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Miami-Dade County Commission on Ethics and Public Trust

Memo

To: File

From: Karl Ross, ethics investigator

Date: June 6, 2012

Re: K12-083 Acqualina/ Sunny Isles Beach Dinner

Close-out: Acting on a tip from a city official, COE opened an investigation to determine whether a proposed dinner party for Sunny Isles Beach city officials could potentially violate the county's ethics ordinance – specifically Sec. 2-11.1(e)(3)(b), concerning gifts and which states in applicable part that no city official shall “accept or agree to accept from another person or entity, any gift for or because of ... [a] legal duty performed or to be performed, or which could be performed ...”

An invitation extended to SIB City Commissioners and other “senior staff” by developer Jules Trump and others to “a special dinner” to be held in their honor as an apparent expression of gratitude for their support of Trump Group projects – including the recently opened Acqualina and its companion project Mansions at Acqualina, which was approved by the SIB city commission earlier in the year.

Upon being contacted by COE, executives at the Trump Group sought legal advice and upon consultation with this agency decided to cancel the proposed dinner party. It should be noted that SIB's city attorney strongly disagreed with COE's preliminary finding, and encouraged city officials to attend the dinner – later re-cast as a 15th Anniversary Celebration to commemorate the founding of SIB.

However, City Manager Alan Cohen advised Mr. Trump that it would not be appropriate to attend in a May 31 email. Cohen cited his staff's “ongoing regulatory oversight role” for Trump Group projects and the businesses to be subsequently located within them. “Attending an event such as this,” he wrote, “could create the

perception that we are being rewarded for something, or are otherwise being influenced in such a way as to compromise our objectivity and independent judgment. It could cast a shadow of doubt on not only our reputation but yours.”

Since the event in question has been canceled and the matter appears to have been put to rest, the above-captioned investigation should be closed at this time.