

INQ Summary
2017
 First Quarter

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
17-01	(j), (k), (m)(2), (v)	Jonathan Fried, Executive Director, We Count!	A member of the Living Wage Commission (LWC), a County board, may serve on the board at the same time that his employer, We Count!, a non-profit agency, is applying for a grant from the Office of Miami-Dade County Commissioner Daniella Cava Levine because there appears to be no interaction between We Count! and the LWC; and no likelihood that the board member's independent judgment would be impaired. (JC)
17-02	(s)	Beth Goldsmith, Procurement Contracting Manager, Miami-Dade County Internal Services Division (ISD)	Members of a vendor's technical team attending an on-site County visit arranged by a County negotiation committee, for the sole purpose of providing the team with information on the County's technological operational system, 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. (MP)
17-03	(d)	Daniel Dietch, Mayor, Town of Surfside	The Mayor of the Town of Surfside, who is employed by CH2MHill, a company with significant contracts in the Biscayne Bay Coastal Wetlands Program (BBCWP), a joint project between the Army Corps of Engineers and South Florida Water Management District, may not vote on an upcoming resolution by the Town Commission urging legislative support for expansion of BBCWP because his ownership interest in the company, together with the fact that he receives stock options from the company's performance, would create a reasonable possibility that he would benefit from the continuance and expansion of the program, such that he might, directly or indirectly profit or be enhanced by the action taken by the Town's Commission. (JC)
17-04	(j), (k), (h), (g)	Nicole Banks, Personnel Technician, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest involving her employment at the County and her work as a concessions supervisor for Levy Restaurants, a County vendor, because her outside employment is completely unconnected to County duties; would not impair her independence of judgment in the performance of her public duties; and would not conflict with her County employment hours. (RT)

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17-05	(i)	Maria Camara, Village Clerk, Village of Biscayne Park	Candidates for public office are required to file Form 1 together with their qualifying papers, and must file by July 1 following each calendar year in which they hold their position. Departing public officials, such as an outgoing City Commissioner, must file Form 1F within 60 days after leaving public office. (GDG)
17-06	(c)(3), (m)(2), (v)	Enid W. Demps, Councilwoman, Community Council #15	A Community Councilmember does not have a prohibited conflict of interest when her employer, The Greater Goulds Optimist Club, applies for grant funding from the Miami-Dade Office of Management and Budget, because the Community Council on which she serves has no involvement in any aspect of the grant funding and she would not be directly affected by it. (RT)
17-07	<i>directed to</i> Miami-Dade County Code Sec. 1.05	James Hepburn, Utility Supply Specialist 2, Miami-Dade Water and Sewer Department (WASD)	County employee who qualifies as a candidate for election and is elected to the City Commission in the City of Miramar, immediately forfeits his County position pursuant to Section 1.05 of the Miami Dade County Code. (JC)
17-08	(v)	Neil R. Singh, Acting Commission Auditor, Miami Dade County	Two prospective members of a selection committee may serve on the committee even though their former employer and/or the former employer of their spouse, has responded to the RTA, because the prospective members have no current employment/financial relationship with the firms; the employments in question were terminated amicably and they do not maintain close friendships with persons at those firms; and it is unlikely that they could not be fair and objective in evaluating the firms. (JC)
17-09	(b)(b)	Christopher Agrippa, Director, County Clerk of the Board	All newly hired County employees must complete the revised two-hour COE Employee Ethics Course within 60 days after they are hired by the County. (GDG)
17-10	(d) <i>directed to</i> Fla. Stat. Sec. 286.012	Manny Cid, Mayor, Town of Miami Lakes	The Mayor of the Town of Miami Lakes may vote on an upcoming item before the Town Council, where the spouse of his business partner is registered as a lobbyist on behalf of the entity that is coming before the Council, 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 Council. 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)

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17-11	(j), (k) RQO 16-02	Ashiel Callwood, Console Security Specialist, Miami-Dade Internal Services Department (ISD)	Pursuant to Sections (j) and (k) of the Ethics Code, an ISD employee does not have a conflict of interest involving his employment at the County and his work as a security officer for Security Alliance, LLC, a County vendor, because his 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. (RT)
17-12	<i>directed to</i> Sunshine Law, Fla. Stat § 286.011	Joseph Geller, Esq., Village Attorney, Village of El Portal	Under the Sunshine Law, the Village Council may not decide in a closed session to redesign the Village Seal for the purpose of providing a surprise event for the Village, because the item involves action by the Village Council on a matter of official business. (JC)
17-13	(b)(b) <i>directed to</i> Miami-Dade Code of Ordinances Sec. 2-71	Christopher Agrippa, Director, County Clerk of the Board	The Miami-Dade Property Appraiser is required to complete the two-hour COE Employee Ethics Course because the position is made subject to the County Code of Ethics to the same extent as County Department heads per Sec. 2-71. (JC)
17-14	(j), (k) RQO 16-02 RQO 15-03	Yasenny Camejo, Marketing Coordinator, Miami-Dade Parks, Recreation and Open Spaces (PROS)	A County employee for PROS may pursue outside employment with her own marketing consulting firm, Yasenny LLC, because it will not transact business with the County or any County vendor, and will not involve any use of County time or resources. (MP)
17-15	(e)(3)	Arletha Hire Miller, Personnel Specialist, Miami-Dade Information Technology Division (ITD)	Loyalty CORE products given at no cost to the County IT Department by a County vendor, OpenText, do not violate the Ethics Code because the products will be used solely by the County in furtherance of official County business. (MP)
17-16	(w)	Maurice Pierre, Biologist 2, Miami-Dade Department of Regulatory and Economic Resources (RER)	A County employee who winning a free cruise from a County vendor through a raffle may not accept the cruise, because County employees are prohibited from accepting travel expenses from County contractors. (JC)

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17-17	(w)	Ken Pyatt, Deputy Director, Miami-Dade County Aviation Department	The Deputy Director of the Aviation Department is prohibited from accepting lodging expenses in Costa Rica, associated with attending the upcoming wedding of the son of a principal for developer, Driftwood Hotels, which was offered as a courtesy to all guests attending the wedding, absent a waiver by majority vote of the County Commission, because it is anticipated that Driftwood Hotels will bid on the hotel management contract at Miami International Airport. (JC)
17-18	(d)	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on an extension of Joint Use Agreement between the School Board of Miami-Dade County and Miami-Dade County, for joint use of School property for recreational purposes, because her employment is with a government entity and she will not profit or be enhanced by the vote. (JC)
17-19	(s)(2)(d)	Jill Jacobs, Eleanor Joseph and Associates	Completing the lobbyist ethics course within 60 days of initial registration as a lobbyist satisfies any ongoing requirement by the County for lobbyist ethics training. (GDG)
17-20	(c), (m)(1)	Geraldine Lazarre, TriMerge Consulting Group, PA (TriMerge)	A board member on the Jackson Health System's General Obligation Bond Citizens' Advisory Committee may accept a Mom & Pop grant for her privately-owned company, TriMerge, as long as her committee is not involved in any way in processing or administering the grant and the board member does not lobby for the grant. (GDG)
17-21	(s)(3)(a)	Frank Schnidman, Consultant for a Government Entity	A consultant hired by a local municipality to represent its interest before the BCC is exempt from registering as a lobbyist because he is appearing in an official capacity on behalf of a public officer. (MP)
17-22	(s) RQO 04-33	Thomas Pepe, City Attorney, City of South Miami	Any communication regarding matters other than process or procedure between the bidder or proposer and City elected officials or personnel regarding a foreseeable or current bid or solicitation, with the intent to influence the decision regarding that bid or solicitation, constitutes lobbying and would require registration. (GDG)
17-23		Norris Kimble, Courtroom Clerk I, North-Dade Justice Center	The County Ethics Code does not provide a specific definition of the word "intent", however, the COE can impose enhanced penalties if they determine that an individual intentionally violated a section of the Ethics Code. (RT)

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17-24	(k)(2)	Emilio Gonzalez, Director, Miami International Airport	The Director of Miami International Airport would not be prohibited from serving on a federal board, as his board service will not conflict with his duties at the airport. Further, his board service would not be considered reportable outside employment as it is an unpaid position and does not involve service that would ordinarily be compensated. (JC)
17-25	(e)(4), (k)(4)	Eddie Kirtley, Assistant County Attorney, Miami-Dade County	An incentive program, in which complimentary admission to the General Bench & Bar Conference, is offered by the Dade County Bar Association to individuals whose memberships have lapsed, as an incentive to renew their membership, is not a reportable gift under Section 2-11.1(e). The incentive indicates a sales/marketing strategy available to a group, rather than an intent to bestow a gift on any individual and may be considered as adequate consideration for the agreement to renew. (JC)
17-26	(s)(3)(b) <i>directed to</i> Fla. Stat. 112.3135	Mary Kramer, Esq.	The spouse of a current North Bay Village Commissioner is not prohibited from speaking at a Village Commission meeting without registering as a lobbyist, if she is speaking on behalf of herself, and avoids making any reference during the remarks to her spouse. The spouse of a Village Commissioner may not be appointed to the North Bay Village Citizens Budget and Oversight Board if such appointment will be made by the Village Commission. (RT)
17-27	(s)(3)(b) <i>directed to</i> City of Miami Code Sec. 2-653	Carly Starkey, J.D. Candidate, University of Miami Law School	Students appearing before the City of Miami Commission to speak on behalf of legislation are not required to register as lobbyists because they are appearing in their individual capacity for the purpose of self-representation, and without compensation or reimbursement from another person or entity. (JC)
17-28	(d), (n), (l), (g)	Jud Kurlancheek, Building, Zoning, Planning and Public Works Director, Village of Key Biscayne	While the Village of Key Biscayne's Director of Building, Zoning, Planning and Public Works' ownership of an apartment in a building adjacent to a proposed development may not create a violation of the Ethics Code, he is advised to consider voluntarily recusing himself from the process and delegating his duties to another Village administrator so that he is not placed in a position where his involvement may create an appearance of impropriety. (JC)
17-29	(bb)	Sue Loyzelle, Vice Mayor, Town of Cutler Bay	The requirement that an elected official complete ethics training within 90 days of her election is extended for the Vice Mayor of the Town of Cutler Bay, due to her physical inability to attend the training during her recuperation from surgery. (JC)

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17-30	(s), (h) RQO 06-54	Robert Fernandez, Esq., Zumpano Castro LLC	A former County employee within the two-year period after leaving County public service, may lobby County employees on behalf of a non-profit 501(c)(3) entity. Further, the individual need not register as a lobbyist if only serving as an unpaid representative of the non-profit entity and only seeking grant funding. (MP)
17-31	(i)	Sandra Williams, HR Manager, Vizcaya Museum and Gardens	The former Finance Director of Vizcaya Museum and Gardens must file State Form 1F with the Department of Elections in the County in which he resides within 60 days after leaving his County employment because he had final purchasing authority of \$20,000 or more. (GDG)
17-32	(j), (k), (g), (h)	John Prats, HR Commander, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to his work as a choir director for Our Lady of the Lakes Catholic Church, a County vendor, because his outside employment is completely unconnected to County duties; would not impair his independence of judgment in the performance of his public duties; and would not conflict with his County employment hours. (RT)
17-33	(g), (j), (c)(2), (d), (m)(1)	Rhaudal Cooper, Jr., Lieutenant, Miami-Dade Fire Rescue Department (MDFR)	A Lieutenant with MDFR may contract with the County through his privately-owned company, but he may not contract with MDFR, the department that employs him, and he may not lobby the County for the contract. (GDG)
17-34	(g)	Matthew Pigatt, Commissioner, City of Opa-locka	The County Ethics Code does not prohibit a Commissioner from using his official position to solicit donations for the non-profit entity, 100 Black Men of South Florida, because the organization is a qualified 501(c)(3) non-profit organization and neither the Commissioner nor his or her staff will receive a personal benefit as a result of the solicitation. Further, the Commissioner may not use his City title to solicit donations for his employer, Florida Memorial University. (JC)
17-35	(e)	Margarita Olano, Board Support Specialist, Homeless Trust	The income that a County employee receives as a result of tax preparation services that he provides to other County employees is not considered a gift to him under the County Ethics Code as the monies were paid as lawful consideration for preparing the taxes of co-workers. Further, a County employee that owns such a business must obtain permission to engage in outside employment on an annual basis and file an annual Outside Employment Statement with the County's Elections Department. (RT)
17-36	(e)	Jordani Pluvoise, Real Estate Evaluator 2, County Property Appraiser's Office (MDPAO)	While internal gift exchanges between co-workers and/or bosses are exempt from the MDPAO administrative "no-gift policy", any gift or series of gifts received from a non-relative or non-household member that exceeds the fair market value of \$100, must be disclosed pursuant to the County Ethics Ordinance. (RT)

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17-37	(c)(2)	Jacinto Rodriguez, President, Project Service International Corporation, Inc.	An individual who is not a Miami-Dade County elected official, board member, employee, or an immediate family member of the aforementioned categories of County personnel, is not required to obtain an ethics opinion from the Ethics Commission in order to qualify to transact business with the County. (GDG)
17-38	(e)	Juan Villalba, Detective, Narcotics Bureau, Miami-Dade Police Department (MDPD)	Donation of collection boxes by a County vendor for use in a MDPD prescription drugs take-back program does not violate the Ethics Code because the boxes will be used solely by the County in furtherance of official County business; no financial or other benefit will be provided to the vendor; and the donation will not, in anyway personally benefit a County employee. (JC)
17-39	(s)(4), (s)(1)(b) <i>directed to</i> Cutler Bay Code 2-236	Stephen Zarzecki, President, Concerned Citizens of Cutler Bay	The President, attorney, and consulting engineer, for the Concerned Citizens of Cutler Bay (CCC), a non-profit Florida corporation, may appear on behalf of the organization before the Town Council of the Town of Cutler Bay because Section 2-236 of the Cutler Bay Code does not require registration for any unpaid representative (the President) of organizations who engage in lobbying activity; the County Ethics Code excludes from the definition of lobbyist attorneys retained solely for the purpose of representing individuals during quasi-judicial proceedings; and also provides an exception for expert witnesses who provide only scientific, technical, or other specialized information or testimony in public meetings. (JC)
17-40		Joel Garcia, Transhire Transitional Hiring Solutions (Transhire)	An employee of Transhire, assigned to the elections department, is not required to obtain an ethics opinion from the Ethics Commission as part of qualifying for eligibility to do business with Miami-Dade County, because the temporary service contract between the County and Transhire does not state that temporary employees of that company assigned to County departments are covered by the Ethics Code. (GDG)
17-41	(b)(9), (c)(2), (d), (g)	Deborah Margol, Deputy Director, Miami-Dade County Department of Cultural Affairs	The domestic partner of the Curator & Artists Services Manager of the County's Department of Cultural Affairs, may not enter into the Visual Arts Program award agreement for the receipt of County funds because her partner, the County employee, works for the County department that oversees and administers the agreement. (MP)
17-42	(d)	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the Miami-Dade School Board may vote on a resolution between the School Board and the County, establishing a scholarship program for students at George T. Baker Aviation Technical College, because her employment is with a government entity and she will not profit or be enhanced by the vote. (MM)

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17-43	(bb) <i>directed to Miami-Dade Resolution 189-05</i> MDEAT by-laws Sec. 4.15.6	Traci Pollock, Special Projects Administrator II, Miami-Dade Economic Advocacy Trust (MDEAT)	MDEAT board members are required to complete an ethics training course developed by the Ethics Commission pursuant to Miami-Dade Resolution 189-05. (GDG)
17-44	(c), (d), (m)(1)	Joyce J. Green, Customer Service Transit Agent, Miami-Dade Communications Department (COM)	A County employee who works for the Communications Dept. (COM) may contract with the County through her privately-owned company, but she may not contract with COM, the department that employs her, and she may not lobby the County for the contract. (GDG)
17-45	(bb)	Elizabeth Regalado, Executive Director, Miami-Dade Domestic Violence Oversight Board	A retired County employee who was rehired by the County and completed the employee online ethics training course within two years of her re-hire date is not required to retake the ethics course because the Ethics Code only requires employees to complete a refresher Ethics course every two years. (GDG)
17-46	(i)	Julie Balogh, Manager, Airports & Contracts Section, DERM	It is recommended that a draft agreement for Non-Exclusive Professional Services Agreement (PSA), include County Ordinance 2-11.1(i), the financial disclosure section of the County Ethics Code. (GDG)
17-47	(s)	Brandon Cornejo, Design Staff, Raymond Jungles, Inc.	Under the County lobbyist ordinance, a person designated by a corporation as a Principal, who is responsible for lobbying on behalf of his or her organization, is required to register as a lobbyist and take the ethics course but is exempt from the registration fee. (MP)
17-48	(j), (k) AO 7-1 RQO 00-10	Michelle Aleman, Grants Analyst, Office of Management and Budget	Although opinions regarding possible conflicts of interest in outside employment and outside employment guidelines presented by the Ethics Commission staff may serve as a reference, a County supervisor has discretion to deny permission to a County employee to engage in outside employment. (RT)
17-49	(g)	Brian Olson, RER/DERM GIS Support, Miami-Dade County Information Technology Department	A County employee may engage in political activities outside the workplace, but he may not attempt to coerce coworkers about his political positions while on the job and he may not use County time or resources to further his political activities. (RT)

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17-50	(j), (k), (h)	Natasha Reese, Sergeant, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest involving her work as a correctional consultant with the American Correctional Association (ACA), because she does not have the authority to approve or disapprove any agreements between MDCR and the ACA; she has no involvement in the oversight, administration, or auditing by the County or the ACA regarding the County's compliance with the ACA; and her outside employment would not impair her independence of judgment in the performance of her public duties or conflict with her County employment hours. (RT)
17-51	(e) <i>directed to</i> Fla. Stat. 112.3148	Gerald Sanchez, Assistant County Attorney, Miami-Dade County	The Miami-Dade Metropolitan Planning Organization (MPO) may accept lunch and the use of Crush Ballroom at the Brickell City Center for the purpose of conducting the 40 th Anniversary Governing Board meeting of the MPO, from Swyer Properties, Inc, a County contractor, because it was not solicited by the MPO or its staff; it is being provided to the MPO in connection with the MPO's official business, rather than for the personal benefit of any staff member; and the value of the lunch is less than \$100. (JC)
17-52	(j)	Rosy Pastrana, Executive Assistant to the Miami-Dade County Elections Supervisor; Miami-Dade Elections Department	The Executive Assistant to the Miami-Dade County Elections Supervisor may accept appointment to the Miami-Dade County Transportation Advisory Board because her position with the Elections Department has no connection with transportation issues in the County; she does not usually interact with County personnel who handle such issues; and it is unlikely that her Board position will impair her independence of judgment in the performance of her duties in the Elections Department. (JC)
17-53	(c), (d), (m)(1)	Elizabeth Siboria, Eligibility Interviewer, County Community Action and Human Service Department (CAHSD)	An Eligibility Interviewer for CAHSD may contract with the County through her privately-owned company, but she may not contract with CAHSD, the department that employs her, and she may not lobby the County for the contract. (GDG)

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17-54	(j), (k), (g), (h)	Shawntia Kirkland, Personnel Specialist 2, County Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to her work as an owner/coordinator for TK Creations Printing and Party Planning, because her outside employment is completely unrelated to her County duties and would not impair her independence of judgment in the performance of her public duties. (RT)
17-55	(c)(3), (g), (h), (m)(2), (v)	Dave Capelli, Founder/CEO, TECH Miami Inc.	The CEO of Tech Miami Inc., a County vendor, may serve as a board member on the Miami-Dade Millennial Task Force (MTF) because it does not appear that the MTF will have the ability to award or oversee any contract that Tech Miami has with the County. The board member may not make presentations or seek any benefit for himself or others from his board and he may not vote on any matter involving his company. (RT)
17-56	(p), (g), (c)(3)	Marianne Meischeid, Member, Tourist Board, Town of Surfside	A member of the Town of Surfside Tourist Board may not apply for and be selected as the Town of Surfside's Tourism Director because the Town's Tourism Director interacts with and is subject to the policy-making authority of the Tourist Board; is required to attend Tourist Board meetings; and is directly involved in implementing the plans and procedures set by the Tourist Board. (JC)
17-57	(s)	John Manion, Esq., Skadden Arps	An out-of-state lobbyist seeking to interact with Miami International Airport (MIA) must register as a lobbyist with Miami-Dade County because MIA is a County agency. (JC)
17-58	(j), (d)	David Williams, Councilman, City of Miami Gardens	A Miami Gardens Councilman may serve as acting Executive Director of the North Dade Youth and Family Coalition (NDYFC) because the City of Miami Gardens has only a perfunctory pass-through role in the funding of NDYFC, and does not have control over the internal activities of the organization. The Councilman must recuse himself from any votes made by the City of Miami Gardens Commission that affect NDYFC during the Councilman's tenure as acting Executive Director of the coalition. (JC)
17-59	(t)(1)(c)(i)	Willy A. Bermello, Bermello Ajamil & Partners, Inc.	Under Section 2-11.1(t)(1)(c)(i) it would be permissible under the Cone of Silence for written communications to occur since such communication is not specifically prohibited in the bid documents, provided that a copy of the written communication is delivered to the Clerk of the Board and made a public record. (MM)

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17-60	(j), (k), (g), (h), (x)	Annette Perez-Ruiz, HR Manager, Labor Relations, Miami-Dade Water and Sewer Department (WASD)	Pursuant to Sections (j) and (k) of the Ethics Code, an Energy Management Analyst at WASD does not have a conflict of interest involving her work as a consultant for Dream in Green (DIG), a non-profit environmental organization, because none of her assignments with DIG would include any programs run by WASD or Miami-Dade County; she has no authority to approve or disapprove any agreements for services between Miami-Dade County and DIG; and she would have no involvement in the oversight and/or administration of the Water Use Efficiency Unit at WASD that occasionally works with DIG. (RT)
17-61	(w)	Julian Manduley, IT Contracts & Procurement Manager, Miami-Dade County Information Technology Department	County employees may accept travel expenses from a County vendor when the terms of the vendor's contract require the vendor to pay for employees' travel expenses to vendor's annual conference in Washington, D.C. In this case, the County has provided adequate consideration for the travel expenses through the terms of the contract, which serve a public purpose. (GDG)
17-62	(d) <i>directed to</i> Sunshine Law, Fla. Stat § 286.011 AGO 89-06	Martin Marquez, Candidate, City of Miami Springs City Council	While the Sunshine Law is not violated if a husband and wife were to serve simultaneously on the same City Council, such service is likely to create serious appearances of Sunshine Law violations, even if the spouses adhered strictly to the letter of the law, which could damage the public trust. (JC)
17-63	(g), (e)	John Riley, Commissioner, City of Opa-locka	The County Ethics Code does not prevent a City Councilman from donating his salary to the City for a lawful purpose. However, the City Councilman may not use his position as a City Commissioner or the City Commission's authority over the City budget to exercise or retain any power or authority over any of the City's personnel due to the donation, nor should he be accorded any special services by the City based upon such a donation. (JC)
17-64	(k)(2)	Shannon Tookes, Correctional Officer, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Under the County Ethics Code, 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 form. (RT)

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17-65	(j), (k)	Isabel Blanco, Clerk 3, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to her work as an owner/landlord of 3 rental units, because her outside employment is completely unrelated to her County duties and would not impair her independence of judgment in the performance of her public duties. (RT)
17-66	(j), (k), (h), (g)	Trenae Floyd, Administrative Officer 3, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to her work as an owner/President for Von Enterprises International, Inc., because her outside employment is completely unrelated to her County duties; and would not impair her independence of judgment in the performance of her public duties. (RT)
17-67	(j), (k)	Lavern Carlile, Administrative Officer 2, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to her work as an owner/landlord for The LaVerne Carlile DBA LaVerne Carlile Rental Properties, because her outside employment is completely unrelated to her County duties; and would not impair her independence of judgment in the performance of her public duties. (RT)
17-68	(q)	Eli Tourgeman, Former Commissioner, Town of Surfside	Pursuant to the two-year rule, a former Commissioner of the Town of Surfside, for two years following completion of his term of office, may not lobby or attempt to influence any official decision in the Town of Surfside, by meeting with Town Manager and/or Town Tourist Board in order to influence them to make a decision on behalf of his new employer. (JC)
17-69	(v), (m)(2)	Jose Infante, Member, Naranja Community Redevelopment Agency (CRA)	There is no conflict of interest for the Chairman of the Economic Development Council (EDC) and member of The Naranja CRA to vote on matters before the CRA in which the EDC has a policy interest, because he will not be directly affected by the vote; he will not appear before the CRA on behalf of the EDC; and he will not use his official position to gain special privileges or exemptions for the EDC. (JC)

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17-70	(e)(4), (v)	Nancy Liebman, Member, City of Miami Beach Historic Preservation Board	The County Ethics Code does not prohibit a member of the City of Miami Beach Historic Preservation Board from attending a luncheon provided by Mango's restaurant to Miami Beach United, a community organization of which she is Former President and current board member, because the luncheon is unconnected to the Historic Preservation Board, and was not provided in connection with any governmental decision that may be taken by the recipient. The gift must be reported if its value exceeds \$100. Further, the proffer of the lunch would not create a prohibited voting conflict on any issue regarding Mango's pending before the Historic Preservation Board, because she will not be directly affected by the vote and does not have any of the Ethics Code's enumerated relationships to the entity appearing before the Historic Preservation Board. (JC)
17-71	(e)	Jose Nordarse, Chief, Information Services Division, Miami-Dade Property Appraiser's Office	The Chief of the Information Services Division of the Property Appraiser's Office may accept an invitation to a Miami IT Executive Family Sports Night hosted by C10, an IT Executive Concierge company that is not a County vendor, 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. (RT)
17-72	(s)	Maritza Haro, Bercow Radell Fernandez & Larkin	A Principal who lobbies on behalf of his company, and also hires employees whose normal scope of employment include lobbying activities, must register as a lobbyist, and must also register as principal in order to complete a lobbying authorization for each lobbyist that represents him or her. (GDG)
17-73	(w)	Susana Ramirez-Lapp, Executive Assistant to Director, Miami-Dade Human Resources Department	The County Benefits Director and Benefits Supervisor may not accept any travel-related expenses from ICMA-RC, a County vendor, to attend the ICMA-RC Client Symposium, absent a waiver by majority vote of the County Commission. (JC)
17-74	(q), (s), (h)	Robert Fernandez, Esq., on behalf of a former County employee	A former County employee who wishes to contract with UM and/or FIU for consulting and/or lobbying services may do so because the 2-year prohibition on lobbying the County does not apply to former County employees representing nonprofit, governmental or educational entities. (GDG)
17-75	(k)	Sterling Osborne, Librarian Assistant, Public Library	A County employee who occasionally performs electronic music in public venues for a fee, is engaged in outside employment and must comply with all outside employment requirements. (MP)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
17-76	(v), (m)(2)	Michael Joseph, Esq., Miami-Dade Commission on Human Rights	An attorney and member of the Commission on Human Rights (CHR) may not appear before another board, either directly or through an associate, within the County agency with which the CHR shares a common staff. Further, a law associate of a CHR board member may appear before the CHR board to represent a client, but the CHR board member must recuse himself from voting on matters related to the client of the associate. (MP)
17-77	(j), (k), (f)	Juan Armas, Chief, Strategic Business Planning, Miami-Dade County Parks, Recreation and Open Spaces Department (PROS)	Pursuant to Section (j) of the Ethics Code, a PROS employee does not have a conflict of interest involving his employment with the County and his work as a rental concession attendant with Boucher Brothers, a County vendor, because his work with Boucher Brothers would not impair his independence of judgment in the performance of his County duties because it is unrelated to his County position; the employee has no involvement in the vendor's contract with the County; and his outside employment will not conflict with his County work hours. (MM)
17-78	(t)	Jose Smith, City Attorney, City of North Miami Beach	The Cone of Silence goes into effect at the time an RFP, RFQ, or bid is first announced, and is not lifted by the City Manager's seeking authorization to commence negotiations with the top ranked firm, but rather is lifted when the Manager files his or her written recommendation for the final award of the contract, because that is the point at which the solicitation ceases to be openly competitive. (JC)
17-79	(d)	Dennis Moss, Miami-Dade County Commissioner, District # 9	A County Commissioner with a voting conflict need not absent himself from the "Reasonable Opportunity for the Public to be Heard" portion of the BCC meeting, but he may not make any comment about a matter regarding which he has a voting conflict during the public comment period. (JC)
17-80	(t)(4)	Thomas Pepe, City Attorney, City of South Miami	A municipality may opt out of the County Cone of Silence by adopting an ordinance stating the municipality opts out of the County's Cone of Silence, or by adopting an ordinance providing that it both opts out and also adopts its own Cone of Silence provision. (JC)
17-81	(d)	Joe Martinez, Commissioner, Miami-Dade County, District #11	A County Commissioner may not participate in a vote by the County Commission deciding on how to fund various community-based organizations (CBOs) because he is a board member of the Epilepsy Foundation of Florida, a CBO, which is expected to receive funding or otherwise be directly or indirectly affected by the County Commission's action. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
17-82	(e) <i>directed to</i> <i>Citizens United v. FEC</i> , 558 US 310(2010) <i>McCormick v. US</i> , 500 US 257 (1991)	Russell Mackie, Shareholder, Waste Pro	Political contributions by government contractors are not considered gifts under County Ethics Ordinances and are permitted as long as there is no <i>quid pro quo</i> arrangement intended to influence official action. (JC)
17-83	(s)	Haven Krarup, Associate, Stantec Architecture	The completion of the lobbyist refresher training course within two years of the date of a person's initial lobbyist ethics training, satisfies any ongoing requirement by the County for lobbyist ethics training. (GDG)
17-84	(c), (g) RQO 09-20	Melinda Pearson, Capital Inventory Clerk, Miami-Dade Internal Services Department (ISD)	A County employee may participate in the Infill Program and the First Time Homebuyer Program as long as the County employee is not employed by the County department that enforces, oversees, or administers, the respective programs. (GDG)
17-85	(c), (d)	Linda Forrest, Poinciana Development Group	An advisory board member serving on the Miami-Dade Small Business Enterprise Construction Advisory Board (SBECAB) may contract with the County without the limitations provided in Sections (c) and (d) of the County Ethics Code because the ordinance that established the SBECAB waives Sections (c) and (d) of the County Ethics Code for its advisory board members engaged in transactions arising from the exercise of the powers given to the advisory board. (GDG)
17-86	(t)	Phyllis Smith, Commissioner, City of North Miami Beach	During the time the Cone of Silence is in effect, a North Miami Beach Commissioner may obtain expert advice from an engineer outside of the City government with whom she is acquainted, regarding the pending RFQ because the communication is with an individual who is not employed, retained or associated with any of the respondents to the RFQ. (JC)
17-87	<i>directed to</i> Fla. Stat. 112	Rafael Millares, Legal Counsel, Miami-Dade County Value Adjustment Board (VAB)	The COE may not provide binding opinions to the VAB or to the VAB Counsel under the County Code of Ethics because the VAB and its counsel position are created by Florida Statutes and are governed by State law. (JC)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
17-88	(j)	Neil R. Singh, Acting Miami-Dade County Commission Auditor, Office of the Commission Auditor	An individual who works for Ross & Baruzzini, a Corporate Member of the Southwest Chapter of American Association of Airport Executives (SCAAAE), may not serve on a selection committee for an RFQ on which the SCAAAE is a competing vendor, because he works for an entity closely related to SCAAAE which would likely impair Mr. Adams' independence of judgment in the performance of his public duties as a selection committee member. (JC)
17-89	<i>directed to</i> Sunshine Law, Fla. Stat. § 286.011	Miriam Singer, Sr. Assistant Director, Procurement Section, Miami-Dade County Internal Services Department	The Sr. Assistant Director of the County Procurement Section's communication with two former members of the County's Professional Services Task Force will not violate the Sunshine Law because the Task Force has completed its work and there are no foreseeable matters that will come before that board. (JC)
17-90	<i>directed to</i> Sunshine Law, Fla. Stat. § 286.011	Martin Marquez, Candidate for City Council, City of Miami Springs	The Sunshine Law does not apply to candidates for public office who are not current members of a public board. (JC)
17-91	(c) <i>directed to</i> City of Miami Code §2-612(a)	Shawshanna Shaw	The relative of a City of Miami employee may receive assistance from the County Public Housing and Community Development department (PHCD) because the contract is with the County and not with the City of Miami, the governmental entity that employs her relative. (GDG)
17-92	<i>directed to</i> Sunshine Law, Fla. Stat. § 286.011	David Acosta, Esq., Assistant Village Attorney, North Bay Village	A violation of the Sunshine law does not occur when the Village Clerk's office contacts members of the Village Commission for the purpose of ascertaining their availability for a meeting that had to be re-scheduled because it is merely a scheduling matter that does not involve any substantive discussion on a matter that would foreseeably come before the board for a vote. (JC)
17-93	(e)	Luis Collazo, Councilmember, Town of Miami Lakes	A Councilmember may accept complimentary entry to a charity golf tournament at Melreese Golf Club because the donor is not a Town vendor, contractor, or lobbyist. The Town official must report the ticket as a gift, if the value of the entry to the tournament minus the total amount that would be donated to the charity, exceeds \$100. (JC)
17-94	<i>directed to</i> Fla. Stat. 112.3145(1)(a)	Luis Collazo, Councilmember, Town of Miami Lakes	Municipal officials who are required to comply with State financial disclosure requirements and file under Section 112.3145(1)(a), F.S., must file State Form 1 within 30 days of appointment and then annually by July 1 of each year. (GDG)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
17-95	(j), (k)	Anita Jones, Special Projects Administrator 1, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to her work as a self-employed motivational speaker, because her outside employment is completely unrelated to her County duties and would not impair her independence of judgment in the performance of her public duties. (RT)
17-96	(j), (k)	Seraphin Bernard, Special Projects Administrator 2, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to his work as a real estate broker, because his outside employment is completely unrelated to his County duties and would not impair his independence of judgment in the performance of his public duties. (RT)
17-97	(j), (k)	Jason Santiago, Correctional Officer 1, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to his work as a reserve police officer, because his outside employment is completely unrelated to his County duties; and would not impair his independence of judgment in the performance of his public duties. (RT)
17-98	(s)(2)(d) RQO 06-63 PQO 06-65 RQO 10-28	Kate Belinsky, Attorney, Nossaman LLP	Jackson Health System/Public Health Trust (PHT) vendors are required to register as lobbyists if they approach PHT staff seeking to influence the purchase of products or services which foreseeably will be reviewed by the PHT Board of Trustees of a PHT board or committee. (GDG)
17-99	(j), (k), (g), (h) RQO 12-11	Rudolf Griffith, Human Resources Manager, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to sections (j) and (k) of the County Ethics Code, the Human Resources Manager for MDCR may provide private legal services to individuals and entities that are not employed by, hold elective office in, do business with, or have filed a lawsuit against Miami-Dade County. (RT)

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
17-100	(q), (m)(2)	Jack Kardys, Former Director, Miami-Dade County Parks and Recreation Department	Under the two-year rule, the retired director of the County Parks Department may serve as the advisory board member on the Parks Department Taskforce for the Parks Foundation (a non-profit corporation that fundraises on behalf of the County's Park Department); he may make a presentation to the Taskforce advocating for park funding initiatives on behalf of the Parks Foundation; but he may not advocate, directly or indirectly, to the Taskforce on behalf of his private company, J Kardys Strategies LLC, or the County's Parks Department. (MP)
17-101	(i)	Carmen Bofill, Financial Disclosure Clerk 3, Miami-Dade Elections Department	Members of the Miami-Dade Taxi Advisory Board (TAB) should file the local Source of Income form provided they do not perform other duties that make them subject to Florida Statute 112.3245. (GDG)
17-102	(t)	Beth Spiegel, City Commissioner, City of North Miami Beach	While communications with the media are not covered by the prohibitions under the Cone of Silence, a City of North Miami Commissioner was advised to consider refraining from extensive comment on a pending procurement of the City's water and wastewater utility because it could be perceived as an attempt to influence the process. (JC)
17-103	(d) <i>directed to Fla. Stat. §286.012</i>	Cesar Mestre, Council Member, Town of Miami Lakes	While a legally prohibited conflict of interest may not exist under Section 2-11.1(d) of the County Ethics Code, a Town Councilman was advised not to vote at a quasi-judicial hearing on a zoning matter regarding Elevate Church of Miami Lakes because he has committed personal funds to the project in question, and as a church member, he would receive some benefit from the expanded and renovated church facility should the permit that is sought by the church be approved. (JC)
17-104	(j), (k)(2)	Diana Isidore, Corrections Officer, Miami-Dade Corrections and Rehabilitation Department (MDCR)	Pursuant to Sections (j) and (k) of the Ethics Code, an MDCR employee does not have a conflict of interest due to her work as a real estate associate for Keller Williams Realty, because her outside employment is completely unrelated to her County duties; and would not impair her independence of judgment in the performance of her public duties. (RT)