

INQ Summary
2016
 First, Second, & Third Quarter

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-01	(e),(w) <i>directed to</i> City of Miami Code §§ 2-613-2-614 Fla. Stat. §112.3148(4)	Matthew Haber, Assistant City Attorney, City of Miami	City of Miami officials are prohibited from accepting travel expenses from city vendors absent a waiver by four-fifths of the city commission or a unanimous vote of the quorum of the city commission. However, §112.3148(4), Florida Statutes, prohibits a reporting individual such as a city commissioner or procurement employee, from “knowingly accepting, directly or indirectly, a gift from a vendor doing business with the employee’s agency, a political committee as defined in §106.011, or a lobbyist who lobbies the employee’s agency...”
16-02	(e)(2)(f), (g) RQO 02-46 RQO 08-49 RQO 06-05	Phillip Levine, Mayor, City of Miami Beach	The Mayor of the City of Miami Beach is not prohibited from soliciting contributions on behalf of the city for the annual U.S. Conference of Mayors in 2017, a city-sponsored event, because the solicitation serves a city purpose and neither the Mayor nor his staff would benefit from the solicitation. However, the Mayor should avoid any appearance that contributions to the event would influence official decisions that could benefit the contributors.
16-03	(v), (g), (h), (j), (i)	Skarlex Alorda, Administrative Liaison, Commission on Disability Issues (CODI)	A County employee would not be prohibited from serving on a County board. However, he or she would be subject to several limitations. Co. Ethics Code Section 2-11.1 (g) prohibits the use of his or her official position to secure special privileges or benefits; Section (h) prohibits disclosure of confidential information; Section (v) prohibits any appearance before the board in which he or she serves, or voting or participating on matters involving his or her County department if he or she will be directly affected by the vote.
16-04	(e)(2)(g) RQO 06-05	Larry Roth, Councilman, City of Homestead	The County Ethics Code does not prohibit a Councilman from using his official position to solicit donations for a private non-profit organization because, pursuant to Section 2-11.1(e)(2)(g), the organization is a qualified Section 501(c)(3) non-profit organization and neither the Councilman nor his/her staff will receive a personal benefit as a result of the solicitation.

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16-05	(j), (k) <i>directed to</i> Miami-Dade County Code § 2-11 A.O. 7-1 INQ 08-118	Jennifer Walker, Chief, Human Resources, Miami- Dade Transit (MDT)	A County MDT employee may engage in outside employment by serving in a temporary position with the County Elections Department, as long as he receives approval from his supervisor
16-06	(q), (h) RQO 11-24 RQO 12-09	Thomas Marko, Former County employee (2015)	A former County employee may not lobby or attempt to influence any official decision in the County for two years following his separation from the County, including advocating for decisions that may be made at the sole discretion of any County official or employee. However, the individual may perform services and routine administrative functions related to County projects.
16-07	-- <i>directed to</i> Miami-Dade County Code § 2-1074(y) Commission on Ethics Rules of Procedure §2.3 RQO 98-02	James Ferguson, Chief, Engineering & Design Division, Miami-Dade County Water and Sewer Department (WASD)	Sections 2-1074(y) of the Miami- Dade Co. Code and 2.3 of the Rules of Procedure of the Ethics Commission, limit the issuance of advisory opinions to the prospective conduct of a person who will be affected by the interpretation and who is under the jurisdiction of the Ethics Commission.
16-08	(k)(2) <i>directed to</i> Miami-Dade County Code § 2-11 A.O. 7-1 RQO 07-24 RQO 08-36	Jose Chao, Senior Specialist, Miami- Dade County Communication Department	A County employee who performs a service for his privately owned business must seek permission to engage in outside employment and file the required permission and disclosure forms. However, his wife, who is also a County employee, is not engaged in outside employment if she does not perform any service for the business and receives no compensation.

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16-09	(g) <i>directed to</i> Miami-Dade County Code § 2-56.28.12	Rick Yabor, Attorney	The County's "Whistleblower" ordinance does not apply to municipal employees unless the municipality has adopted its own "whistleblower" ordinance and grants enforcement powers to the Ethics Commission.
16-10	(d) RQO 07-54 RQO 11-27	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on a Resolution authorizing a settlement between the County's Property Appraiser and the Miami-Dade School Board for the County to reimburse the School Board for paying for work of the Property Appraiser before the Value Adjustment Board because she will not be affected in a manner distinct from the public generally, and she will not profit or be enhanced by the vote.
16-11	(d) RQO 07-54 RQO 11-27	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on a Resolution authorizing a Joint Use Agreement between the County and the School Board to permit installation of portable classrooms for middle and high schools magnet programs at a County-owned site at Zoo Miami because she will not be affected in a manner distinct from the public generally, and she will not profit or be enhanced by the vote.
16-12	(d) RQO 07-54 RQO 11-27	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board does not have a prohibited voting conflict in connection with a resolution authorizing the County Mayor or his designee to extend an Interlocal Affiliation Agreement with the School Board for the provision of movie nights at School Board sites because the Commissioner's position with the School Board is not connected to the Interlocal Affiliation Agreement, she will not be affected in a manner distinct from the public generally, and she will not profit or be enhanced by the vote.
16-13	(j), (k), (h), (g) RQO 09-16	Bassam Moubayed, Chief, Construction Division, Miami- Dade County Public Works & Waste Management (PWWM)	Pursuant to Sections (j) and (k) of the Ethics Code, a Public Works and Waste Management (PWWM) employee does not have a conflict of interest involving his employment at the County and his work conducting training classes for storm water operator certification on behalf of a non-profit organization because this outside employment would not impair his independence of judgment in the performance of his public duties and it will not conflict with his County employment hours.

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16-14	(i) RQO 13-01	Jasmine Coe, International Trade Consortium Board	County board members are required to file financial disclosure forms by July 1st of the year following the year in which they serve.
16-15	(i) <i>directed to</i> Town of Miami Lakes, Resolution 15-1291 RQO 13-01	Haydee Sera, Gastesi & Associates P.A., Attorney for the Town of Miami Lakes	Members of a Charter Review Commission are not required to file Financial Disclosure forms if the Commission is created to serve for a period of less than one (1) year. However, board members are subject to other provisions of the County's Ethics Code and the State Code of Ethics.
16-16	(i) RQO 13-01	Robert Hudson, Former board member, Zoo Oversight Board (2012)	County board members are required to file financial disclosure forms by July 1st of the year following the year in which they serve.
16-17	(j), (k) RQO 12-11	Dorothy Moljo, Personnel Specialist, Miami-Dade County Internal Services Department (ISD)	While the County Ethics Code does not specify the number of hours that a County employee may work in outside employment, the County Ethics Code prohibits a County employee from engaging in outside employment which will impair his or her independence of judgment or performance of his or her County duties.
16-18	(e)(2)(e), (e)(3) RQO 02-46 RQO 02-70	Jessica Weiss Levinson, Town of Surfside Tourist Board	Free equipment donations provided locally to the Town of Surfside for a town event by a Town vendor and board member do not violate the Ethics Code because the equipment will be used solely by the Town in furtherance of official Town business, and no financial or other benefit to the vendor.
16-19	(k)(2) <i>directed to</i> Miami-Dade County Code § 2-11 A.O. 7-1 INQ 05-30	Beverly Hall, Miami-Dade County Internal Services Department (ISD)	A County employee is engaged in outside employment when she receives donations or "love offerings" from attendees while serving as a ministry speaker or teacher, in lieu of compensation.
16-20	(m)(2) <i>directed to</i> South Miami Code § 8A-1(1)(4)	Thomas Pepe, City Attorney, City of South Miami	While the City of South Miami Ethics Code prohibits a board member from "appearing" before the city commission to testify once a recommendation has been made by the board in which he or she serves, the board member is not prohibited from submitting written communication.

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16-21	(g) RQO 05-06 Memorandum “Limitations on Political Activities of County and Municipal Officers and Employees” (October 2014)	Jose Requejo, Miami-Dade County Internal Services Department (ISD)	A County employee is not prohibited from participating in a political campaign. However, the County employee would be prohibited from using his County position or title to exert any official authority or pressure to affect the outcome of an election, and he may not use County time or resources in the campaign.
16-22	(j), (m)(1), (h), (g) RQO 12-10	Samantha Jacob, Legislative Aide, Office of the Chair	A County employee may serve on the board of directors of a nonprofit organization as long as she does not appear in front of any County board or agency to make a presentation seeking any benefit on behalf of the non-profit organization or, in any other way, exploit her official position with the County to benefit the nonprofit.
16-23	(w), (e)(4) <i>directed to</i> Miami-Dade County Code § 2-613 Fla. Stat. § 112.3148	Tiffany Britton, Legal Advisor, City of Miami Parking Authority	A City of Miami official who accepted a gift from a vendor pursuant to the waiver provision in Section 2-11.1(w), would have to disclose a gift in excess of \$100 under Section 2-11.1(e)(4). However, Section 2-613 of the City of Miami Code prohibits City officials from accepting any gift from a person or entity doing business with the City, except where given for use and benefit of the City. Additionally, §112.3148(4), Florida Statutes, prohibits a reporting individual or procurement employee from “knowingly accepting, directly or indirectly, a gift over \$100 from a vendor doing business with the employee’s agency...”
16-24	(m)(2), (v), (n), (g), (h) RQO 07-45	Natalie Milian, Director, Hispanic Affairs Advisory Board, on behalf of Jose Diaz, Board member	An advisory board member may apply for and accept a Mom & Pop grant as long as her board is not involved in any aspect of the grant process.
16-25	(w) RQO 05-110	Matthew Haber, Assistant City Attorney, City of Miami	City of Miami employees may accept admission and refreshments at an event held in the City of Coral Gables on climate change by AECOM, an engineering consulting firm, because AECOM is not a current City vendor, contractor, service provider, bidder or proposer.

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16-26	(s)(4) RQO 04-07	Steve Zarzecki, Lobbyist	A person who lobbies the County on behalf of a nonprofit community-based organization must register to lobby but is not required to pay the lobbyist registration fee. Notwithstanding this exemption, the person must take the lobbyist ethics training course within 60 days of registering and pay the \$100 fee for the course. (JC)
16-27	(w) RQO 05-110	Alex Bokor, Assistant County Attorney, Miami- Dade County Attorney's Office	The County Ethics Code prohibition on County employees accepting travel expenses from County vendors, does not apply to a County employee who received a scholarship to Israel from the Jewish National Foundation, a charitable organization, which is not a County vendor. It is recommended that the scholarship be reported because its value is greater than \$100. (JC)
16-28	(f) RQO 00-13	Alexander Bango, Laborer, Miami- Dade County Public Works & Waste Management (PWWM)	Pursuant to § 2-11.1(f) of the County Ethics Code, a County employee who is associated with a business entity that transacts business with the County, must file a sworn statement disclosing his work affiliation with the business entity with the Clerk of the Board. (MP)
16-29	(v), (m)(2), (g), (h) <i>directed to</i> City of Miami Code § 612(a)	Grace Solares, City of Miami	A City of Miami PZAB board member may serve on the board at the same time that he serves on his homeowners' association board as long as he will not be directly affected by any of the board's actions; he will not vote on matters directly affecting his homeowners' association; he will not appear before the city on behalf of his homeowners' association; and he does not use his official position to gain special privileges or exemptions for his homeowners' association. (MP)
16-30	(c), (d) RQO 00-13	Jean Sanon, Corrections Corporal, Department of Corrections & Rehabilitation	A Corrections employee may contract with other County departments through his privately owned security company, but may not contract with the Department of Corrections. (MP)
16-31	(d) <i>directed to</i> Fla. Stat. §286.012	Richard Weiss, Attorney, Weiss Serota Helfman Cole & Bierman	There is no prohibited conflict of interest under Section 2-11.1(d) of the County Ethics Code for a councilperson to vote in a quasi-judicial proceeding as long as that person will not profit or be enhanced by the council vote, even though the councilperson has publicly taken a position on the issue. Because it is a quasi-judicial proceeding, the councilperson may abstain from voting under § 286.012, Fla. Stat., if he/she believes it necessary to ensure a fair proceeding free from potential bias or prejudice. (JC)

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16-32	(s) RQO 08-22	Robert Feldman, Partner, RSM US LLP , Lobbyist	Members of a technical team attending a presentation before the County, who will be available to take questions regarding matters within their subject matter expertise, need not register as lobbyists if they do not otherwise lobby, but they must be listed on an affidavit filed with the Clerk of the Board. (JC)
16-33	(c), (m)(1) RQO 00-13	Jean Sanon, Corrections Corporal, Department of Corrections & Rehabilitation	A County employee may accept a Mom & Pop grant for his privately-owned company as long as his department is not involved in any way in processing or administering the grant and the employee does not lobby for the grant. (MP)
16-34	(g) RQO 12-05	David Acosta, Attorney, Switkes & Associates, P.A.	A North Bay Village Commissioner who has a private real estate brokerage firm may not use her city title of “Commissioner” when advertising her private business. (JC)
16-35	(e)(2)(a), (g) RQO 06-05	Latonda James, Miami-Dade County Economic Advisory Trust Board Member	A board member may donate \$125 to attend a political campaign event for someone who does not have any business before the board on which she sits. Political contributions are not considered gifts and are permitted as long as there is no <i>quid pro quo</i> arrangement intended to influence any official action. (MP)
16-36	(x) RQO 11-14	Robert Meyers, Attorney, Weiss Serota Helfman Cole & Bierman, on behalf of Jorge Gonzalez, Village Manager, Bal Harbour	Under the reverse two-year rule, the Village of Bal Harbour Chief Building Official, employed less than two years ago by a current Village contractor, may not control or supervise employees of her former employer in the performance of any Village contract-related duties. (JC)
16-37	(j), (k) RQO 12-11 INQ 16-17	Richard Dunbar, Representative TWU Local 291, AFL-CIO and MDT	While the County Ethics Code does not specify the number of hours that a County employee may work in outside employment, the County Ethics Code prohibits a County employee from engaging in outside employment which will impair his or her independence of judgment or performance of his or her County duties.(MP/MDG)
16-38	(g) RQO 05-06 INQ 12-175	Betty Aguirre, Legislative Aide, on behalf of Rebeca Sosa, Miami-Dade County Commissioner, District # 6	A County Commissioner may use the title of her office to engage in campaigning for other political candidates, but she may not use public resources such as County staff, equipment or materials. (JC)

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16-39	(c), (d)	Eric Graves, 311 Call Specialist, Miami-Dade County Communication Department	A Communications employee may contract with other County departments through his privately-owned party rental company, but may not contract with the Communications Department. (MDG)
16-40	(w) <i>directed to</i> City of Miami Code § 2-613 RQO 05-110	Matthew Haber, Assistant City Attorney, City of Miami	Under County Ethic's rules, City of Miami employees may not accept free registration fees from a City vendor when they travel unless they obtain a waiver from the City Commission. However, Section 2-613 of the City of Miami Code prohibits acceptance of such complimentary registration to an event that does not benefit the City. (JC)
16-41	(v) <i>directed to</i> Fla. Stat. §286.012	Lorena Bravo, City Attorney, City of Hialeah	A member of the City of Hialeah's Planning & Zoning Board (PZAB), a quasi-judicial board, is not prohibited from voting on an application submitted by the councilmember who appointed him to the board because he will not personally benefit from the vote and he has no prohibited relationship with the councilmember. However, because it is a quasi-judicial proceeding, he may abstain from voting under § 286.012, Fla. Stat., if he believes it necessary to ensure a fair proceeding free from potential bias or prejudice. (JC)
16-42	(j), (v), (m), (g), (h) RQO 07-39 RQO 06-52	Traci Pollock, Special Projects Administrator, MDC Economic Advisory Trust (MDEAT)	A Miami-Dade County Economic Advocacy Trust (MDEAT) board member has a conflict of interest involving his employment at the County as a Juvenile Services Department assessment counselor and his service at the MDEAT because his service at the board would impair his independence of judgment in the performance of his County duties, and vice versa. (MP)
16-43	(q) RQO 12-09 RQO 04-33 RQO 09-36	Thomas Marko, Former Employee, Miami-Dade County Water and Sewer Department (WASD)	Pursuant to the two-year rule, a former County employee may not, for two years following his County employment, lobby or attempt to influence any official decision in the County. However, the former County employee may perform routine administrative functions in the County, including ministerial permitting activities. (MP)

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16-44	(k), (j) RQO 07-39 RQO 06-52	Morris Copeland, Dir., Juvenile Svcs. Division (JSD), on behalf of Cathy Burgos, Division Dir. of Operations, Juvenile Svcs. Division (JSD)	No prohibited conflict of interest exists for a JSD employee to engage in outside employment as a paid consultant working with the Florida Department of Juvenile Justice (DJJ), a County provider, in a study conducted by the National Institute on Drug Abuse (NIDA), because her work with DJJ would not impair her independence of judgment in the performance of her County duties. (JC)
16-45	(i) RQO 13-01	Alice Hidalgo-Gato, Miami-Dade County Internal Services Department, on behalf of Sheila Kierney, Former Board Member	A former board member with the Living Wage Commission, a County advisory board, must file financial disclosure forms for the years during which she was authorized to participate, even if she did not actually participate that year. (MP)
16-46	(q) RQO 02-139 RQO 04-33 RQO 09-36	Kelly Lau, Human Resources Manager, RER	Pursuant to the two-year rule, former County employees may not, for two years following their County employment, lobby or attempt to influence any official decision in the County, such as meeting with County staff in order to persuade the expedited review or approval of permit applications or discuss permit modifications. However, former County employees may perform administrative work as permit runners in the County. (MP)
16-47	(g), (k)	Fernando Lopez, Supervisor of Graphics, ISD	A County employee is not prohibited from serving as a reference for a County vendor, in response to inquiries concerning the vendor from non-County sources, provided that the employee will not personally benefit or be enhanced financially for providing the reference. (JC)
16-48	(n), (g) RQO 07-39 RQO 11-28 RQO 12-07	Russell Benford, County Deputy Mayor	The Deputy Mayor does not have a prohibited conflict of interest where he is a volunteer for a non-profit entity that is included as a service provider in a bidding proposal on a County project on which he would represent the Mayor before the County Commission and sign off on paperwork. Nevertheless, to avoid the appearance of impropriety, it is recommended that he voluntarily remove himself from oversight responsibility in the approval process. (JC)

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16-49	Citizens' Bill of Rights, § 5 INQ 15-117	John B. Thompson, Resident, City of Coral Gables	Section 5 of the Citizens' Bill of Rights would not require a city commission to allow an individual to present allegations involving a criminal trespass matter before the commission because the issue is outside of that body's jurisdiction, but would require that the individual be permitted to make a presentation recommending adoption of a city ordinance. (JC)
16-50	(s)(3)(a) RQO 03-62	Jose Arrojo, Chief Assistant, Miami-Dade State Attorney's Office	Section 2-11.1(s)(3)(a) of the County Ethics Code, which exempts a public officer, employee, or appointee, who appears in his official capacity before the BCC from the lobbyist registration requirements, would permit an Assistant State Attorney to make a presentation to the board regarding issues of concern to the State Attorney without registering as a lobbyist. (JC)
16-51	(e)(2)(b)	Juan Kuryla, Director, Port of Miami	A County employee is not prohibited from accepting a ticket from his wife to the Miami-Dade League of Cities Gala, given to his wife by her employer, FPL, a County vendor, for reasons unrelated to his County employment, where neither the County employee nor his wife have any supervisory oversight over the County contract with FPL. The tickets need not be disclosed since Section 2-11.1(e)(2)(b) of the County Ethics Code, exempts gifts from relatives from the gift provisions. (JC)
16-52	(g)	Robert Meyers, Esq., Weiss Serota Helfman Cole Bierman	A City official may attend the Miami-Dade County League of Cities Annual Gala with his wife, using tickets that were purchased with funds from the official's City expense account, as the expense is sufficiently related to the official's duties and the attendance of his spouse is expected and appropriate. However, it is recommended for transparency purposes that the official present the matter to the City Commission for approval since it involves expenditure of City funds. (JC)
16-53	(e)(2)(b) RQO 02-46 RQO 07-28	Robert Meyers, Esq., Weiss, Serota, Helfman, Cole, Bierman	A City official may accept and need not disclose tickets received from a spouse, given to the spouse for reasons unconnected to the City by a donor who is not a city vendor, lobbyist, or contractor. However, if the tickets are then given by the official to City employees and valued in excess of \$100, they must be disclosed by a recipient employee. (JC)

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16-54	(j) <i>directed to</i> Art.III §3, PHT Bylaws RQO 12-01	Desiree Nugent, Nurse Manager, University of Miami Hospital, Prospective Member of Public Health Trust (PHT)	Under the heightened ethics standard established by the Public Health Trust (PHT), an employee at the University of Miami Hospital (UMH), which is owned and operated by the University of Miami and has a contract with PHT, may not serve as a board member of PHT because under PHT by-laws her relationship with UMH will create an ongoing per se voting conflict for her whenever matters involving UMH come before the PHT Board of Trustees. (MP)
16-55	(i) <i>directed to</i> Miami-Dade County Code § 2-11.38 RQO 13-01	Samuel E. Wilson, IV, Legislative Assistant, Office of County Commissioner Dennis Moss, District #9	It is recommended that a County board member who was removed from the board pursuant to Miami-Dade Code section 2-11.38, for failing to file financial disclosures for a two-year period, not be re-appointed to another County board, although the ordinance does not address the issue of reappointment. (MDG)
16-56	-- <i>directed to</i> Miami-Dade County Code § 2-11.38	Samuel E. Wilson, IV, Legislative Assistant, for Commissioner Dennis Moss, District #9	Pursuant to the Miami-Dade County Code at Sec. 2-11.38, an individual serving on the Planning Advisory Board cannot simultaneously serve on another County board. (MDG)
16-57	(k)(2) INQ 05-30 INQ 15-126	Carolina Lopez, Deputy Supervisor, County Elections Department	Pursuant to Section 2-11.1(k)(2) of the County Ethics Code, full-time County employees must file an Outside Employment Statement with the Elections Dept. by noon on July 1st of each year to report the total annual income received in outside employment. Reporting only an hourly wage on the Statement would not accurately reflect the annual income earned by that employee in his or her outside employment. (MDG)
16-58	(v), (m)(2), (g), (h) <i>directed to</i> City of Miami Code § 2-612(a) RQO 10-20 RQO 09-35 RQO 06-52 INQ 16-29	Maria Lievano Cruz, City of Miami Planning and Zoning Board	A City of Miami PZAB board member may serve on the board at the same time that she serves on her homeowners' association, Miami Roads Association, as long as she will not be directly affected by any of the board's actions; she will not vote on matters directly affecting her homeowners' association; she will not appear before the city on behalf of her homeowners' association; and she does not use her official position to gain special privileges or exemptions for her homeowners' association. (MP)

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16-59	(g)	Gerald Sanchez, Assistant County Attorney	The daughter of a County employee who works for Commissioner Levine Cava (District #8) and resides in District #5 may apply for and accept a summer Internship with Jackson Health System (JHS) because the daughter will apply for the JHS Internship through the District #5 office. No prohibited conflict of interest would arise as long as Commissioner Cava's staff member and the Commissioner herself have no decision-making role in the selection process, and neither seeks to influence the District #5 Commissioner or his staff to benefit the staff member's daughter. (MDG)
16-60	(g), (j), (k), (c)(2), (d), (m)(1) RQO 09-16	Mirta Santarossa, Court Records Specialist 1, County Clerk of Courts	A full-time employee of the County Clerk of Courts may contract with the County through her privately-owned company, but she may not contract with the County Clerk, the department that employs her, and she may not lobby the County for the contract. (MDG)
16-61	(e) COE Public Benefit Ticket Policy and Addendum	Matthew Haber, Assistant City Attorney, City of Miami	Complimentary Marlins Ballpark and Miami Open Tennis Tournament tickets provided to the City of Miami pursuant to a contractual obligation or other exercise of public authority, must be distributed in a way that benefits the general public or may be returned to the provider for monetary value to the City. (MP)
16-62	(f), (j) RQO 10-08 RQO 12-07	Miriam Singer, Senior Assistant Director, Internal Services Department	County part-time employees who perform maintenance for ISD Facilities and Utilities Management Division should be denied permission to engage in outside employment as temporary part-time employees of Alpha 1, a county vendor that also performs maintenance work for ISD's Facilities and Utilities Management Division. Their outside employment with Alpha 1 is closely related to the work they perform at ISD which would likely create divided loyalties and affect their ability to exercise independent judgment in the performance of their official duties at ISD. (MM)
16-63	(e), (g) <i>directed to</i> City of Miami Code § 2-613 City of Miami Charter § 4(c)	Matthew Haber, Assistant City Attorney, City of Miami	City officials do not receive a reportable gift when a board member's law firm, which is a vendor to the City, pays for lunch during a workshop that the board is holding, that is open to the public, where there is no entrance fee to the event and the officials attend the workshop in their official capacity. Also, inasmuch as there is a clear public purpose and benefit, no special benefit to the officials, and no quid pro quo arrangement, there would be no violation of Section 2-613 of the City of Miami Code of Ordinances or of Section 4(c) of the City Charter. (MM)

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16-64	(x), (v) RQO 11-14 RQO 11-28	Melvin Payne, Director of Utilities Maintenance Division, MIA	A former Aviation Department director and former FPL employee, who is a current FPL stockholder, may serve on a selection committee and vote on an RFP where FPL submits a bid. The member does not have a prohibited conflict of interest under the County Ethics Code, because he has a minimal financial interest in FPL; will not personally benefit from the vote and has no prohibited business relationship with FPL. (MM)
16-65	(i)	Carolina Lopez, Deputy Supervisor of Elections	A County employee who is required to fill out a Source of Income Form must disclose the income she received from the sale of vacant land in Virginia. Where no address is available, a plat number, lot number(s) or other description that would serve to distinguish a particular piece of land from another would meet the address requirement in the Source of Income Statement. (MDG)
16-66	(bb) <i>plain meaning</i> <i>directed to</i> Fla. Stat. §112.3142	Daniella Levine Cava, County Commissioner District #8	Section 2-11.1(bb) of the County Ethics Code requires County and municipal elected officials to take a two-hour ethics course within 90 days after being sworn into office. Completion of the ethics course provided by the COE will satisfy two of the four-hour ethics training requirements required under State law. (JC)
16-67	(c)(2), (d) RQO 00-13	Odalys C. Bello, Bello & Bello Land Surveying Company	The domestic partner of a County employee may contract with the Miami-Dade County Transportation and Public Works Department through her privately-owned land surveying company, but she may not contract with the Miami-Dade County Water & Sewer Dept. that employs her domestic partner; the domestic partner County employee may not lobby the County for the contract; he can have no involvement in determining the contract requirements; and none of his job responsibilities and job descriptions shall require him to be involved in the contract in any way. (MDG)
16-68	(s) 2-11.1(10) <i>directed to</i> Sunshine Law at Fla. Stat. § 286.011	Beth Spiegel, Council woman, North Miami Beach	A Councilmember may choose to attend a one-on-one meeting with a lobbyist and his client, arranged by the City Manager, on a proposal to build a charter school on the site of the City library (which does not involve a particular RFP, RFQ, or bid), provided the lobbyist is properly registered to lobby pursuant to 2-11.1(s) and the meetings are not used to indirectly transmit communications between Councilmembers. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-69	(d)	Mayor Philip Levine, City of Miami Beach	Request for Opinion Withdrawn. (JC)
16-70	2-11.1(b)(13) RQO 13-03	Thomas Pepe, City Attorney, City of South Miami	The COE does not have jurisdiction to provide binding opinions on organizational conflicts involving potential or current City of South Miami contractors unless the issue involving the private contractor or subcontractor is subject to the County Code of Ethics; the terms of the proposed contract or subcontract provide the COE with the authority to make a binding determination of the issue presented; or pursuant to Section 2-11.1(b)(13) of the Ordinance, the contract staff of the private contractor or subcontractor has been designated by the Manager or the Manager's designee as being required to comply with certain provisions of the Ordinance. (MDG)
16-71	(b)(4) RQO 99-58 INQ 156	Abbie Schwaderer Raurell Assistant County Attorney, Miami-Dade County Attorney's Office	Members of a "Technical Working Group" organized by DERM Staff, in response to a directive from the Board of County Commissioners (BCC) for the Mayor to provide the BCC with a recommendation on wellfield protection issues, are subject to the County Ethics Code, because they fall within the definition of "advisory personnel" (defined as advisory boards whose sole and primary responsibility is to recommend legislation or give advice to the BCC.) However Members of the Technical Working Group are not required to file financial disclosure statements because only members of a County board (defined as being in existence for more than 1 yr.) are required to file. (MM)
16-72	(g) <i>directed to</i> Fla. Stat. .§ 112.3135	Victoria Mendez, City Attorney, City of Miami	A City Attorney does not have a prohibited conflict of interest where her husband serves as an unpaid volunteer for the Community Relations Board (CRB), a city board, and she may be asked to advise the City Commission on the efficacy of using the CRB versus creating an entirely new board to provide oversight and feedback to the Miami Police Department (MPD) and the Independent Reviewer pursuant to an agreement with the United States Department of Justice. The City Attorney should disclose the relationship and consider recusing herself if she believes that an appearance of impropriety may be created by her involvement in any action with regard to the CRB. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-73	(e), (k) (e)(4) RQO 02-46 RQO 11-18	Flora Seff, Legal Liason, Miami-Dade Fire Department (MDFR)	A County Fire Rescue employee may not accept a gift in appreciation for the performance of a job-related duty. (JC)
16-74	(e), (g)	George Wysong, Division Chief-General Government Division, City of Miami Office of the City Attorney	City Commissioners, City Board members, and City employees may receive and utilize complimentary tickets provided to the City pursuant to a "Public Benefit Clause," as long as there is a valid public purpose attached to the receipt and use of such tickets. Distribution of public assets for non-public purposes could be construed as exploitation or theft. (JC)
16-75	(q), (h) RQO 12-09 RQO 11-24	Luis Aguiar, Assistant Director, Miami-Dade County Water and Sewer Department (WASD)	Under the two-year rule, a former employee would not be prohibited from working for a County vendor or becoming a County vendor himself. However, the employee would be prohibited from lobbying (i.e., influencing any County decision-makers) on behalf of an employer or himself for two years after his County employment ends. (JC)
16-76	(b)(9), (c), (d), (n), (g)	Lourdes Gomez, Deputy Director, Regulatory Resources, Miami-Dade County Department of Regulatory and Economic Resources	A Deputy Director of RER does not have a prohibited conflict of interest where her cousin represents clients that may appear before various RER divisions. In order to avoid an appearance of impropriety or any possibility of actions that could be considered exploitation of official position, the Deputy Director has instructed her immediate staff to exclude her from any decision or approval where her cousin or any representative of his companies are involved. (JC)
16-77	(d) RQO 15-04 RQO 07-54	Jamie Sanz, Councilman, Village of Bal Harbour	A Councilman who is employed by Neiman Marcus may participate and vote on a matter regarding whether a church may be granted a conditional use permit in the same shopping center as his employer Neiman Marcus, as neither he nor his employer will be affected in a manner distinct from the public generally by the vote, and he will not, directly or indirectly, profit or be enhanced by the vote. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-78	(q) (h) RQO 12-09	Betty Ortiz-Valdes, President, America Business & Management Services LLC	A former County employee may register as a County vendor, but pursuant to Section 2-11.1(q) (“two-year rule”), she is prohibited from lobbying the County (i.e., influencing any County decision-makers) for 2 years following her County employment. Further, as a former County employee she remains subject to Section 2-11.1(h) of the County Ethics Code, which prohibits her from ever disclosing confidential information she has acquired through her official position with the County, or from ever using such information, directly or indirectly, for her personal gain or benefit. (JC)
16-79	(i)(2) RQO 08-36 RQO 04-198 <i>directed to</i> Fla. Stat. § 112.3145	Joan Dormer, Personnel Specialist 2, ISD	County Departments may create internal policies requiring individuals who have authority comparable to Directors, and Assistant or Deputy Directors, to file financial disclosure forms. (MDG)
16-80	(g) RQO 05-06	Griselia Digiacomio, Council person, Town of Medley	A Council member of the Town of Medley is not prohibited from using, for political campaign purposes, a photograph of herself that is on the Town’s website because the photograph is available to the general public as a public record. The official should pay the Town any fee for the photograph that would be required of a citizen requesting the photograph. (JC)
16-81	(i) <i>directed to</i> Fla. Const. Art. II, § 5(b); Fla. Stat. § 876.05 AGO 99-57	Rolando Iglesias, Small Business Advisory Board	An individual who was nominated to a County advisory board, but did not accept membership to the board by submitting the oath of office to the Clerk of the Board, and did not attend any meetings of the board, is not required to file financial disclosure for the reporting year. (MP)
16-82	(d) RQO 11-27	Thomas Pepe, City Attorney, City of South Miami, on behalf of City of Miami Commissioner, Bob Welch	A City of South Miami Commissioner may vote on a resolution before the City Commission to donate funds to a non-profit organization for which the Commissioner’s wife serves as an uncompensated volunteer, because the Commissioner and his wife would not personally benefit or be enhanced by the vote. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-83	<i>directed to</i> Sunshine Law, Fla. Stat § 286.011 AGO 09-19	Michael Grieco, Commissioner, City of Miami Beach	Under the Sunshine Law, members of a public board cannot engage in two-way communications via social media outlets and/or email outside of a public meeting, regardless of whether the communications are filed as public records with the Clerk's Office. (JC)
16-84	(g) <i>directed to</i> Fla. Stat. § 102.031(4)	Daniel Chatlos, Director of Policy and Legislation, Office of Commissioner, Juan C. Zapata, District # 11	A County employee is not prohibited from participating in a political campaign. However, the County employee is prohibited from using his County position or title to exert any official authority or pressure to affect the outcome of an election, and he may not use County time or resources in the campaign. (MM)
16-85	(e) RQO 02-46	Morris, Copeland, Director of Juvenile Services, Miami-Dade County	The County Ethics Code does not prohibit County employees from accepting complimentary tickets from The Melissa Institute, an entity that is not a County vendor, contractor, service provider, bidder or proposer, to attend its Peace, Harmony & Moonlight Event as long as the tickets are not provided in connection with any County decision or action that may be taken by the recipient. The gift must be reported if its value exceeds \$100. (JC)
16-86	(s)(4), (d)	Leah Aaronson, Esq., Bilzin Sumberg Baena Price & Axelrod LLP	A person who lobbies the County on behalf of a nonprofit community-based organization, on matters other than grant funding, whether paid or unpaid, must register to lobby but is not required to pay the lobbyist registration fee. However he or she is required to complete the lobbyist ethics training course within 60 days of registering and pay the \$100 fee for the course. (JC)
16-87	(i) <i>directed to</i> Fla. Stat. § 112.3145 (1)(3)(a)	Fernando Infante, Chiller Plant Lead Operator, Miami- Dade County Internal Services Department (ISD)	A County employee who has purchasing authority of over \$20,000 is required to file State Form 1 Financial Disclosure Statement with the Department of Elections in order to satisfy Sec. 2-11.1(i) of the County Ethics Code's disclosure requirement. (MP)
16-88	(j), (g), (h), (m)(1)	Cheryse Burgos Santos, Associate Vice President, Department of Managed Care Contracting, Jackson Health System (JHS)	A Jackson Health System (JHS) employee engages in outside employment when she has the ability to earn commissions as an independent distributor for Young Living Essential Oil (YLEO). The employee does not have a conflict of interest involving her employment at JHS and her work as an independent distributor for YLEO because the work is unrelated to her JHS employment, and will take place outside of her JHS employment hours. (MP)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-89	((j), (g), (h), (m), (n), (c), (p), (k)(2), (f) AO 7-1 RQO 15-03 RQO 12-11	Alex Munoz, Director, Animal Services Division	A conflict of interest is created where the County's Veterinarian, Veterinary Technicians and Chief of Veterinary Services engage in outside employment providing the same veterinary services they perform for the County to service providers contracting with their department. (MP)
16-90	(i)(2) RQO 08-36 INQ 03-56 INQ 05-23 INQ 15-58 <i>directed to</i> Fla. Stat. § 112.3145	Jessica Callejos- Landestoy, Statistics and Research Specialist, Miami- Dade County Juvenile Services Department	While Section 2-11.1(i)(2), of County Ethics Code does not specifically require that Assistant Department Directors, Division, Deputy Directors, etc. , file financial disclosure forms, the Ethics Commission has previously opined in both formal and informal opinions that County Departments may create internal policies requiring additional personnel such as these employees to file financial disclosure forms where such positions are comparable in authority and responsibility to that of a Department Director or Assistant Director. (MDG)
16-91	<i>directed to</i> Sunshine Law, Fla. Stat. § 286.011 AGO 92-42 AGO 98-28	Latori Foster, Senior Professional Services Specialist, Miami-Dade County Small Business Development Dept.	A County board must have a quorum physically present for any matter on which it votes. Further, board members cannot submit their votes electronically; they must be physically present in order to participate in a board meeting and vote. (JC)
16-92	(e)(4) <i>directed to</i> Fla. Stat. § 112.3148	Eddie Kirtley, Assistant County Attorney, Miami- Dade County	An Assistant County Attorney may accept two complimentary VIP Courtside tickets to the Miami Open Tennis Tournament from Lacoste, provided to him as a regular Lacoste customer, because there is no connection between the gift and any duty he may have or will perform in his public position. If the value of the gift exceeds \$100, he must report the gift on the County's quarterly disclosure form. (JC)
16-93	(e)(2)(g), (g) RQO 08-25	Eddie Kirtley, Assistant County Attorney, Miami- Dade County	Pursuant to an exemption provided in Sec. 2-11.1(e)(2)(g) of the County Ethics Code, an Assistant County Attorney may use his name and title to solicit donations for the Perez Art Museum's Children's Department, a 501 (c)(3) non-profit organization. The donations will be utilized solely by that organization and neither he nor any member of his office will receive any benefit as a result of the solicitation. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-94	(s)(10) <i>directed to</i> City of Miami Code § 654(e)	Xavier Alban, Assistant City Attorney, City of Miami	City of Miami employees may check the list of registered lobbyists provided by the City Clerk of the City of Miami to verify that a lobbyist has met the City's lobbyist requirements before permitting the lobbyist to lobby him or her. However, in the event that the name of the individual involved in the lobbyist activities does not appear on the list provided by the City Clerk, the employees should make a separate inquiry to the City Clerk to determine the lobbyist's registration status before permitting the lobbyist to lobby them. (JC)
16-95	(e)(4) <i>directed to</i> Fla. Stat. § 112.3148(4)	Megan Alexander, City Clerk, City of Palmetto Bay	Pursuant to Chapter 112, Florida Statutes, municipal officials required to report gifts over \$100, must file financial disclosure under State Form 9. (MDG)
16-96	(e)(2)(f), (e)(2)(g), (e)(3) RQO 06-05 RQO 08-25	Jose Pepe Diaz, Miami-Dade County Commissioner, District #12	The County Ethics Code does not prohibit a County Commissioner from utilizing his official title and stationery to solicit donations for a private non-profit veterans support organization endorsed by the County Commission, because the non-profit organization is exempted under Section 2.11.1(e)(2)(g), as a qualified Section 501(c)(3) non-profit organization, and neither the Commissioner nor his staff will receive a personal benefit as a result of the solicitation. (JC)
16-97	(d), (v) INQ 14-67 INQ 14-244 <i>directed to</i> Fla. Stat. §§112.012, 112.3143(3)	Thomas Pepe, City Attorney, City of South Miami	Elected officials and/or board members with a voting conflict must announce the conflict publicly prior to the discussion on the item, absent themselves from the room, and file the State Conflict Disclosure form (Form 8B) with the Clerk's Office within 15 days after the vote. (JC)
16-98	Citizens' Bill of Rights, § (A)6	Nick Kallergis, Assistant City Attorney, City of Miami Beach	The language, "pursuant to the City's land development regulations," proposed by the City of Miami Beach City Attorney's office, satisfies the Citizen's Bill of Rights requirement regarding statement of legal authority in a notice for a municipal hearing. (JC)
16-99	(c)(2), (c)(5)(5) RQO 12-06	Enid Turner, Finance and Budget Analyst, Revenue Accounting PHCD	A County employee who works for PHCD, may not contract with the PHCD or participate in the Housing Choice Voucher Program, as he/she is employed by the County department that will enforce, oversee, or administer the contract. (MDG)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-100	(d)	Rebecca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner who is employed by the School Board may vote on a resolution asking the Mayor to collaborate with the State Attorney's Office and the Miami-Dade Public Schools to develop a curriculum to educate students regarding human trafficking, because the Commissioner's position with the School Board, a government entity, is not connected to the program, and she will not, directly or indirectly, profit or be enhanced by the vote. (JC)
16-101	(b) RQO 06-41 RQO 09-42	Robert Meyers, Esq., Weiss Serota Helfman Cole & Bierman, P.L.	Pursuant to Subsection 2-11.1(b) of the County Ethics Ordinance, the Miami-Dade Expressway Authority is a state-created entity not subject to the County Ethics Code. (JC)
16-102	(e)(3), (e)(4), (w)	Gerald Sanchez, Assistant County Attorney, Miami-Dade County Attorney's Office	The liaison from Miami-Dade Police Department to the Miami-Dade Military Affairs Board, a County advisory board, may accept a free plane ticket provided by the National Drug Court Initiative (NCDI), a 501(c)(3) non-profit organization, for the purpose of having that individual view an out-of-state Veterans Court. The paid travel is permissible because there is no connection to any official County action; the travel expenses are not being paid by a County vendor, contractor or other service provider; and the entity is not a County lobbyist, contractor or political committee. (JC)
16-103	(g)	Gerald Sanchez, Assistant County Attorney, Miami-Dade County Attorney's Office	Request for Opinion Withdrawn. (JC)
16-104	(j), (g), (h), (m), (f), (k)(2)	Mary Caraballo, Clerk IV, Miami-Dade Juvenile Services Department (JSD)	No prohibited conflict of interest exists for a JSD employee to engage in outside employment as a paid Zumba instructor with Aquila Limited Health and Fitness (Aquila), a County vendor. Her work with Aquila is not likely to impair her independence of judgment in the performance of her County duties because Aquila does not contract with the employee's department, and the employee's work with Aquila is unrelated to the functions the employee performs in her County position. (MDG)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-105	(b)(4), (i)(1) RQO 13-01	Jessica Vallejos-Landestoy, Statistics and Research Specialist, Miami-Dade County Juvenile Services Department (JSD)	The designee of a board member for the Youth Crime Task Force, who is empowered to act with the full duty and responsibility of the board member, falls within the definition of “advisory personnel” under Section 2-11.1(b)(4), and is required to file financial disclosure forms for the years during which she was authorized to participate. (MDG)
16-106	(t) RQO 07-26 <i>directed to</i> City of Miami Code § 18-74	Richard Perez, Esq., Holland and Knight	The City of Miami Code of Silence goes into effect at the time an RFP, RFQ, or bid is first announced and is lifted when the City Manager files a written recommendation with the City Clerk. It is not re-imposed by the mere filing of a bid protest but will remain lifted unless the recommendation is referred back to the Manager by the Commission, in which case it would be re-imposed. (JC)
16-107	<i>directed to</i> Sunshine Law, Fla. Stat. § 286.011	Lisa Krinsky, Sea Grant Extension Agent, Miami-Dade County Department of Parks, Recreation and Open Spaces (PROS)	A boat tour of Biscayne Bay for all elected officials in the County for the purpose of educating them on water quality and other environmental issues, is subject to the Sunshine Law if two or more members of any board will be present. The public may not be excluded from the tour, and if the boat is not capable of accommodating all attendees, arrangements should be made to provide the public access to a live video feed of the tour discussion. (JC)
16-108	(k)(2) RQO 06-48 INQ 14-14 AO 7-1	Sharon Smith, Department of Human Resources, Office of Human Rights and Fair Employment Practices	A County employee who owns 2 rental units (2 single -family homes) does not engage in outside employment. However, County employees who manage 3 or more rental units must seek permission to engage in outside employment and file the required permission and disclosure forms. (MP)
16-109	(q), (s), (h) RQO 12-09 RQO 11-24 RQO 08-28	Charles L. Sutton, former employee, Miami-Dade County Water and Sewer Department (WASD)	Under the two-year rule, the County Ethics Code would not prohibit a former employee from working for a County vendor or becoming a County vendor himself. However, the employee would be prohibited from lobbying (i.e., influencing any Co. decision-makers) for the contract either on behalf of an employer or himself for two years after his County employment. (MP)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-110	(k)(2)	Rafael Cabrera, Sr. Land Surveyor, Miami-Dade County WASD	Although COE opinions regarding possible conflicts of interest in outside employment should be sought, determination as to whether a County employee should engage in outside employment remains at the discretion of his/her supervisor. (MP)
16-111	(e) <i>directed to</i> Fla. Stat. § 112.3148	Gerald Sanchez, Assistant County Attorney, Miami-Dade County Attorney's Office	County Commissioners may accept complimentary tickets from Adrienne Arsht, Chairperson of the Adrienne Arsht Foundation because neither the donor nor the Foundation is a County vendor, contractor or lobbyist. County officials must report the tickets as gifts, if the aggregate value of the tickets exceeds \$100. (JC)
16-112	(w) RQO 05-110 INQ 15-182 INQ 15-180	Juan Kuryla, Port Director, Port of Miami	The Port of Miami director is prohibited from accepting a complimentary cruise for himself and his spouse from Regent Seven Seas Cruises, a County vendor, in order to participate in the inaugural ceremony of the Port offered because of his official position as Port Director, absent a waiver by majority vote of the County Commission. (JC)
16-113	<i>directed to</i> Sunshine Law, Fla. Stat. § 286.011, § 447.605	Griselia DiGiacomo, Councilwoman, Town of Medley	A violation of the Sunshine law does not occur when a municipality's chief executive officer communicates with the municipality's legislative body about collective bargaining negotiations, which are exempt from the Sunshine law. Minutes must be taken of any informal Council workshop meeting. (JC)
16-114	(j) <i>directed to</i> PHT Bylaws Art. III § 3 RQO 12-01	Eduardo M. Sardina	Pursuant to the heightened ethics standard established by Public Health Trust (PHT), an Emeritus Member of the University of Miami Board of Trustees, should not serve as a board member of PHT because under PHT by-laws his relationship with UM will create a perceived ongoing per se voting conflict for him whenever matters involving UM come before the PHT Board of Trustees. However, the perception would be removed if he tenders his resignation from the Emeritus membership. (MP and JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-115	(c)(2), (c)(5)(5) RQO 12-06	Falice Outen, Assistant AMP Administrator, Miami-Dade Public Housing and Community Department	A County employee who works for PHCD, may not contract with the PHCD or participate in the Housing Choice Voucher Program, as he/she is employed by the County department that will enforce, oversee, or administer the contract. However, a County employee is not barred from participating in a Housing Choice Voucher Program that is administered by a municipality. (MDG)
16-116	(e) RQO 02-46 RQO 07-28 INQ 13-55	Eddie Kirtley, Assistant County Attorney, Miami-Dade County Attorney's Office	An incentive program, termed "Bar Bucks", offered by the Dade County Bar Association offered to all present and prospective members of the Bar Association, is not a reportable gift under Section 2-11.1(e). The discount/incentive indicates a sales/marketing strategy available to all, rather than an intent to bestow a gift on any individual. (JC)
16-117	(j) RQO 00-10	Cynthia Maurette, Human Resources, Miami Dade County Elections Department	An employee in the Elections Department does not have a prohibited conflict of interest working as a limousine driver because his outside employment is unlikely to impair his independence of judgment in the performance of his public duties. (MDG)
16-118	(v)	Charles Anderson, Commission Auditor, Miami- Dade County	A prospective member of the selection committee for Project No. DB15-PWWM-01, may serve on the committee even though her former employer is responding to the RTA, because the board member has no current employment/financial relationship with the firm, and it is thus unlikely that she would be personally affected by the decisions being made by the committee. (JC)
16-119	(v)	Charles Anderson, Commission Auditor, Miami-Dade County Commission	A prospective member of the Audit Committee for RFP-00294, may serve on the committee even though his former employer is responding to the RFP, because the board member has no current employment/financial relationship with the firm, and it is thus unlikely that she would be personally affected by the decisions being made by the committee. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-120	(e)	Lisa Krinsky, Ph.D, Sea Grant Agent, Miami-Dade County Department of Parks, Recreation and Open Spaces (PROS)	County officials do not receive a reportable gift when PROS provides soft drinks and refreshments during a boat tour workshop that is open to the public, where there is no entrance fee to the event and the officials attend the workshop in their official capacity. (JC)
16-121	(j) RQO 00-10 AO 7-1	Ashiel Callwood, Console Security Specialist, Miami- Dade County Internal Services Department (ISD)	Although COE opinions regarding possible conflicts of interest in outside employment and outside employment guidelines presented by the Ethics Commission staff should be sought, determination as to whether a County employee should engage in outside employment remains at the discretion of his/her supervisor. (MP)
16-122	(c), (c)(5)(5)	Othello L. Jones, Personnel Technician, Miami- Dade County Water and Sewer Department (WASD)	A County employee (or immediate family members of a County employee) who works for WASD is permitted to contract with the County as long as entering into the contract will not interfere with the employee's duties to the County. Section 2-11.1(c) prohibits County employees or their immediate family members from entering into contracts with the County employee's own department. A County employee seeking to transact business with County's Public Housing and Community Development (PHCD) department must obtain an ethics opinion.
16-123	(g)	Ralph Ventura, Chief of Staff for the Mayor of the City of Sweetwater, former City Attorney for the City of Sweetwater	Due to ongoing business between the City of Sweetwater and Florida International University (FIU), the chief of staff and former attorney for the city of Sweetwater is prohibited from using his contacts to influence a hiring decision in favor of his daughter at FIU Frost Museum. Contacts between the parties would be perceived as exploitation of official position in violation of Section 2-11.1(g).
16-124	(g), (m)(2)	Cornell Crews, Chair, Miami-Dade Economic Advocacy Trust,	Section 2-11.1(m)(2) prohibits the Chair of the Miami-Dade Economic Advocacy Trust (MDEAT) from appearing before the County, which he serves, and seeking benefit on the behalf of a third party where he is employed. Section 2-11.1(g) prohibits the Chair of MDEAT from exploiting, using his County board position to secure special privileges or exemptions for himself or others on behalf of his third party employer.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-125	(d), <i>directed to</i> Fla. Stat. § 112.3143, §112,3143(4)(c) RQO 15-04	John Dubois, Vice Mayor, Village of Palmetto Bay	Due to a conflict of interest, the Vice Mayor of Village of Palmetto Bay was prohibited from participating in a vote by the Village Council of Palmetto Bay concerning a development in the Village. He must publicly disclose the conflict and remove himself from discussion and resulting vote. The COE advised that he remove himself from nongovernmental meetings, discussions concerning the development plan.
16-126	(j) INQ 09-66 INQ 15-284	Basil Binns II, Assistant to Deputy Mayor, Miami- Dade County	A County official is permitted to assume the position of Interim Manager of the Village of El Portal after taking a leave of absence from his position at the County. COE advised the County official that should there be a conflict in interests between El Portal and the County, arrangements must be made to delegate his decision making authority on the matter. The County employee must complete proper filings with the County for Outside Employment.
16-127	(g)	Gerald Sanchez, Assistant County Attorney, Miami- Dade County	A County Commissioner sponsoring a movie night at a County venue is prohibited from inviting a State Senator to attend the event and distribute printed materials when the Commissioner has endorsed the Senator for re-election. The State Senator is permitted to attend the event, if open to the public, provided that attendance is not utilized to campaign for re-election.
16-128	(d), (h), (q), RQO 02-139 RQO 04-33 RQO 04-34 RQO 08-29 RQO 12-09	George Sutton, Treatment Plant Operator 2, Water and Sewer Department (WASD)	An employee of the WASD is prohibited from engaging in contact with the County that would result in influencing the County's decision making in employee's future employment with a County vendor. Moreover, COE advised the County employee to remove himself from discussions, meetings, where his presence would give his future employer an advantage.
16-129	(t)	Jose Smith, City Attorney, City of North Miami Beach	Oral communications with the selection/evaluation committee members by the responding vendors, or their lobbyists or consultants, or by the Manager and his staff, or by the Mayor or Council members or their staffs, or by the City's professional staff is prohibited. Here, oral communications by the Consultant with the Director, during the time when the Cone is in place and the Director is sitting as a member of the selection/evaluation committee, would be a violation of the Cone of Silence, section 2- 11.1(t).

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-130	(d) Fla. Stat. § 286.012	Dexter Lehtinen, Village Attorney, Village of Palmetto Bay	A member of the Village Council, must recuse himself or herself from a decision in a quasi-judicial hearing due to possible bias or prejudice if the issue involved a voting conflict recognized under Section 2-11.1(d).
16-131		Cedric McIntyre	There is no ethical prohibition for an existing County vendor to offer a discount to the county, assuming it is totally for the County's benefit and not for the benefit for any individual county employee.
16-132	(c), m (1)	Richard Adams, Police Officer, Miami-Dade Police Department	A police officer, from Miami-Dade Police Department (MDPD), is permitted to enter into contract with the County; however, he may not do so with MDPD. He must request permission for Outside Employment and is prohibited from lobbying for the contract.
16-133	(n)	Juan Kuryla, Director, Port/Miami	A Director for the Port/Miami is not in violation of Section 211.1(n) and is permitted to approve a third party contract for a development energy plan.
16-134	(g)	Eugene Shy, Assistant County Attorney	There is no ethical prohibition for JHS to hold a pediatric emergency health seminar. There is a legitimate public purpose for the event, and, therefore, no exploitation or misuse of public resources under Section 2-11.1(g). The discount offered to staff is not considered a gift under Section 2-11.1(g) of the Code since it is provided in consideration of the use of the facility is job related and available to all staff, and not required to be reported by those accepting it.
16-135	(t)1.(c)(i)	Robert Meyers, Esq., Weiss Serota Helfman Cole Bierman	Under Section 2-11.1(t)1.(c)(i) it would be permissible under the Cone of Silence for written communications to occur provided that a copy of the written communication is delivered to the Clerk of the Board and made a public record.
16-136	(g), (u)	Chris Russo, City Manager, City of Sunny Isles Beach	Section 2-11.1(u) would requires the City Manager of Sunny Isles Beach, who is purchasing a condo from an Administrative Assistant to the Public Works Director, to have an arms-length business relationship with that County employee. To avoid any perception of an Exploitation of Official Position under Section 2-11.1(g), the City Manager should avoid any use of City time or resources in communicating with the County employee.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-137	(j), (k) Miami-Dade Code § 2-11 § 2-11.1(g), (f), (h), (m) AO 7-1 AO 403	Virginia Washington, Division Director, County HR Recruitment Testing and Career Development Division	A County employee for the HR Recruitment Testing and Career Development Division proposed outside employment as an adjunct professor at Miami-Dade College (MDC), a county vendor, is not likely to create conflicting employment because her public duties as an intern coordinator in the HR department and her job responsibilities as an adjunct teaching Supervisory Skills and Management classes are not closely related.
16-138	<i>directed to Sunshine Law, Fla. Stat. § 286.011</i>	Michael Pizzi, Mayor, Town of Miami Lakes	COE advised Mayor of Miami Lakes to give at least 48 hours notice to reschedule a public meeting. The Sunshine Law requires reasonable notice of any public meeting. The statute does not define the term “reasonable,” but it is generally accepted that 72 hours notice is preferable but a minimum of 48 hours is reasonable notice of a special public meeting, absent an emergency.
16-139		Yvette J. Harrell, City Attorney, City of Opa Locka	Pursuant to Section 2-11.1 Conflict of Interest and Code of Ethics Ordinance, City Attorney to the City of Opa Locka requested an interest opinion from the Commission on Ethics and Public Trust concerning her proposed outside employment with the City of Opa Locka as an Assistant City Manager. The City Attorney withdrew the interest request as that she decided to work with only as an Assistant City Manager.
16-140	(j), (k)(2) INQ 15-22 NQ 15-08 AO 7-1	William Ball, Clerk of the Courts,	A County employee for the Clerk of Courts may pursue outside employment as an assistant football coach for Miami Beach Senior High School contingent on his department director’s approval. The proposed outside employment is not likely to impair his independence of judgment in the performance of his County duties.
16-141	(g)	Kimberley Green, Administrative Officer, Miami-Dade County Homeless Trust	COE advised County employee to refrain from responding to political emails sent to County computers to avoid any perception that she may be utilizing government property for political purposes. Such activity could be considered to be a violation of Section 2-11.1(g) of the County Ethics Code, which prohibits exploitation of one’s public position. Deleting such emails or responding by informing the sender that she did not wish to receive such emails in the future would be appropriate.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-142	<i>directed to</i> Miami-Dade County Code § 20-43(A)(1)	Mercedes Taylor, Substitute Teacher, Miami-Dade County Public Schools	A member of Miami-Dade School Board was advised to inquire with the School Board's Human Resource department or the School Board Attorneys' Office to verify if there were policies, which would affect her employment at the School Board of Miami-Dade County (M-DCPS) as a substitute teacher and her running for a position on a Community Council for Miami-Dade County (MDC).
16-143	<i>directed to</i> Miami-Dade Code 2-11.1(i)(1), (i)(2)	Matthew Haber, Attorney, Pathman- Lewis LLC, Former Assistant City Attorney	Pursuant to Miami-Dade Code Section 2-11.1(i)(1), (i)(2), COE informed an Assistant City Attorney that he was required to file a financial disclosure for the 2016 reporting year, even though he was employed as Assistant Attorney for the City of Miami through March 2016.
16-144	(c), (d), (m)(1)	Kelvin Miguel Agramonte, Office Support Specialist, MDFIN	An Office Support Specialist for Miami Dade Finance Department (MDFIN) may enter into contracts with the County; however, he may not enter into contracts with MDFIN. He must request permission for Outside Employment and file an Outside Employment Statement annually. He may not lobby for the contract.
16-145	(v)	Jessica Fortich, Member, Community Council Area 5	There is no conflict of interest for a teacher of Miami Dade Public Schools and board member of Community Council Area 5 to vote on a land use issue before the Council. For a voting conflict to arise under Section 2-11.1(v) of the County Ethics Ordinance, a board member would have to be directly affected by the action, as well as have one of several enumerated relationships with an entity appearing before the board.
16-146	(a), (b)(5),(q), (s)(1)(b) RQO 11-26 RQO 11-04 INQ 08-81	Michael Pizzi, former Assistant City Attorney, City of Opa-Locka	Former Assistant City Attorney for the City of Opa-Locka is covered by the two year rule from lobbying any City officer, departmental personnel or employee in connection with any judicial or other proceeding, contract, claim controversy, charge, accusation, arrest or other particular subject matter" in which the City of Opa-Locka or one of its agencies or instrumentalities is a party or has any interest whatever, whether direct or indirect.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-147	(i)	Joseph Ruiz, Assistant City Attorney, Miami	Financial disclosure of the WDRC, created by the Wynwood Bid Board, is not required under Section 2-11.1(i) of the Code. The Assistant City Attorney was directed to City code, policies, and rules concerning its own financial reporting requirement.
16-148	(d) Fla. Stat. § 112.012	Claudia Cubillos, Mayor, Village of El Portal	Mayor of El Portal does not have a voting conflict of interest in participating and voting on the appointment of a new Village Manager, where one of the finalists for the position is a former Village employee who was previously employed by a private company of which Mayor Cubillos is a principal. The Mayor has no current employment, business or other financial relationship with the individual, and there is no possibility that the Mayor will profit or be enhanced personally by the vote.
16-149	(i) Fla Stat. § 112.3145(1)(a)	Wanda Torres, Clerk 2 and board liaison, Miami- Dade Parks and Recreation Department	A Councilwoman, a municipal elected official who also serves as a County board member, is required to file only a State Form 1 financial disclosure form. Municipal officials who are required to comply with State financial disclosure requirements and file as per Section 112.3145, Florida Statutes automatically satisfy Miami-Dade County disclosure requirements under the County Ethics Code at Section 2-11.1(i) and would not have to also file a County Source of Income Statement.
16-150	(d) INQ 13-12 INQ 13-23	Manny Cid, Council Member, Seat 5, Town of Miami Lakes	There was no voting conflict of interest based on the mere fact that a Council Member of Miami Lakes is a political opponent of Mayor Michael Pizzi and involved in the vote concerning the payment of legal fees incurred by Mayor Pizzi would not create any profit or enhancement for Councilmember Cid.
16-151	(h). (q), (s) RQO 04-33 RQO 04-34 RQO 08-18 RQO 08- 28 RQO 11-24 RQO 12-09 INQ 14-71 INQ 16-78	Angel Curbelo, Former County Employee, Miami- Dade County Water & Sewer Department (WASD),	A former County employee may form his own business and/or be employed with firms that do business with the County. He is prohibited from LOBBYING the County. Lobbying activities under the “Two- Year Rule” are more expansive than those in the general County lobbying ordinance.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-152	(d), (v) INQ 16-97	Jan Seiden, City Attorney, City of Miami Springs	A member of the City's Board of Adjustment, a quasi-judicial board, must absent himself or herself from a meeting during the discussion and vote on an issue on which the member had a conflict of interest.
16-153		Jackelin Guiza, City Council Candidate City of Doral	There are no provisions in the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance or in the Ethical Campaign Practices Ordinance that would prevent a candidate merely running for the City Council seat in the City of Doral, from continuing to work for her employer.
16-154	(e)(3)(1), (k) AO 7-1 County Code § 25-3.8	Eddie Kirtley, Assistant County Attorney, Miami-Dade County	County Ethics Code provisions and other County policies, prohibit County employees from accepting tips for duties performed as servers/waiters at County-operated facilities. This prohibition would not apply to contract employees of a private contractor operating a County facility.
16-155	(d)	Commissioner Rebeca Sosa	Commissioner Sosa's employment with a governmental entity, Miami Dade County Public Schools, creates no voting conflict of interest in voting on or otherwise participating in the item before the County Commission. Under Section 2-11.1(d), there is no possibility that she would be in a position to profit or be enhanced, directly or indirectly, by the matter.
16-156	(d)	Commissioner Rebeca Sosa	Given that Commissioner Sosa has no relationship with the not-for-profit entity that will be establishing a Community Center at that location, there is no prohibited conflict of interest relationship created under the Code. Since Commissioner Sosa will not profit or be enhanced, directly or indirectly, by the matter, she has no voting conflict of interest and may discuss and vote on the issue.
16-157	<i>Sunshine Law</i> , Section § 286.011 Fla. Stat. § 718.112(2)(c)	Luciano Isla, Esq.	Private organizations are not subject to the Sunshine Law unless the private organization has been created by a public entity, has been delegated the authority to perform some governmental function, or plays an integral part in the decision-making process of a public entity.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-158	(d) INQ 16-158	Sue Loyzelle, Town Councilmember, Town of Cutler Bay	Given that the employment/consultant relationship ended between Councilwoman Loyzelle and Mr. Castillo, a lobbyist, and the Councilwoman Loyzelle does not in any way stand to personally profit or be enhanced from the vote on issues Mr. Castillo lobbies, she has no voting conflict of interest. The County Ethics Code would not prohibit her voting on or participating in such items before the Council.
16-159	(c), (m)(1)	Rachel Larmond-Holmes, Miami-Dade Corrections and Rehabilitation (MDCR)	A County employee of Miami Dade Corrections and Rehabilitation (MDCR) may enter into contracts with the County but not with MDCR. The County employee must request permission for Outside Employment annually and is prohibited from lobbying for any contract between the business and Miami Dade County.
16-160	(e)(1), (e)(2)(e), (e)(2)(f)	Vincent Brown, City Attorney, City of Opa-lock	A City Commissioner is permitted to engage in solicitation activities for a City-sponsored event. Given that the 4th of July celebration event appears to be a City of Opa-Locka hosted event, any sponsorship donations made by the City's current and/or prospective vendors, should be handled very carefully so as to avoid any implication of a quid pro quo or any possible positive or negative consequence regarding a vendors contract with the City of Opa-Locka should the vendor agree or decline to participate in the event.
16-161	(x)	Manuel Sarria, Assistant Director, MDC Homeless Trust	Section 2-11.1(x) of the County Ethics Code, under which County employees engaged in contract-related duties are prohibited for a period of two years from performing any County contract-related duties regarding a business entity that formerly employed such an individual, where that entity is a County bidder, proposer, service provider, contractor or vendor. Although the period of two years were up, COE advised Assistant Director to MDC Homeless Trust to refrain from participating in any discussion or meeting of the Committee regarding any of the projects on which his former employer Citrus Health Network, Inc. is a responding vendor.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-162	(g)	Esther Jacobo, Board Member, Children's Trust	A board member for Children's Trust is permitted to write a recommendation for a candidate for possible appointment to the Children's Trust, as long as she was using her own stationery and basing her recommendation on her personal knowledge of the individual in question. There would be no violation of any ethical provisions and no Exploitation of Official Position under Section 2-11.1(g) of the County Ethics Code.
16-163		Albert Dotson, Esq.	Pursuant to a heightened standard of ethics adopted by the Trust, an appointee to the Board of Trustees may not act as a lobbyist before the Miami Dade County Commission on Ethics and Public Trust.
16-164	(d), (h), (q) RQO 08-18 RQO 11-24 RQO 12-09	Ruthe White	A recently retired County employee is permitted to provide services on County awarded contracts/projects, subject to the limitations set forth by the Code. The "Two Year Rule" prohibits LOBBYING County officials and employees on behalf of the new employer for two years.
16-165	(v)	Dawn Soper, ISD RED, Miami Dade County; Member, City of Miami Selection Committee	There is no voting conflict of interest under Section 2-11.1(v) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance where a County employee's professional knowledge of the competency of respondents bidding for a City of Miami contract for real estate appraiser and her being a member of the selection committee for the contract. There is no direct impact on any of the required relationships with any of the respondents that could create such a conflict given that each of them listed the County employee as a reference.
16-166	<i>directed to</i> Miami-Dade Code Section 2-11.1(i), 2-11.36.1(a), 2-11.39.2	Dave Livingstone, Assistant to the Director, Miami Dade Parks and Recreation	Members of the Parks and Recreation Citizen's Advisory Committee of Miami-Dade (PRCAC) are not exempt from financial disclosure because they are not required to file State Form 1. Under Miami-Dade Code Section 2-11.1(i), the definition of the term "Board" includes citizen advisory groups in existence for a year or more. Given that PRCAC has been in existence since 1994 and has been an active Board since that date, members are required to file a financial disclosure.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-167	(d) Form 8B	Commissioner Juan Zapata, Miami Dade County District 11	A County Commissioner filing of Form 8B of his disclosure of his voting conflict recusal is sufficient when filed with the Clerk of the Board within fifteen (15) days of the vote.
16-168	(c), (m)(1)	Gabriel Figueroa, Miami Dade Fire Rescue Department (MDFR)	An employee for Miami-Dade Fire and Rescue Department (MDFR) may enter contracts with Miami-Dade County but not with MDFR. He is prohibited from Lobbying for any contract between his business and Miami-Dade County.
16-169	(h), (q), (s) RQO 04-33 RQO 04-34 RQO 08-18 RQO 08-28 RQO 11-24 RQO 12-09 INQ 14-71 INQ 16-78	Monty Barrett, Former Employee (WASD)	A former employee of Miami-Dade County Water and Sewer Department (WASD) who is considering working for private companies, some of which may transact business with the County and, specifically, with his former department and/or division may form his own business and/or be employed with firms that do business with the County; however, he is prohibited from LOBBYING the County for contracts between his business and the County.
16-170	(s)(7) INQ 12-132 INQ 12-231 INQ 13-249 INQ 156 INQ 15-179 RQO 06-24 RQO 10-28	Angus Jackson, On behalf of Law Firm	Under Section 2-11.1(s)(7), a law firm who lobbies for the County or its municipalities is restricted in the form of compensation that it is permitted to accept if it engages in third party representation of County/ Municipality interests (ie., lobby) before Miami-Dade County or its municipalities.
16-171	(i) RQO 05-66, INQ 11-129 INQ 13-289.	Carla Valle-Schwenk, Program Administrator, Miami-Dade Office of Management and Budget	The County Ethics Commission has opined the members of County boards who serve in a non-voting ex officio capacity and do not perform any other board related duties, do not need to file County financial disclosure forms as would otherwise be required under Sec. 2-11.1 (i) of the County Ethics Code. Thus, the ex officio County board member would not be required to file financial disclosure as a result of her County board service unless her County position otherwise requires her to file financial disclosure.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-172	(v)	Elvira Amenta, Sr. Environmental Engineer, WASD	A County employee for WASD does not have any prohibited conflict of interest under Section 2-11.1(v) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance while serving on a selection committee where a former County employee, who was also a former co-worker, is a responding vendor.
16-173	(e)(4) INQ 08-63 INQ 09-124 INQ 11-04 INQ 11-163 INQ 12-162 INQ 13-127 INQ 15-151	Arletha Hire Miller on behalf of Rosario Fiallos	It is permissible for a County employee to participate in a survey where the County employee's name was entered in a drawing for a free course, provided the drawing was open to all customers, not just County employees. However, given that the value of the prize exceeds the \$100.00 threshold, the County employee must file a gift disclosure form pursuant to Section 2-11.1(e)(4) of the County Ethics Code.
16-174	(h), (g), (j) Miami-Dade County Code at Section (k)(2)	Jean Paul Guillot, Lieutenant, City of Miami Police Department	A County employee of Miami Police Department may engage in Outside Employment operating/managing a self-parking lot because this type of Outside Employment would not likely impair his independence of judgement in the performance of his duties to the County. The Ethics Code at Section 2-11.1(j) states that a government employee may not accept Outside Employment that impairs the independence of judgment in the performance of his or her public duties.
16-175	Miami-Dade County Code 2-11.1(d), (b)(1) RQO 15-04 INQ 12-168 INQ 14-118	Dexter Lehtinen, Village Attorney, Village of Palmetto Bay	A sitting council member must recuse himself or herself from voting or participating in any way when the village is voting on whether or not to sue an individual for injunctive relief due to unauthorized use of municipal seal or logo, when the individual who would be sued is a declared candidate for election against the sitting council member. A councilperson who is a creditor (is person who is owed a debt by the person the Council is voting to sue for injunctive relief) need not recuse himself from voting or participating on the matter.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-176	(i)	Oscar Camejo, Financial Manager, Miami-Dade Metropolitan Planning Organization (MPO)	County employees who are engaged in outside employment must file a financial disclosure form regarding their outside employment by noon, July 1 of each year with the County Elections Department. (GDG)
16-177	(d)	Daniella Levine Cava, Miami-Dade County Commissioner, District #8	A County Commissioner with a voting conflict must satisfy the new County requirement of publicly filing notice of a conflict by filing State Form 8B with the Clerk's Office within 15 days after the vote, when participating in a subcommittee meeting of the County Commission. (JC)
16-178	(g)	Tina Paul, Commissioner, Town of Surfside	A Commissioner may use her title in her endorsement of a candidate for state legislature. However, the Commissioner may not use the Town's time and or resources in the campaign. (JC)
16-179	(k)	Warren Hodge, Console Security Specialist, Miami- Dade County Internal Services Department (ISD/FUMD)	Although opinions regarding possible conflicts of interest in outside employment and outside employment guidelines presented by the Ethics Commission staff may serve as an aid, final determination as to whether a County employee should engage in outside employment is at the discretion of his/her supervisor. (JC)
16-180	(s)(3)(b)	Jorge Luis Lopez, Esq.	Section 2-11.1(s)(3)(b) of the County Ethics Code, which exempts private individuals who appear in their individual capacity without compensation before the BCC from the lobbyist registration requirements, would permit board members of the Park Foundation, a non-profit organization, to speak in favor of more funding for Miami-Dade County Parks without registering as lobbyists. (JC)
16-181	(v)	Matthew Tisdol, Commissioner, Miami-Dade County Commission on Human Rights	A Commission on Human Rights member may vote on an appeals hearing issue, where the underlying case was referred to the Commission by the Commissioner's employer, HOPE Fair Housing Center, because he would not be directly affected by the vote and does not have any of the enumerated relationships with the entity appearing before the Commission. However, because it is a quasi-judicial proceeding, he may abstain from voting under § 286.012, Fla. Stat., if he believes it necessary to ensure a fair proceeding free from potential bias or prejudice. (RT)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-182	(m)(1), (p)	Alex Palenzuela, Esq.	An attorney working for a municipality as outside counsel, may not represent a developer on a zoning matter before the municipality that employs him. Further, he is also prohibited from recommending the services of any other lawyer to that developer to assist in a transaction involving a municipality that he represents. (JC)
16-183	(i)	Carolina Lopez, Deputy Supervisor of Elections, Miami-Dade County	A Miami-Dade Ethics Commissioner who also serves as a judge, satisfies the financial disclosure requirements in Section (i) of the County Ethics Code by filing a State Form 6. (GDG)
16-184	(j), (k)(2)	Robert Meyers, Esq., Weiss Serota Helfman Cole and Bierman	Sections (j) and (k) of the Ethics Code are applicable to municipal employees, and prohibit them from engaging in outside employment that would interfere with an employee's independence of judgment in the performance of his or her public duties, and require employees to file annual disclosure of the outside employment with their respective municipalities. Further, it is recommended that every municipality develop its own policy concerning the granting of permission for outside employment. (JC)
16-185	(u)	Gerald Sanchez, Assistant County Attorney, Miami-Dade County	A County Commissioner is not prohibited from acting as a real estate agent for a non-profit organization receiving County funds. Although non-profit organizations are considered County contractors, they are exempted from the provisions of Section 2-11.1(u) of the County Ethics code, which requires officials to have arms-length dealings with County contractors. However, it is still recommended that the Commissioner follow the general guideline of insuring that the transaction is made at arm's length to avoid any perception of impropriety in the transaction. (JC)
16-186	(v) RQO 06-52	Wendy Auerbach, Board Member, Miami-Dade Historic Preservation Board	A member of the Historic Preservation Board may vote on an item regarding a historic designation of Bay Harbor Club, because she would not be directly affected by the vote and does not have any of the enumerated relationships with the entity appearing before the Board. However, because it is a quasi-judicial proceeding, she may abstain from voting under § 286.012, Fla. Stat., if she believes it necessary to ensure a fair proceeding free from potential bias or prejudice. (MP)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-187	(j), (k), (g), (h)	Claudia Alzate, Maintenance Inspector 2, Miami Dade County Parks and Recreation Department	Pursuant to Sections (j) and (k) of the Ethics Code, a Parks and Recreation Department employee does not have a conflict of interest involving her employment at the County and her work as a Consulting Arborist with Metric Engineering, Inc. because her outside employment is not likely to impair her independence of judgment in the performance of her public duties. (GDG)
16-188			Pending
16-189	Sunshine Law, Fla. Stat § 286.011	Evan Fancher, Senior Advisor, Miami-Dade County Commissioner Xavier Suarez, District #7	A Senior Advisor to Commissioner Suarez may attend an event organized by the Miami-Dade Young Democrats, at which a legislative aide to Commissioner Jordan may be present, and Mayor Carlos Gimenez is the speaker, provided that the meeting is not used to indirectly transmit communications between Commissioners. (JC)
16-190	(e)(3), (e)(4) RQO 07-61	Arletha Hire Miller, Miami-Dade Information Technology Department (ITD)	County employees may accept a \$50 gift card from a County merchant, BJ's Wholesale, provided to them for promotional purposes, because there is no connection between the gift and any duty they may have or will perform in their public position. (MP)
16-191	(e)(1), (e)(3), (g) RQO 08-25	Johnny Farias, Community Councilmember, Seat #15	A Community Councilmember would not be permitted to directly solicit gifts from third parties in the form of discounts or donations to benefit local schools, although he/she could utilize the services of a County employee or elected official to do so if the solicitation occurred in the course of his/her official duties and for a proper official purpose or the recipient is a 501(c)(3) non-profit entity. (MP)
16-192	(e)(3)	Julian Manduley, IT Contracts Procurement Manager, Miami-Dade Information Technology Department (ITD)	Free third party administrator (TPA) services provided to the County by County vendor Microsoft Corporation do not violate the Ethics Code because the TPA services will be used solely by the County in furtherance of official County business. (GDG)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-193	(e)(1), (e)(3), (g)	Tina Paul, Commissioner, Town of Surfside	A Town Commissioner may have her photography exhibited at the Town of Surfside Community Center, because the opportunity to exhibit one's work is available to any local artist in the Town of Surfside, and the exhibition will provide a tangible public benefit. However, the Town of Surfside's Tourist Board may not sponsor a special reception for the Commissioner's exhibit at the Town's expense, because a Town sponsored reception is not usually included as a part of such exhibitions, and could be construed as a transfer of economic value to the Commissioner, constituting a gift under the Ethics Code. (JC)
16-194	(j), (m)	Patricia Fairclough, Vice-Mayor, City of Homestead	The Vice-Mayor of Homestead does not have a conflict of interest to serve as a principal for a school in Homestead that previously received a grant from the City of Homestead several years ago, because there is no connection between her accepting the position and any past action of hers with the Homestead City Council. However, she should avoid any situation where she would be appearing before the Homestead Council or any department of the City of Homestead to make a presentation on behalf of the school where she is employed. (JC)
16-195	(d)	Marlene Siegel, Town Clerk, Town of Surfside	A prohibited conflict of interest does not exist where the Town Clerk's spouse is employed by a company, Johnson Engineering, which may apply for a prospective Town contract, because the spouse does not have a controlling financial interest in the company, and the Town Clerk has no decision-making authority over the contracting process and no role in the supervision of contractors. (JC)
16-196	(j)	Lazaro Lopez, Videographer/ Editor, Miami Dade Communications Department	A County communications department employee does not have a prohibited conflict of interest in contracting with the City of Hallandale through his private company, Moving Images Productions, because his activities in Broward County are unlikely to impair his independence of judgment in the performance of his public duties on behalf of Miami-Dade County. (MM)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-197	(q), (s) RQO 13-04 RQO 12-09 RQO 11-26 RQO 04-33 RQO 02-139	Tom Roberson, Former Assistant County Attorney	A former County attorney, for two years following his separation from the County, may not arrange or participate in meeting with County staff involved in quasi-judicial proceedings, if the meetings are convened for the purpose of or result in a discussion to influence County staff to take a particular course of action on behalf of a client, which would constitute lobbying. Moreover, he is prohibited from engaging in any activity where he attends a meeting and is publicly identified as part of the “lobbying team”. (MP)
16-198	(bb) RQO 16-03 <i>directed to</i> Miami-Dade Resolution R-189-05	Sandra Williams, Human Resources Director, Vizcaya Museum and Gardens	Section 2-11.1(bb) of the County Ethics Code requires County employees to submit to the Clerk of the Board a certificate of completion of an Ethics Course offered by the COE, within 60 days after being hired by the County. Further, employees are required to complete a refresher Ethics Course every two years thereafter. (GDG)
16-199	(j), (k), (c)(2), (d), (h), (g), (m)(1)	Eric Gomez, Owner, EGSC Engineering Consultants	A City of Sweetwater public works contractor may not serve as the City Building official if that position would include award or oversight of his private company or would interfere with the employee’s independence of judgment in the performance of his public duties. Further, the municipal employee may not lobby the municipality for the contract; and none of his job responsibilities as Building Official could require him to be involved in the contract in any way. (RT)
16-200	(w) INQ 13-26	Robert Meyers, Esq., Weiss Serota Helfman Cole Bierman	Municipal employees and public officials are not prohibited from accepting incidental expenses, such as food and beverages, from municipal contractors, when attending a local conference held in Miami-Dade County or an adjacent County, as the prohibition on accepting incidental travel expenses from municipal contractors does not apply to local events held in Miami-Dade County or an adjacent County. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-201	(g) <i>directed to</i> Fla. Stat. 104.31, 106.113(2)-(3)	Thomas Pepe, City Attorney, City of South Miami	A municipal elected official is prohibited from using his or her public position to promote a political candidate from the dais during a public meeting, because elected officials are prohibited from using their official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof. However, an elected official is not prohibited from espousing his or her views concerning a public issue that may be the subject of a referendum during a public meeting. (GDG)
16-202	(e)	Sophie Harris, Secretary, Environmental Resources Management, Miami-Dade County Department of Regulatory and Economic Resources (RER)	The County Ethics Code does not prohibit a County employee from accepting a wedding invitation and attending the wedding of an individual that serves as an administrative assistant for MCO Environmental, Inc., a company that frequently reports to the County employee's department, as the wedding invitation was not provided in connection with any County decision or action that could be taken by the recipient, and it is customary for individuals invited to attend such functions without paying an entry fee. (JC)
16-203	(s)	Jennifer Blohm, Meyer Brooks Dehmer and Blohm, PA	An attorney representing an organization may send emails to the general public encouraging individuals receiving the e-mails to contact their County Commissioners urging them to take a position for or against an issue before the Commission without having to register as a lobbyist. (JC)
16-204	(j), AO 7-1 RQO 15-03	Charles LaPradd, Miami-Dade County's Agricultural Manager, Miami-Dade County Department of Regulatory and Economic Resources (RER)	A Miami-Dade County Agricultural Manager has a conflict of interest involving his employment at the County, which includes identification and eradication of avocado trees infected with "Laurel Wilt" disease, because his proposed outside employment, consisting of personally growing and harvesting avocado trees for financial gain, would expose him to situations that would impair or hinder his independence of judgment in the performance of his County duties. (MP)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-205	(v), (j)	Michelle Romano, Director of Procurement Management, Jackson Health Systems	An individual who serves as a director for a non-profit organization may not serve as a member of a selection committee for the Marketing Services RFP at JHS where one of the firms responding to the RFP has contributed free services to her non-profit which could interfere with her independence of judgment in making a decision regarding that company's application under an RFP, and where a PHT Trustee, who is subject to a heightened standard of ethics, sits as a fellow board member on that committee. (JC)
16-206	<i>directed to</i> Miami-Dade County Ordinance Sec. 2-11.38	Constance Collins, Board member, Miami-Dade County Homeless Trust and Miami- Dade County Criminal Justice Council	An individual may not serve as a member of one or more County Boards and run for an elective position on the City of Miami Overtown Community Oversight Board, as Section 2.11.38 of Miami-Dade County Code states that "should any member of a County board qualify as a candidate for elective political office, such qualification shall be deemed a tender of resignation from such board". (RT)
16-207	(j)	Thomas Pepe, City Attorney, City of South Miami	A City Attorney has a conflict of interest involving his employment by serving as a board member on the City Canvassing Board because his service on the board would impair his independence of judgment in the performance of his City duties, and may also create an attorney conflict where he may need to represent the board on an election matter. (GDG)
16-208	(e)	Gerald Sanchez, Assistant County Attorney, Miami- Dade County Attorney's Office	The County Commission may pass a resolution awarding two former police officers who served as members of the MDPD honor guard, their honor guard service firearms, as there appears to be a valid public purpose attached. (JC)
16-209	(q)	Maria Cruz, Director of Development, Florida East Coast Industries (FECI)	A former County employee within two years of separation from the County, and who serves as Director of Corporate Development for a provider company overseeing development of Ludlam Trail Corridor (LTC), may not lobby or attempt to influence any official decision, through discussions with County officials or personnel or negotiations with the County regarding LTC. (MP)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-210	(a), (s)(1), (s)(10), (cc)	Scott Stetson, Attorney, MultiState Associates, Inc.	A municipal official may not permit an unregistered lobbyist to lobby him or her. (GDG)
16-211	(e)	Carlos Gimenez, Mayor, Miami-Dade County	The County Ethics Code does not prohibit the Mayor from accepting tickets from the Miami Football Club, an entity that is not a County vendor, contractor, service provider, bidder or proposer, as long as the tickets are not provided in connection with any County decision or action that may be taken by the recipient. The gift must be reported, if it is accepted, as its value exceeds \$100. (JC)
16-212	(d)	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on a Resolution concerning payment by the County to Miami-Dade County School Board for past services from the Driver Education Safety Trust Fund under an interlocal agreement because she will not profit or be enhanced by the vote. (JC)
16-213	<i>directed to</i> Sunshine Law, Fla. Stat § 286.011	Adam Old, Member, El Portal Tree Advisory Board	A public advisory board that has no ultimate decision-making authority, while engaged in fact-finding and not making a recommendation to government, is not required to conduct such fact-finding activities under the Sunshine Law. (JC)
16-214	(v)	Neil Singh, Acting Commission Auditor, Miami-Dade Office of the Commission Auditor	The former supervisory relationship between a potential selection committee member and an employee of a company responding to a solicitation does not by itself raise any prohibited voting conflict under the County Ethics Code. However, given the prior relationship and the need for procurements in the County to be free of appearances of improper influence, the individual should not serve on this particular committee. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-215	(k)(2), (g), (h), (m)(2)	Natalie Prieto, Millet Drive Park Manager, RAICES, Hispanic Heritage, Arts and Culture Center	A County employee serving as President of a nonprofit organization as an unpaid volunteer is not engaged in “outside employment” and consequently is not subject to the filing requirements. However the employee must refrain from using his or her position in the County in order to obtain special benefits for the nonprofit and is prohibited from appearing before any County board or agency to make a presentation or to seek a benefit on behalf of the nonprofit entity. (MP)
16-216	<i>directed to</i> Sunshine Law, Fla. Stat § 286.011	Lee Hefty, Director, DERM, Miami-Dade Department of Regulatory and Economic Resources	The Environmentally Endangered Land Project Review Committee (PRC), created for the purpose of advising the County Mayor regarding the appropriateness of land acquisition proposals under the County’s Environmentally Endangered Land (EEL) program, is subject to the Florida Sunshine Law. (JC)
16-217	(g)	Beth Spiegel, Councilwoman, City of North Miami Beach	The County Ethics Code does not preclude an elected official from utilizing private funds and resources to put out publicly his or her opinion on a ballot referendum issue. (JC)
16-218	(j), (k), (g), (h), (m)	Guillermo Guerrero, Professional Land Surveyor, Miami-Dade Water and Sewer Department	Pursuant to Sections (j) and (k) of the County Ethics Code, a Miami-Dade Water and Sewer Department (WASD) employee whose primary responsibilities include providing reviewing and providing final approval on “as built” water and sewer installation plans may provide services signing and sealing mortgage surveys because his outside employment would not impair his independence of judgment in performing his County duties. (GDG)
16-219	(v)	Wayne Reinhart, Advisory Board Member, Miami-Dade Planning and Advisory Board	An advisory board member, whose company leases commercial space from a company that will be appearing before the PAB, may participate and vote on the item regarding his landlord because the advisory board member does not have any of the prohibited relationships with the company and he will not be directly affected by the vote because the lease has a set yearly rental increase until 2018. (MP)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
16-220	(g)	Connie Leon-Kreps, Mayor, North Bay Village	The Mayor of North Bay Village is not prohibited from using her official title and Village shirt while engaged in political campaigning when these are used for identification purposes and not for the purpose of intimidation. (JC).
16-221	(e)(2)(g)	Daniel Dietch, Mayor, Town of Surfside	Pursuant to an exemption provided in Sec. 2-11.1(e)(2)(g) of the County Ethics Code, a Town Mayor may use his name and title to solicit donations for an upcoming silent auction on behalf of Climate Leadership Engagement Opportunities (CLEO), a 501(c)(3) non-profit organization because the donations will be utilized solely by that organization and neither he nor any member of his staff will receive any benefit as a result of the solicitation. (JC)
16-222	(j), (k), (g), (h), (m)	Yvette Harrell, City Manager, City of Opa-Locka	Pursuant to Sections (j) and (k) of the County Ethics Code, the City Manager for the City of Opa-Locka, whose primary responsibilities include directing and supervising the administration of all City departments, may provide legal services to individuals and entities that are not employed by, hold elected office in, or do business with the City of Opa-Locka. (RT).