr. Latham used his position as Mayor to make North Bay Village sanitation workers search through tons of garbage to look for specific items belonging to a resident on behalf of a contractor who mistakenly discarded the items. The complaint also alleged that the contractor was Mayor Latham's relative.

No Legal Sufficiency and No Probable Cause Found in Case Involving Village of Palmetto Bay Councilmember

C 22-33-07: The Ethics Commission unanimously found No Probable Cause that Village of Palmetto Bay Councilmember, Steve Cody, violated the Exploitation of Official Position section of the Miami-Dade County Code and found Not Legally Sufficient the allegation of a violation of the Truth in Government section of the Citizens' Bill of Rights. The complaint alleged that Councilmember Cody used public resources to transmit defamatory statements to the complainant and others for his personal benefit.

Final Candidates Chosen and Interview Date Set for Selection of New COE General Counsel

The COE Executive Director provided the Commission with an update on the candidates who applied for the COE General Counsel position opening. After deliberation, the Commission selected seven finalists for interview. Public interviews are scheduled for March 8, 2023.

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 training, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.