

ADDENDUM TO GUIDELINES AND RECOMMENDATIONS REGARDING
“PUBLIC BENEFIT” CLAUSES IN CERTAIN GOVERNMENT CONTRACTS:
PUBLIC PURPOSE

It is the intent of these guidelines and recommendations concerning the distribution of tickets and other public benefits, obtained by governmental entities through contractual negotiation or other exercise of public authority, to assure that these benefits, which are public property, shall be used and distributed for a public purpose. The overriding principle behind these suggestions is to curtail the private use of these public benefits by government officials and employees for their own personal benefit, directly or indirectly. In addition, these guidelines are established to provide guidance to such officials and their employees, as well as their advisors, in order to avoid possible future misuse of such public resources. It is hoped that this will also increase public confidence in the integrity of government in its use of such resources, as well as help to remove the perception that elected and other government officials distribute these public benefits with unfettered discretion and for purposes inconsistent with the proper disposition of public property. Further, it is the intent of these guidelines and recommendations to make clear that public benefits may be utilized under certain permissible circumstances by elected and other government officials and employees where there is a genuine, legitimate and articulable public purpose involved. To that end, we have set forth below a list of suggested permissible public purposes for government officials, staff and employees to consider when it is appropriate to use, for themselves or others, public benefits contemplated by these guidelines. The foregoing list is not exhaustive. The Commission on Ethics is always available to provide an opinion to an inquiring public official or employee regarding whether any particular use or method of distribution is ethically acceptable.

A. PERMISSIBLE PUBLIC PURPOSES FOR OFFICIALS, STAFF AND EMPLOYEES

1. Host business leaders to promote economic development;
2. Host leaders of community service organizations (e.g. organizations that serve the disadvantaged, senior citizens, disabled, ill, children, etc.);
3. Host dignitaries from municipal, state and federal governmental entities;
4. Host dignitaries and business leaders from other countries;
5. Host youth groups, student leaders and recipients of awards;
6. Host elderly Miami-Dade County residents;
7. Host disabled residents;
8. Host low-income residents;
9. Host constituents as: (a) a designated official by the Commission, Chairperson, Mayor or some other person delegated that responsibility, or (b) upon invitation of the event organizer(s) or a person or entity authorized to extend such invitation;
10. Host group(s) of governmental employees being specially recognized for job-related achievements;
11. Being officially recognized by the sponsors of event in a printed program or other public announcement.

12. Performing one of the following functions in one's official capacity as: (a) a designated official by the Commission, Chairperson, Mayor or other person delegated that responsibility, or (b) an individual invited by the venue

- a. Introducing organizers, participants, or dignitaries;
- b. Recognizing the contributions of the organizers or staff;
- c. Receiving or giving an award or other special recognition;
- d. Giving a speech;
- e. Greeting and welcoming attendees;
- f. Ribbon cutting;
- g. Leading the pledge of allegiance or national anthem;
- h. Acting as a goodwill ambassador designated by the Commission/Council, Chairperson, Mayor or other person qualified to delegate that responsibility;
- i. Assess facility needs, proposed changes and constituent concerns in response to a documented complaint specifically addressed to the attendee;
- j. Attending the opening day game or performance of a County/City-owned facility.

B. OTHER PERMISSIBLE USES OF PUBLIC BENEFITS

- 1. Distribution to residents on a publicly-advertised first-come, first-served basis or by lottery;
- 2. Sell to members of the public, if permissible, with the proceeds going to the general fund or a specially-designated public purpose;
- 3. Return to donor in exchange for monetary value, with the approval of the governing body of the County/City;
- 4. Allocations to:
 - a. Non-profit agencies for distribution to individuals served by the organizations;
 - b. Schools/students or youth athletic leagues;
 - c. Bona fide organizations that represent needy individuals, which organizations have no affiliation with the public official providing the benefits or the official's immediate family;
 - d. Community based organizations for distribution to individuals served by the organizations.
- 5. Allocations to the following based upon their contributions to the community or local government:
 - a. Employees, as part of an employee recognition program with defined criteria;
 - b. Residents who have made special contributions to the community, as established by defined criteria;
 - c. Unelected members who serve without pay on County/City boards; County, State and/or federal officials or local officials from other cities, in recognition of significant assistance to the local government;
 - d. Businesses and institutions which have contributed to the welfare of the County/City;
 - f. Visiting dignitaries or foreign officials.