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**MIAMI-DADE COUNTY
COMMISSION ON
ETHICS & PUBLIC TRUST**

In re: Horace Felui and Yvonne Soler McKinely

C 06-07

PUBLIC REPORT AND FINAL ORDER

The COMPLAINANT, Valerie A. Newman, filed the above-mentioned COMPLAINT against RESPONDENTS, South Miami Mayor Horace Felui and City Manager Yvonne Soler McKinely, alleging violations of the City of South Miami's Code of Ordinances, Article I, Section 2-2.1, "Rules of Procedure of City Commissioners," and the Florida Sunshine Law (Fla. Stat. § 286.011 (2005)). Specifically, the COMPLAINT alleged that during the City of South Miami election campaign of 2006, Mr. Felui promised government appointments to Ms. McKinely and others who supported his candidacy.

Pursuant to the Code of Miami-Dade County, Section 2-1068, the Commission on Ethics & Public Trust has no jurisdiction to enforce the "Rules of Procedure of City Commissioners" found in the City of South Miami's Code because this section falls outside the City's "Code of Ethics" Ordinance, at Chapter 8A. Furthermore, the Commission on Ethics does not enforce Florida's Sunshine Law, which might also be triggered if these allegations proved to be true. Finally, the COMPLAINT fails because the COMPLAINANT has no direct knowledge of the behavior she alleges.

For these reasons, the Ethics Commission, on May 25, 2006, dismissed the COMPLAINT for lack of legal sufficiency.

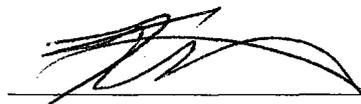
Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on May 25, 2006.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman