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CLERK, CIRCUIT & COUNTY COURTS,  
DADE COUNTY, FLA.

MIAMI-DADE COUNTY #1

COMMISSION ON ETHICS & PUBLIC TRUST

In re: **ELIZABETH HERNANDEZ**

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C 09-21

### PUBLIC REPORT AND FINAL ORDER RE COUNT I

Danilo Bedit, a private citizen, filed the above-referenced complaint against respondent Elizabeth Hernandez, City Attorney for the City of Coral Gables, alleging violations of the Miami-Dade County Conflict of Interest & Code of Ethics Ordinance at § 2-11.1 (p). Section (p) of the Ethics Code prohibits government employees from recommending professional services to assist in any transaction involving their respective governments unless required to be made by the duties of office and in advance at a public meeting.

According to the allegations outlined in the complaint, Ms. Hernandez recommended the services of private lawyers to assist certain city employees with disciplinary actions the city had taken against them. Count I of the complaint alleged that Ms. Hernandez recommended the services of a private attorney to city employee Margaret Pass approximately three or more years ago to assist Ms. Pass with an action against the city. The precise date of the alleged recommendation could not be ascertained.

Pursuant to the Code of Miami-Dade County at § 2-1068, the Commission on Ethics & Public Trust has jurisdiction to enforce the Conflict of Interest & Code of Ethics Ordinance at § 2-11.1 (p). However, the Code of Miami-Dade County at § 2-1074 (x)

does not allow action to be taken on complaints filed more than three years after the violation is alleged to have occurred.

On September 30, 2009, the Ethics Commission determined that Count I of the complaint involving Ms. Pass was time barred because the complainant could not verify that the alleged violation had occurred within three years of filing this complaint. Subsequently, the Ethics Commission dismissed Count I of the complaint for lack of legal sufficiency.

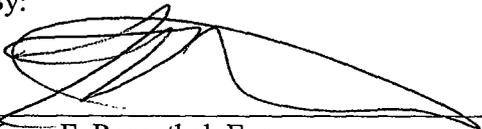
Therefore it is:

**ORDERED AND ADJUDGED THAT** Count I of this complaint is hereby dismissed.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session on September 30, 2009.

MIAMI-DADE COUNTY COMMISSION ON  
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.  
Chairman

Signed on this date: 10/5/09



MIAMI-DADE COUNTY  
COMMISSION ON ETHICS & PUBLIC TRUST

CLERK OF THE BOARD  
2009 NOV -6 AM 10:25  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

**FILE COPY**

In re: **ELIZABETH HERNANDEZ**

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C 09-21

**PUBLIC REPORT AND FINAL DISMISSAL ORDER  
RE COUNT II**

Danilo Bedit, Procurement Supervisor for the City of Coral Gables, filed the above-referenced COMPLAINT against RESPONDENT Elizabeth Hernandez, City Attorney for the City of Coral Gables. RESPONDENT was alleged to have violated the Miami-Dade County Code at Sec. 2-11.1 (p) and an identical prohibition in the Coral Gables Code of Ethics at Sec. 2-235. The codes prohibit government employees from recommending professional services to assist in any transaction involving their respective governments unless required to be made by the duties of office and in advance at a public meeting.

Pursuant to the Code of Miami-Dade County, Section 2-1068 and Section 2-11.1 (y), the Commission on Ethics & Public Trust has jurisdiction to enforce the above-referenced county and municipal ethics codes.

On September 30, 2009, the Ethics Commission found that Count I of the COMPLAINT (related to a matter involving a former Coral Gables employee) was time barred; consequently, Count I was dismissed for lack of legal sufficiency. At the same

time, Count II (related to a matter involving COMPLAINANT Danielo Bedit) was found to be legally sufficient.

On October 26, 2009, the Ethics Commission dismissed Count II of the COMPLAINT against RESPONDENT Elizabeth Hernandez for lack of probable cause and declined to issue a LETTER OF INSTRUCTION.

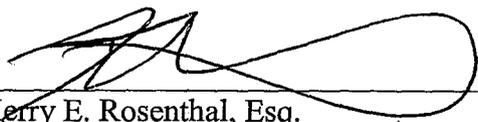
Therefore it is:

**ORDERED AND ADJUDGED THAT** Count II of the COMPLAINT against RESPONDENT Elizabeth Hernandez is hereby DISMISSED.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session on October 26, 2009.

MIAMI-DADE COUNTY COMMISSION ON ETHICS  
& PUBLIC TRUST

By:

  
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Kerry E. Rosenthal, Esq.  
Chairman

Signed on this date: November 2, 2009