

# Toll board lobbyist accused of foiling county's push for transit funds



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Alex Annunziato, a top staffer on the Miami-Dade Commission's Transportation committee, couldn't believe what he was reading in House Bill 1377. The proposed legislation included the framework of a plan he helped craft to generate \$1.5 billion for Miami-Dade for transit projects. But instead of the elected commissioners having control of the money, the funds would go to the independent Miami-Dade Expressway Authority, which administers toll roads throughout the county.

"I wondered 'where did all that MDX stuff come from?'" Annunziato told investigators. "It was completely bizarre and totally contrary to what we were proposing."

The private lobbyist Miami-Dade hired to push the transit legislation had another client paying more: MDX. A recent report from the county's ethics board criticized the lobbyist, Fausto Gomez, for not disclosing the "potential conflict" and recommended that the County Commission ban his Miami firm, Gomez Barker, from county lobbying contracts for up to three years.

Reached Thursday night, Gomez said he was unaware of the Ethics Commission's report and did not respond to a request for comment after a reporter sent him the document. He also did not speak to Ethics Commission investigator Karl Ross, the former Miami Herald reporter who handled the case. Gomez's lawyer, Benedict Kuehne, sent an email to the commission saying Gomez represented Miami-Dade fairly.

"At no time did Mr. Gomez advance other interests above those of Miami-Dade County, and did not favor one client over another," Kuehne wrote to the ethics board. "He withheld no information from Miami-Dade County."

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**AT NO TIME DID MR. GOMEZ ADVANCE OTHER INTERESTS ABOVE THOSE OF MIAMI-DADE COUNTY, AND DID NOT FAVOR ONE CLIENT OVER ANOTHER.**

Benedict Kuehne, lawyer for Fausto Gomez

The county lawyer in charge of lobbying, Jess McCarty, said Miami-Dade's agreement with Gomez Barker paid about \$30,000 a year, while MDX pays the Miami firm \$120,000 a year, according to the Nov. 10 ethics report. The report noted MDX "seemed to be competing with the County" for transportation funding.

The investigative report offers a rare look into the behind-the-scenes efforts by Miami-Dade and MDX to push their interests in Tallahassee, as well as a raw account of local officials engaged in a bitter exchange of finger-pointing over the failed transit-funds bill.

Kuehne accuses Commissioner Esteban "Steve" Bovo, Annunziato's boss as chairman of the Transportation committee, of helping sink the legislation by insisting that his plan for an east-west commuter train take priority over a broader transit fix.

"The impact of Commissioner Bovo's misconduct cannot be overstated," Kuehne wrote. "Seemingly in order to deflect attention away from his own actions that resulted in none of the County's transportation needs being addressed, Commission Bovo sought to blame the failure on Fausto Gomez."

Bovo expressed "disgust" at Kuehne's response, and said the language Gomez submitted to state lawmakers for the proposed bill ended up diverging "wildly" from what the county had asked him to do. "The proposal adopted by our commission had been corrupted," Bovo wrote in an Aug. 30 email to the ethics staff. McCarty, the county lawyer, wrote in an email that "our language is not the language that appeared" in the bills Gomez was hired to push.

The bills ultimately died after the county added lengthy amendments to the legislation designed to scuttle the bills, said Ron Book, another county lobbyist who took over the transit portfolio after Gomez Baker's work drew scrutiny within County Hall. He told Ross that Miami-Dade killed the legislation because at the county's request because "it didn't want MDX to get the funding."

At issue was a House bill filed Jan. 11 by Rep. Jeannette Nunez, a Miami Republican. The legislation would have given the MDX a central role in the creation of new transit districts, areas created by the bill that would have siphoned property taxes into transportation projects. The MDX would have administered the money, though the zones could be created only through an agreement with Miami-Dade or a city.



### **FAUSTO GOMEZ NEVER TOLD US HOW THE MDX LANGUAGE GOT INTO THE COUNTY'S BILL.**

Alex Annunziato, aide to Transportation Chairman Esteban "Steve" Bovo

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Nunez's office said the bill language came from the staff of state Sen. Anitere Flores, another Miami Republican. A Flores legislative aide, Alex Alamo, said the bulk of the language arrived by email on Nov. 15, 2015, from Gomez Barker lobbyist Manny Reyes.

Here is "our draft proposal of the comprehensive transportation plan for Miami-Dade County that Fausto discussed in concept with you a few weeks back," Reyes wrote. "The bill provides Miami-Dade County with the option to use MDX and its transportation infrastructure expertise as the implementing agency for its transportation plan..."

Javier Rodriguez, MDX's director, said the agency helped write some of the draft legislation Reyes submitted to Flores' office as Miami-Dade's transportation plan, the report said. Flores told an investigator: "We never thought that was an MDX bill."

Annunziato is Bovo's legislative director and worked with McCarty and other county lawyers to draft language for the state transit bill. He said the team was clear it wanted lobbyists to submit the language "verbatim" to cooperative lawmakers, and that he only discovered MDX's role in the bill when he read it on a state website.

"Fausto Gomez never told us how the MDX language got into the County's bill," Annunziato said, according to the report. "I didn't find out he was representing MDX until afterwards and that pissed me off."



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