
INQ 16-74 Wysong

From: Centorino, Joseph (COE)
Sent: Thursday, March 10, 2016 1:37 PM
To: 'Wysong, George' <GWysong@miami-police.org>
Cc: Perez, Martha D. (COE) <perezmd@miamidade.gov>; Mendez, Victoria <VMendez@miamigov.com>; Min, Barnaby <bmin@miamigov.com>
Subject: INQ 16-74 George Wysong, Division Chief, General Government Division, Office of the Miami City Attorney (Gifts)

Mr. Wysong:

The policy referenced in your letter was adopted by the County in response to the memo issued by the COE regarding complimentary tickets provided in connection with a "Public Benefit" clause in County contracts. It isn't really a "lottery" insofar as the tickets are allocated to participating County Commissioners and the Mayor for distribution to appropriate and deserving groups that they select from their districts. We have found the practice to be acceptable under the County Code of Ethics, although we have occasionally had to provide guidance regarding the manner in which the tickets are distributed. Assuming that they are being distributed to appropriate, deserving groups in the community, and not for the personal benefit of the Commissioner or his or her family, friends, business or political associates, then the practice is an appropriate one. The key is insuring that the distribution of public assets are made for the benefit of the public, and that appropriate public records are kept to account for the distribution of public property. A lottery distribution, whereby such tickets might be made available to the public through some fair and transparent process, would likewise be an appropriate way to handle such distributions. The City of Miami is entitled to use the same procedures as have been developed by the County.

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From: Wysong, George [<mailto:GWysong@miami-police.org>]
Sent: Thursday, March 10, 2016 1:22 PM
To: Centorino, Joseph (COE) <CENTORI@miamidade.gov>
Cc: Perez, Martha D. (COE) <perezmd@miamidade.gov>; Mendez, Victoria <VMendez@miamigov.com>; Min, Barnaby <bmin@miamigov.com>
Subject: Ethics Question

Good afternoon Mr. Centorino,

At this Tuesday's Miami Dade County Board of County Commissioner's meeting the County announced a plan regarding the distribution of complimentary tickets received pursuant to a "Public Benefit" clause. Specifically, the County Commission resolved to use a ticket lottery procedure similar to the one used by them in 2015 for the allocation of the season tickets and to include the Mayor and the Commissioners that choose to participate. Once allocated via the random lottery, each of the District Commissioners participating and the Mayor can identify the youth, charitable organizations, and/or any other organization and/or individual fulfilling a public purpose or function to whom they want the tickets distributed, including retaining the tickets for permissible public purposes for officials, staff and employees, all as set forth in the Commission on Ethics and Public Trust's existing guidelines.

Under the plan the County Commissioners and the County Mayor are to advise the Clerk of the Board in writing as to his/her participation in the lottery and the organizations to which they want tickets distributed. The blocks of tickets cannot be broken up among more than one organization. Of the 16 tickets, two (2) will be reserved for the organization's chaperones, and 14 will be reserved for the organization's members. Any tickets distributed cannot be resold. Any organization and/or individual receiving a ticket will be required to attest that they will not sell, trade, barter, or raffle for fundraising purposes for cash or other monetary or non-monetary consideration, any tickets from their allotment. Ticket usage will be tracked. Family members or relatives of the non-profit, charitable, and/or youth organizations will not be eligible to receive tickets, unless they are an adult chaperone of the organization. Once tickets are allocated, they cannot be exchanged for a different game; in the event the tickets are lost, they cannot be replaced. The Clerk of the Board will distribute the tickets from the Clerk's Office, located at the Stephen P. Clark Center, 17 Floor, and will require that any recipient receiving the tickets present his or her driver's license or identification card with photo and sign for the package.

My question on behalf of the City is, would the Miami Dade Commission on Ethics have any objection to the City of Miami adopting the same procedure for distribution of Marlins tickets as the County?

Thank you in advance for your assistance in this matter

GEORGE K. WYSONG III
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