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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: **MARC SARNOFF and SERGIO GUADIX**

C 10-39

PUBLIC REPORT AND FINAL DISMISSAL ORDER

Al Crespo, a private citizen, filed the above-referenced COMPLAINT on November 2, 2010, alluding to a possible violation of the Miami-Dade County Ethics Code by Marc D. Sarnoff, a City Commissioner in the City of Miami, and Sergio Guadix, Director of the City of Miami Code Enforcement Department.

The COMPLAINT contended that the City of Miami's business license regulation was being selectively enforced by RESPONDENT Guadix so that some unnamed persons were being cited for business license violations but that RESPONDENT Sarnoff was not being cited. These suggestions, if true, would violate the County Code at Sec. 2-11.1(g), *Exploitation of official position*. A City ordinance related to business licenses was purportedly violated as well.

Pursuant to the Code of Miami-Dade County, Sec. 2-1068, the jurisdiction of the Ethics Commission extends "to any person required to comply with the ... County or municipal Code of Ethics Ordinances." The County Ethics Code at Sec. 2-11.1(a) extends the jurisdiction of the County Ethics Ordinance to municipal officers and employees.

On November 22, 2010, the Ethics Commission **DISMISSED** the COMPLAINT for **LACK OF LEGAL SUFFICIENCY**. The City ordinance related to business licenses did not fall within the jurisdiction of the Ethics Commission, and the charge of exploitation of official

position was not supported by the narrative, by any facts presented, or by a recent investigation into the same matter in C 10-34.

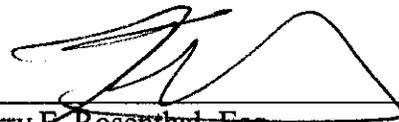
Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT against RESPONDENTS Marc Sarnoff and Sergio Guadix is hereby **DISMISSED**.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on November 22, 2010.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman

Signed on this date: 11/24/10