



**Joseph M. Centorino**, Inspector General

June 16, 2020

TO: Honorable Mayor and Members of the City Commission  
FROM: Joseph Centorino, Inspector General  
RE: Alleged Unlawful Campaign Financing  
OIG No. 20-06

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Executive Summary

Attached is the Office of the Inspector General's review of an allegation of unlawful campaign contributions by unknown vendors and developers during the 2019 Commission District IV race. The review concluded that, in the absence of evidence that there was a direct or indirect solicitation of a prohibited donor to a PAC which supported or opposed a candidate for City elected office, the contributions would not be unlawful. Based on the results of the review, and the declination by the Miami-Dade Commission on Ethics, no further action was taken.



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TO: Honorable Mayor and Members of the City Commission  
FROM: Joseph Centorino, Inspector General

DATE: June 16, 2020  
RE: Alleged Unlawful Campaign Financing  
OIG No. 20-06

Complaint Re: Alleged Unlawful Campaign Financing  
Complainant: Mr. Jeff Donnelly

**Allegation:**

Unknown vendors and real estate developers contributed to a PAC targeting candidate Kristen Rosen Gonzalez in violation of the City of Miami Beach campaign finance ordinance.

Relevant laws: Miami Beach Code Sec. 2-487-491, Campaign Finance Reform

Facts: The complainant mailed to this office campaign material paid for by Our Future Now, a political action committee (PAC) with an address in Tampa, Florida. (A copy of the material is part of the file.) The PAC's documents filed with the State of Florida Election Department indicate that it neither supports a particular candidate, nor is connected to any committees supporting a candidate. Additionally, at the time of its creation, Our Future Now did not support or oppose any issues. Nevertheless, the campaign material it mailed out alleged that Kristen Rosen Gonzalez who, at the time, was a candidate for the Miami Beach Commission, had accepted thousands of dollars from developers and vendors. Rosen Gonzalez had three opponents in the 2019 election: Michael Barrineau, Steven Meiner, and Rafael Velasquez. The campaign materials did not endorse any of the other candidates. The complainant asked this office to investigate Our Future Now and its donor sources.

**Analysis:**

Chapter 2, Division 5, Section 2-276 of the Miami Beach City Code states, in part, that "the City of Miami Beach Office of Inspector General is hereby created as an independent body to perform investigations, audits, reviews, and oversight of municipal matters,

including City contracts, programs, projects, and expenditures, in order to identify inefficiencies and to detect and prevent fraud, waste, mismanagement, misconduct, and abuse of power..." The allegation in this complaint involves a municipal matter (an election) that may have involved misconduct by candidates running for City Commission in violation of the City's campaign finance laws. Therefore, this inquiry is within the purview of the Inspector General.

In 2015, Miami Beach engaged in a rigorous process of amending its campaign finance laws. At the time, the City ordinances prohibited incumbents or candidates for office from soliciting or accepting, directly or indirectly, contributions from vendors, real estate developers, or their lobbyists. However, the ordinances did not specifically prohibit a contribution or solicitation of a contribution, directly or indirectly, to a PAC that supported an incumbent or other candidate for City office so long as the incumbent and/or candidate did not either directly or indirectly seek the contribution or solicitation.

In an effort to remedy the appearance of quid pro quo corruption that became part of the public debate at the time, the City assembled a public workshop, which included ethical guidance and legal opinions from the City Attorney, as well as, the Executive Director of the Miami-Dade Commission on Ethics and Public Trust, Joseph M. Centorino, and Attorney former Florida Supreme Court Justice Raul Cantero. As a consequence of this public discussion, the Miami Beach Commission voted to amend its campaign finance ordinance. The amendments, which the City Commission unanimously adopted, state, in part, that candidates for the offices of Miami Beach Mayor or City Commissioner, as well as their campaign committees, may not directly or indirectly solicit, accept or deposit into such candidate's campaign account any campaign contribution from a vendor, real estate developer, and/or their lobbyists. The amendments further prohibit candidates or their campaign committees from soliciting, directly or indirectly, from a vendor, real estate developer, or lobbyist for a vendor or real estate developer, for a contribution to a PAC that supports or opposes candidates for City elected office.

Enforcement of Section 2.487-491 of the Miami Beach Code is within the jurisdiction of the Miami-Dade Commission on Ethics. This matter was discussed with Michael Murawski, Advocate for the Commission on Ethics. Mr. Murawski declined to investigate further and concurred that, in the absence of evidence that there was a direct or indirect solicitation of a prohibited donor to a PAC which supported or opposed a candidate for City elected office, this would not be an unlawful contribution.

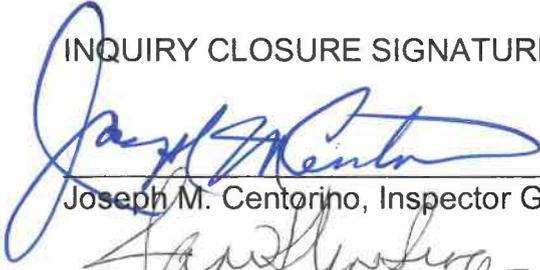
The OIG has concluded that, in the absence of evidence of a direct or indirect solicitation by a prohibited donor, as outlined above, or any information upon which to suspect such an illegal solicitation, there is no basis for further investigation.

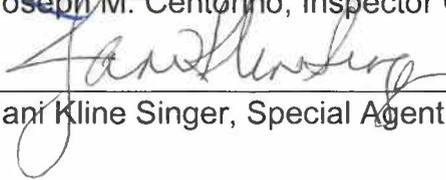
Kristen Rosen Gonzalez provided a statement to the Office of Inspector General, but she did not have any further information about the sources of funding for Our Future Now. She was advised that there would be no further action on this matter.

The complainant was advised of these conclusions.

This matter is now closed.

INQUIRY CLOSURE SIGNATURES:

  
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Joseph M. Centorino, Inspector General

  
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Jani Kline Singer, Special Agent

06/16/2020  
Date

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