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City of Miami advised on use of public benefit tickets

The Miami-Dade Commission on Ethics and Public Trust (COE) further clarified its stance on the use of event tickets by public officials today. Even though the board found No Probable Cause last month to a complaint (**C 12-07**) that officials in Miami violated County and City Ethics Ordinances by failing to report tickets they had received to various events, the City agreed to accept a General Letter of Instruction to help guide the formulation of policy in this area. The Letter, approved today, emphasized that just because an official or employee receives a ticket meant for “use and benefit of the City,” that does not mean the use is for a “public purpose” or “official business” and should be reported under gift disclosure laws. The COE action contravenes an interpretation previously provided by the City of Miami Attorney’s office indicating that when tickets are obtained through a contractual negotiation by the City, any use or distribution of the tickets is appropriate, regardless of the recipient. Public officials are also instructed that they have an obligation to report the total value when they receive two or more tickets for use with a spouse or partner. The Ethics Commission guidelines on public benefit tickets and the addendum that defines “public purpose” are attached to the Letter of Instruction and are accessible at www.miamidadeethics.com.

In other action, a Miami-Dade bus maintenance technician who failed to seek authorization for outside employment or submit required financial disclosure forms, even though he held a second job for three years, finally turned in the required paperwork after the Ethics Commission found probable cause last month that he violated the Conflict of Interest and Code of Ethics Ordinance. As part of a settlement to Complaint **12-08**, Niranjana Seepersaud paid \$25 in costs. He was also suspended from his County post without pay for two weeks for not obtaining permission to take on a second job.

The Ethics Commission dismissed a complaint (**C 12-24**) against a 2010 member of the Miami Springs Recreation Commission who failed to file a source of income statement by the July 1, 2011 deadline. After being reminded of the requirement, Elizabeth Tilman complied and filed the form.

Two-and-a-half years ago, the Ethics Commission opined in **RQO 09-40** that the Miami-Dade Elections Department should maintain all hard copies of Financial Disclosure Records for ten years and Outside Employment forms for five years. State rules, which govern the maintenance and destruction of public records, have established that master copies of public records could be kept electronically, as long as certain standards are met. Since the Elections Department’s data management system has been state-certified, the Ethics Commission responded to **RQO 12-08** that the earlier opinion can be disregarded.

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

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