

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST
COMPLAINT FORM



COMPLAINANT (Person bringing complaint):

Name: RONALD EITH
Address: [Redacted]
Contact No.'s: [Redacted]
E-mail: [Redacted]

RESPONDENT (Person against whom complaint is made):

Name: DAN GELBER
Address: [Redacted]
Contact No(s): [Redacted]
Title/Office Held or Sought: CITY OF MIAMI BEACH MAYOR

ALLEGATION refers to: Person in County Gov't. Person in municipal Gov't. (Specify city) X
AND

Elections Ethical Campaign Ordinance (Refer to Instructions) County's Citizens' Bill of Rights
 Employee Protection Ordinance (Whistleblower retaliation) (Refer to Instructions) County/Municipal Ethics Code
X Other (Specify) CITY OF MIAMI BEACH CODE DIVISION 5, SECTION 2-489

Note: The Ethics Commission does not have jurisdiction over Florida Statutes, State or Federal officials, Judges, or the Miami- Dade County School Board.

STATEMENT OF FACTS BASED ON PERSONAL KNOWLEDEGE: In a separate attachment, please describe in detail the facts and actions that form the basis of your complaint, including dates when the action(s) occurred. Also, attach any relevant documents as well as names and contact information of witnesses or other persons who may have knowledge about the actions. If known, indicate the section of the ordinance you believe is being violated. Please refer to the Instructions attached to this Complaint Form for further assistance.

OATH:

I, RONALD EITH, do swear or affirm that the facts set forth in the foregoing complaint & attachments are true and correct to the best my knowledge.

[Signature]
Signature of Complainant /Affiant

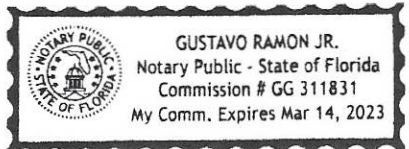
STATE OF FLORIDA
COUNTY OF Miami Dade

Sworn to (or affirmed) and subscribed before me by means of [] physical presence or [] online notarization this 27 day of Oct., 2021

By Ronald Eith
Name of Complainant/Affiant
Personally known to me X or produced identification ()

[Signature]
Signature of Notary Public, State of Florida
Gustavo Ramon Jr

Print, Type or Stamp Commissioned Name of Notary Public



Narrative

On or about September 13, 2021, Mayor Dan Gelber and City Manager Alina Hudak participated in a Zoom conference call with at least 29 other individuals, the majority of whom were real estate developers who currently have projects pending before the city or intend to have projects before the city. A number of these developers, including Jaquelyn Soffer and Jonathan Fryd, are currently included on the list of individuals a City Commission member may not solicit contributions from under Section 2-489 of the code. (Exhibit A-Portions of list entitled “Prohibited campaign contributions by Real Estate Developers”¹.)

The list of real estate developers on this call include but are not limited to: Michael Comras, Michael Shvo, Philip Goldfarb of Fontainebleau Development, Robert Finvarb, Ariel Nakash, Danassi Kanavos, and Jonathan Fryd. Former city mayor Philip Levine appeared to lead the call.

On the call, Philip Levine exhorted the attendees on the call to create and donate to a “pac” (meaning a Florida political committee), saying “we realize that in politics money plays a big part, and there are folks that agree with us and there are folks that don’t agree with us, and the idea would be that we would put together a pac, this organization, this group that would raise money, and we would utilize that money to help elect folks that want to move the city in a positive, safe direction.” (Exhibit B, page 1, paragraph 2- portions of transcript from Zoom conference call.)

Later on in the call, Levine also stated “We need to utilize whatever influence we have to push those six commissioners to follow the vision and the agenda of the mayor and the manager to make the city safer. In other words, nothing can happen unless we exercise our power with those elected officials to have them to move forward.” (Exhibit B, page 4, paragraph 4.)

Mayor Gelber and City Manager Hudak were both on the call during these comments. Reviewing the transcript², it is clear that the purpose of this call, apparently convened by Levine, was to ask the developers on the call to engage politically by donating to political committees or to candidates. At no time did Mayor Gelber indicate that he was barred by local ordinance from soliciting donations from developers, nor did he leave the call when political contributions or activity was mentioned.

Mayor Gelber was on the call with at least two developers-Jonathan Fryd and members of the Soffer family- who are on the list of prohibited campaign contributions by Real Estate Developers. By attending this call, where discussions of political activity were held, Mayor Gelber is in violation of Section 2-489 of the Miami Beach City Code-Prohibited campaign contributions by real estate developers.

¹ Only portions of this list have been included in order to meet the Miami-Dade Ethics Commission requirement that attachments not exceed 15 pages or be overly voluminous. The full list is available at <https://www.miamibeachfl.gov/city-hall/city-clerk/election-information/campaign-finance/>

² While only portions of the transcript have been included with this complaint in order to meet the Miami-Dade Ethics Commission requirement that attachments not exceed 15 pages, the complainant can provide the complete transcript upon request.

Section A(1)(b)i of the Code provides in part:

No...member of the City Commission...shall directly or indirectly solicit any campaign contribution from a real estate developer. (emphasis added)

Section A(1)(b)ii of the Code provides in part:

The term "indirectly" shall also be defined to include those instances in which...a member of the City Commission solicits a real estate developer for campaign contributions for a political committee that supports or opposes candidates for City elected office. (emphasis added).

As the Mayor, Gelber is subject to this code pursuant to Article II, Section 2.01 of the Miami Beach City Charter, which provides that the City Commission shall consist of six members and a mayor.

Mayor Gelber's attendance at this Zoom meeting filled with Miami Beach real estate developers should be investigated to determine if the Miami Beach City Code was violated, and if any additional ethics violations occurred.

<p>Sec. 2-488 Prohibited campaign contributions by lobbyists on procurement issues</p>	<p>Sec. 2-489 Prohibited campaign contributions by Real Estate Developers</p>	<p>Sec. 2-490 Prohibited campaign contributions by lobbyists on Real Estate Development issues</p>
<p>Abraham, Lourdes</p>	<p>Convention Center Hotel</p>	<p>Amaya, Edmar</p>
<p>Proposal for Health Benefits Administration, RFP 2016-086-WG</p>	<p>MB Mixed Used Investment Holdings Member, LLC</p>	<p>DRB 19-0468; 4880 Pine Tree Drive</p>
<p>Agnellini, Victor</p>	<p>MB Mixed Used Investment Holdings Member Parent, LLC</p>	<p>Amster, Matthew</p>
<p>RFP No. 2017-006-AK for Public Safety Radio Network</p>	<p>MB Mixed Used Investment Holdings Member Owner, LLC</p>	<p>Rezoning of the property and COA approval for property located at 550 9th Street</p>
<p>Andrade, Rafael</p>	<p>Pedro A. Martin</p>	<p>Arrizurieta, Jorge</p>
<p>Municipal Garage Advertising Services (RFP 2017-081-WG) and related matters</p>	<p>David P. Martin</p>	<p>Development approvals and permitting issues; 120 Macarthur Causeway</p>
<p>Andres, Jeffrey</p>		<p>Behar, Victor</p>

Outdoor Advertising	TB MBCC Hotel Investment, LLC	Conditional use approval of 709 RD project
Arteaga, Diana	Jaquelyn Soffer	Bercow, Jeffrey
Existing contract and partnership with the City and potential renewal		Lease Amendment and Extension and related matters regarding 300-344 Allon Road in Miami Beach, Florida
Balido, Alberto	71st Street Project	Lease amendment, extension, and related matters regarding Miami Beach Marina located at 300-344 Allon Road
Residential & Commercial Solid Waste	North Beach Town Center Development, LLC	Bierman, Mitchell
Bell, Marc	Aria Mehrabi	Transit Hub, modifications to permitted height regulations, and redevelopment of Allon Road and West Avenue
RFP No. 14-11/12	Matthew Barnes	Bittel, Stephen
Bierman, Mitchell	Neisen Kasdin	Miami Beach Issues

RFP 2018-233-KB; Design, Build, Operate and Maintain SCADA & PLC	Howard D. Cohen	Proposed transit hub at 500 Block of Alton Road
Miami City Ballet representation; Collins Park Artist/ Workforce Housing	Randy Weisburd	Pathman, Wayne
Contract for security guard services; RFP 2020-007-JC	Stanley Cohen	Town Center Term Sheet and Development Agreement
Mackie, Russell	Kenneth Cohen	Pego, Michael
Solid Waste and Recycling		City's proposed historic designation of International Inn located at 2301 Normandy Dr
Mancini, David	1260 Washington Avenue	Riley, William
La Gorce Drive Redevelopments; RFP 2016-116-KB	1234 Partners, Ltd.	All land use and zoning issues; 1440 Ocean Drive and 1433 Collins Avenue
Marante, Rolando	Jonathan Fryd	Shulman, Allan

[background conversation]

0:02:26.5 Levine: Is that the city needs to immediately stem the crime that's happening in our city with a variety of very, very important what we call stick. I'm sorry? Okay. Okay. They can't see the speakers? Okay. So the second thing was, of course, is what are the things we can do to stem crime? And the group has come together with many, many ideas, these are a lot of ideas mayor, that I think you've already proposed, and the manager has proposed. The third thing, of course, was the carrot.

0:03:07.4 Levine: Well, if we're gonna have a stick and we're gonna come down strong on this entertainment district, which we believe unfortunately is emanating a lot of the problems that we have, what are the incentives that this highly talented group of business people and real estate people can create to allow that area to transform, and I think what we believe, and Lyle, you'll talk more about it is, a live, work, play area that kinda becomes our downtown, and I think Richard Florida really spoke to it during our last meeting. The fourth idea was that we would realize that in politics, money plays a big part, and there are folks that agree with us and there are folks that don't agree with us, and the idea would be that we would put together a pack, this organization, this group that would raise money, and we would utilize that money to help elect folks that wanna move the city in a positive, safe direction.

0:04:00.5 Levine: And we would also use that money in the form of direct democracy, which basically, ideas that we had that we believe the Commission couldn't approve, legally don't have the authority to approve, but that we would take to the people of Miami Beach and have them basically move this forward on a referendum. So those are the kind of the four points that I think we covered, and I believe the group is very open to any and all ideas, 'cause I think at this point, there's a sense of desperation among our community that they wanna see things happen and they wanna help our mayor and our city manager. The one thing I wanna just say, folks, before and then we're gonna kinda talk, and I want the mayor to talk and everybody, is that the city manager Alina Hudak, who is relatively new to our community, she was the deputy mayor of Dade County, and I had the privilege of working with her during the Zika crisis, if everybody recalls, that was gonna be the end of Miami Beach, that was gonna be the end of Miami, and of course, thank God we successfully were able to get forward and go across the line with that, but I worked with the city manager and this city manager was highly talented, highly focused, actioned, gets things done.

0:05:15.1 Levine: So I could tell you that we have the right city manager at the right time to effectuate the change that we need. And I wanna say it because when you take a job, all of a sudden you have all this stuff on you, but you didn't create it, but now it's up to you to actually help get it done, and I just wanted to let you all know that whether you knew Alina or not, but she's a fantastic manager, a fantastic executive and we're very, very honored to be able to have her, so with that mayor, I don't wanna talk, I think maybe you say a few words and talk, and then Alina, kind of tell us where we're at, and so on and so forth.

0:05:52.4 Speaker 2: Thank you and thank you former Mayor Levine. My father used to always say that cities rise, not because of government, but in spite of it, and I always thought that was a funny line from a mayor, but the truth is mayors, as the two of us sitting here will tell you, come and go, but frankly, to me, you're sort of given a set of challenges when you're in this job, and you had them as well, and the question is are you gonna kick the can down the road, or are you gonna

try to create a template and solve them in a way that's meaningful? Our city has obviously amazing opportunities, but also challenges, and I think one of the tricks here is gonna be how do we make our challenges into our opportunities? I think to a great extent that what we've been seeing around here is something that no one in this room, no one in this community is willing to accept as a new normal or anything close to a normal.

0:06:56.8 Speaker 2: I don't think there's any question about that. For the few years that I've been mayor, I have wanted to see... When I came in, it wasn't great. And I think it for over a decade, it's really been sort of on this decline, but as we've become more and more attractive to the world, what we're seeing now are things that just can't happen in a residential community. Last night at 3:00 AM, some guy on 23rd Street shot off two bullets from a gun, just, you know, another thing that happened in our community. Don't know where he is or where he went, but everybody ran from the area, and that can't be sort of just another night in Miami Beach, so we have to change a lot. And I reach out to you all for this reason, and I'm really happy you all have convened, and I don't wanna make you formal because then you won't be able to talk to each other, and Alina will have to send staff members to you all the time.

0:07:47.6 S2: But I do wanna tell you this, if we're gonna get through this, it's gonna be because of you and with you and not simply because of us. Alina's in a moment is gonna talk about some of the policing that she's done, and I will tell you, she wasn't just the deputy mayor, she was the manager of the city for some time, I don't think we could ask for a more qualified and no-nonsense manager than we have right now in Alina Hudak. But what we need though is really a couple of things. We call it the sticks and carrots, I've put out a plan of 12 different areas that I think we need to address that are both sticks and carrots, but the thing that you all could focus on, I think more than anything, and I know almost all of you. I know the projects you've done, I know what you do for a living, each one of you has a different lens but you have always thought of our city as a canvas, that you want to do something...

0:08:40.5 S2: I always say that a lot of our city are vanity projects for really smart people who wanna develop in the ways that they're proud of, who want to do things that they're gonna live in, and that's something that's very unusual. We don't... No city like ours has this many people who do amazing things, who are also our residents, who also stay here, who wanna be part of it. So, what I would really love you to do is tell us what you need, tell us what you need to re-imagine the areas we know need to be re-imagined? Right now this business model is just not working. It's a high volume business model that just attracts so much disorder that it becomes almost impossible to police. We've increased our force from, I think, 380 or 390 to... It's gonna be 430 something next year, and mostly all going to patrol and we could even go higher than that, which I'm sure we will.

0:09:44.5 S2: But at some point, what we created is not fostering what we want, and I do believe that a mixed-use live-work-play canvas is what we should be seeking in the South Beach area, not without restaurants or bars, but with... But perhaps with lots of other stuff that re-defines the area. We all have traveled our community, we've all traveled the world, and we know what communities we want to look like. We've been that from time to time, and we are that from time to time, but too much happening in South Beach has created too much disorder. And I will commit to you this, if our staff will be available, I believe that if you come up with an idea that you think might allow an adaptive reuse of something, we will wanna hear it. And I commit to you this, if you want

something on the ballot, because it needs to be on the ballot, I'll put it on the ballot, I'll support it, if it's a viable, thoughtful idea that navigates the kinds of things we wanna navigate. I'll put it on the ballot and I'll promote it, I wanna...

0:10:51.5 S2: I think our community is ready, and honestly, I think we need people to stop being so risk-averse to changes. We have to... We are not gonna change this dynamic unless we seriously change what's going on in South Beach, and it's just very much that simple. There are so many other things amazing happening in our city, parks renaissance, our cultural renaissance, all these things have been building on each other, and the one thing threatening it is this sense that we are 24-hour, anything goes place, where somebody should come here really to experience their rite of passage, and we cannot be that place anymore. And we have to make that clear and I'm prepared to do whatever we need to do and support any idea even if it's not particularly popular, because I love this city, I have lived here every... It's been my hometown for 60 years, and I'd like my children to want to make it their hometown, and I know if we don't do things, that future is in jeopardy, and I think you all probably feel exactly the same way.

0:11:57.1 S2: So, I know I'm among friends, but more importantly, I'm among committed folks, and we cannot talk about a pack or things like that, that's not what Alina is allowed to talk about, and I really shouldn't be here talking about that with a city personnel. But I'd like Alina to talk a little bit about the very fast manager she's taken, because she has only been on the job a few months and this has been rushing at her and she... I've watched her in meetings, she has the command of our city in a way that I'm very, very comfortable with, and I think we're really fortunate to have her. Alina, you wanna talk a little bit about...

0:12:33.1 Alina: Good morning everyone, and thank you very much. I appreciate very much the welcoming comments by both our mayors. By way of background, I do come to this government after a 35-year career with Miami-Dade County government, a very large regional metropolitan government, 27,000 employees, \$8 billion budget. I was the last county manager in the history of Miami-Dade County before we transitioned to a strong mayor, and then I became a deputy mayor from the last 10 years of my career there. And I will tell you that being in the City of Miami Beach, which is quite frankly a small government in terms of assets, in terms of resource, in terms of staffing, and seeing the vision here, the demands, the expectation, it's a very difficult balance. And in my short time here, a year-and-a-half now, I was an Assistant City Manager prior to becoming City Manager, and I arrived in February, and in March I became responsible for our COVID response.

0:13:29.9 Alina: It's been difficult to get to know all of you, the business community, as well as even our residential neighborhood associations because of COVID, so I certainly hope that this is the beginning of being able to be out in the community and engaging with all of you and meeting all of you personally, 'cause that's very much a part of who I am and who I... I want all of you to know me well, and to know me personally. I will tell you that my four months as your city manager have been extraordinarily challenging, it's difficult to sit and strategize and have vision. Those of you that know me know that I've tried very hard to spend some quality time with you and talk about all that we are observing and experiencing. I spend most of my time reacting to a crisis and reacting to a problem and reacting to whatever the issue of the day is, and almost always it's related to South Beach.

0:33:39.3 Alina: The only thing I would add is, I hear a lot about Coconut Grove and Wynwood and Brickell and what's happening throughout the community, and all of these things have to be on parallel paths, and one of the things that is different about some of those areas is that there are vibrant business improvement districts, and those districts exist, not solely for the purpose of doing PR, but they exist and contribute financially to the maintenance and the security of the areas, and we don't have that here.

0:34:10.1 Alina: We need a vibrant Business Improvement District model here, and it's something that I've asked some of my senior staff to do some homework on, but that is something... Again, all of these things have to be almost on parallel paths. I am scheduled to spend some quality time with David Whitaker, who is the new executive director and president of the Greater Miami Visitors & Convention Bureau. For the first time we've negotiated in the convention bureau agreement set aside and money specifically set aside for Miami Beach to be able to do marketing and branding, something that we talk a lot about, but quite frankly, has never been funded, the city has one marketing person and that person is dedicated to marketing the city services, not the city or the image of the city, so it is something that... It's a conversation that I wanna have with David, 'cause I really wanna understand nationally what happened, like how did... What happened in the last 20 years that led the world to think that you can come here and behave the way that people behave when they arrive here. So there are many different things, I think that have to be on parallel paths, and they're all aggressive and they all require leadership.

0:35:17.8 Alina: On the part of the business community, on the part of government, on the part of our residents, and really everyone who cares about Miami Beach, the community at large, one thing that's been very striking to me and in my year-and-a-half here is, how removed at times the island is from the rest of the community, how little we engage and participate in the Beacon Council and the Bureau, and the Greater Miami Chamber of Commerce and things that... Again, that the relationship is very important to the future of the City of Miami Beach. So I, again, to the extent that I can bring visibility to the city in a different way, I expect to be able to do that.

0:36:01.1 Levine: Thank you. The one thing I wanna say to everybody, and I know the mayor and the manager probably are not comfortable saying it, so I'm going to say it as a former mayor, that the one of the most important things we could do and we discussed it is, there's six commissioners, two of them are gonna be new coming on, we need to utilize whatever influence we have to push those six commissioners to follow the vision and the agenda of the mayor and the manager to make the city safer. In other words, nothing can happen unless we exercise our power with those elected officials to have them to move forward. Because the reality is, is that we know what's going on, you got this commissioner who's gonna help those Ocean Drive people, because they contributed to their campaign and this one doesn't care for that reason. We have to take the initiative to put the influence on those commissioners, to them to follow the mayor and his vision and agenda. Otherwise, the mayor and the manager are handicapped and unable to push forward for what they need to do.

0:37:14.2 Levine: That's one of the most important messages, I think. And they're not gonna necessarily say that, but I'm gonna say it, because I know it's that important. Well, the Mayor agrees with it, and so, there you go. So that's what really has to happen, and we're gonna have to figure out

**MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST
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INSTRUCTIONS

The Miami-Dade County Board of County Commissioners, through Ordinance 97-105, established the Miami-Dade County Commission on Ethics & Public Trust (COE). The COE encourages persons with personal knowledge of suspected violations of ordinances within its jurisdiction to bring forth evidence in a legally sufficient complaint.

Jurisdiction: The COE has jurisdiction to hear complaints related to the following County & comparable municipal ordinances:

- Miami-Dade County Code of Ethics & Conflict of Interest Ordinance- §§ 2-11.1, *et. seq.*
- Political Campaign Activities- § 2-11.1.1
- Ethical Campaign Practices Ordinance, to be timely heard by a hearing examiner before an election, subject to a filing fee- § 2-11.1.1(E)
- Miami-Dade County's Citizens' Bill of Rights
- Employee Protection Ordinance - § 2-56.28.17 (These complaints must be simultaneously filed with the Office of the Mayor)
- Any other County or municipal ordinance that authorizes the COE to exercise its jurisdiction.

Legal Sufficiency: To be legally sufficient, the Complaint must meet the following criteria:

- 1) The complaint must be against a natural person, not a business entity, non-governmental organization, or public organization.
- 2) The complaint must allege a violation of an ordinance(s) within the jurisdiction of the COE;
- 3) The allegation(s) must be based substantially on personal knowledge;
- 4) The complaint must be signed under oath or affirmation by the complaining individual (complainant);
- 5) The facts alleged in the complaint are sufficient to allege a violation of an ordinance within the jurisdiction of the COE.

Requirements: Complaints must be notarized. COE will not accept anonymous complaints. Improperly completed Complaint Forms will be returned. All complaints are considered **independent** of one another. Therefore, if you are filing a complaint against multiple Respondents, you must use a **separate** Complaint Form for **each** Respondent and provide a **separate** Statement of Facts for each person, otherwise your complaint will be returned.

Submittal and Fees: The Complaint Form notarized and substantiated with relevant documents, if available, may be sent via U.S. mail or personal delivery to the Miami-Dade County Commission on Ethics, 701 NW 1st Court, 8th Floor, Miami, FL 33136; or by electronic mail to ethics@miamidade.gov. For submissions by email, please include the word "CONFIDENTIAL" at the beginning of the email subject line.

Statute of Limitations: No action shall be taken on a Complaint filed more than three (3) years after the violation is alleged to have occurred, with the exception of allegations which are subject to a personnel proceeding or the exhaustion of all administrative remedies, in which instance, the statute of limitations will be tolled until the termination of said action(s).

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PROCEDURES

All sworn complaints filed with COE will be assigned a number. A copy shall be forwarded to the Respondent within five (5) days after receipt of the Complaint or as soon as practicable thereafter unless the Complaint is returned to the complainant. An acknowledgement letter will also be sent to the complainant.

The Complaint will be reviewed for legal sufficiency. Upon a determination of no legal sufficiency, a recommendation will be presented to the COE for dismissal. An order dismissing the Complaint will be sent to both the Complainant and the Respondent. Upon a determination of legal sufficiency, a preliminary investigation shall be undertaken to determine whether there is probable cause to believe that a violation has occurred. Complainant may be required to speak to COE Staff and/or produce additional documentation in support of the complaint. If during the investigation, evidence of other wrongful act(s) not materially related to the Complaint is discovered, such evidence may result in further investigation, an ethics complaint or other action in accordance with COE Rules. Respondent shall be given an opportunity to respond to the Complaint.

COE Staff will make a recommendation of either probable cause or no probable cause to the COE which may take such action as authorized by its Rules. The COE may, at its discretion, dismiss a Complaint at any stage should it determine that the public interest would not be served by proceeding further.

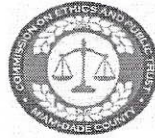
- If you are complaining that you have been retaliated against pursuant to Employee Protection Ordinance, you **must** exhaust your administrative or contractual remedies before filing an ethics complaint in accordance with Section 2-56.28.17, Miami-Dade County Code and Section J, COE Rules.
- Ethical Campaign Practices Complaints will be processed on an expedited basis in accordance with Section 2-11.1.1(E), Miami-Dade County Code and Section K, COE Rules. A fee of \$301.00, payable by check, credit card or money order, is required for expedited process.

Withdrawal of Complaint: A request for withdrawal shall be in writing and signed by Complainant. A Complaint may be withdrawn for good cause.

Stay of Proceedings: In accordance with COE Rules, complaint proceedings may be stayed at any time prior to the commencement of a public hearing.

Notices: All legally sufficient sworn complaints will be presented to the Ethics Commission for probable cause determination. Notice of the probable cause determination hearing will be sent to all Respondents and only to personally aggrieved Complainants. Attendance at the probable cause determination hearing will depend on whether the violation you allege **directly** affects you, ie., you have personally suffered loss or detriment, directly or indirectly, as a result of the Respondent's alleged violation. Upon the COE's entry of a final order, both the Complainant and Respondent will be notified of the final disposition. Pre-probable cause determinations are not noticed.

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Confidentiality: The Complaint and all Staff and COE activities, proceedings and documents related to the Complaint are **confidential**. Staff may advise the Complainant or Respondent about the status of the complaint proceeding. Confidentiality may only be waived in writing by the Respondent.

Costs and Attorney's Fees: Pursuant to Section 2-1074(t) of the Miami-Dade County Code and COE Rule of Procedure 3.6, Respondent may petition the COE for the imposition of costs and attorney's fees based on Complainant filing a frivolous and groundless complaint. If the petition is legally sufficient, a hearing shall take place where a determination shall be made on whether the alleged violator/Respondent is entitled to costs and attorney's fees based on the filing of a frivolous complaint.

For additional information on the complaint process, please contact the COE office at (305) 579-2594, or follow the link to the Ethics Commission at <http://miamidade.gov>

The Ethics Commission is a public entity subject to the Public Record Laws, Chapter 119, Florida Statutes.

/MDP
July 2021