Practical impacts of Ethics in your Cities

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TAMARAC
Solid Middle Class Community or Hotbed of Corruption?
Your Role in creating an ethical organization

• Are ethical behaviors top down or bottom up?

• You set the tone, you’re responsible!

• Relationships matter…
Why relationships matter…

• Organizational ethics revolve around 3 groups.

• Honest communication matters
Ethics – It’s about more than an Ordinance or a Law

• Broward County Ethics Ordinance
  – Water and Wine
  – Office of the Inspector General
  – Are you ethical?
  – Do you face regular ethical dilemmas?
Ethical Dilemma – Text Messaging

• Originally thought to be “transistory” in nature.
• Informal AGO suggests they could be public records. (“Regardless of form”)
• Not permitted to use mechanism to evade public record act.
• Companies rarely store them and many City servers don’t pick them up.
Text Messages

• City of Pembroke Pines / Southwest Ranches / CCA

• Orange County – “Textgate”
  - A $90,000 lesson
• Sunshine Law (Sec. 286.011, F.S.)

• Public Records / Records Retention (Ch. 119, F.S.)
Ethical Dilemma at the Housing Authority

- Employee mortgages
- Housing authority as a conduit
- City Pension plans
- Who benefits?
- Does it matter?
• Miami Herald v. Commissioner Marc Sarnoff (3rd DCA 2007)
• Commissioner takes notes during meeting with former city of Miami official regarding controversial land development project.
• AGO 2010-55
Ethical Dilemma with a Land Use special exception

- Charter School/Drop out prevention center
- November Municipal Election
- Campaign Finance
- Ethical Dilemmas?
- Clown College
Butler v. Hallandale Beach (4th DCA 2011)

Mayor sends an email from her personal email account, using her personal computer, and blind carbon copies to friends and supporters. The email itself was very brief, with attached three articles the Mayor wrote as a contributor to the SF Sun Times.
Ethical Dilemma – Golf Course Redevelopment

- Tamarac 2005 – Real Estate Market is exploding
- Golf Courses are failing at a rapid pace
- Sabal Palm and Monterey
- Norman and the Chaits
Sabal Palm and Monterey
Sabal Palm and Monterey

- A lengthy approval process
  - Tamarac City Planning Board
  - Tamarac City Commission
  - Broward County Planning Council
  - Broward County Commission
  - Broward County School Board
Sabal Palm and Monterey

• Let the Games begin…
  – 2006 Mayoral Election
  – 2006 District 2 Election
  – 2006 District 4 Election
  – Anybody want to guess how this ends?
Practical Matters…

Eggelletion took $25,000 cash and a membership at the Parkland Golf & Country Club. He was sentenced to two and a half years in prison, which he has served.
Practical Matters...

The Chaits pleaded guilty to one count of unlawful compensation and were sentenced to five years of probation.
Former Tamarac Commissioner Patricia "Patte" Atkins-Grad was arrested on charges she took $6,300 in illegal payments from the men to lease a BMW and pay for her election victory party, in exchange for voting for their project. She was acquitted by a jury, after arguing she wasn't savvy enough to realize she was being bribed. She resigned her seat in 2010 advance of a recall election.
Former Tamarac Vice Mayor Marc Sultanof was accused of taking illegal payments of more than $30,000 for a 2006 Honda Accord from the Chaits, in exchange for votes. Sultanof pleaded not guilty and was awaiting trial when he died in 2011 at age 90.
Practical Matters...

Mayor Beth Flansbaum-Talabisco was accused of secretly accepting $21,000 worth of help from them to boost her 2006 election campaign. She was suspended by the Governor until the charges were dropped. She was reinstated by the Governor until the 4th District court of Appeals overturned the District Court Judge’s decision and reinstated corruption charges. The Governor re-suspended Talabisco. She still faces charges.
Practical Matters…

Stephanie Kraft was a Broward School Board member when she pleaded not guilty to accepting $10,000, given to her husband Mitch Kraft's consulting business. Both were charged in connection with the case and face trial. Last week, the state Commission on Ethics found probable cause to believe she broke state ethics laws, as well.
Former Tamarac Mayor Joe Schreiber said the Chaits offered $200,000 if his wife, Mae, would drop out of the mayor's race. The Schreibers refused, but Joe Schreiber told the Sun Sentinel in 2011 that after his wife's loss at the polls, Bruce Chait gave a travel agent $8,400 for a cruise to Greece. The couple canceled the cruise and used the money to go to Israel, he said.
Practical Matters…

Tamarac's former director of community development, Chris King, admitted to state investigators that he took between $1,000 and $2,000 from Shawn Chait and recommended approval of the project to city commissioners in 2006. He had immunity from prosecution through cooperating with prosecutors.
Coral Springs Mayor Scott Brook was slapped with an ethics violation by the State Ethics Commission for accepting a fishing trip while serving on the Broward County Planning Council. He worked to get the Chait’s project approved and in return was the recipient of a weekend fishing trip aboard the Chait’s yacht, Prestige.
Practical Matters…

Poor picture of a really nice boat….
Picking up the pieces...
Organizational impacts of unethical behavior:

- Time
- Money
- Individuals
- Organization
- Community
QUESTIONS?