



COPY

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

In re: Larry Spring

CLERK OF THE BOARD
2011 JUN -8 PM 2:34
CLERK, CIRCUIT COURT
DADE COUNTY, FLA
#1

PUBLIC REPORT AND FINAL ORDER

The ADVOCATE for the Commission on Ethics filed the above-referenced COMPLAINT against RESPONDENT Larry Spring, Chief Financial Officer for the City of Miami. The COMPLAINT alleged that RESPONDENT violated the Miami-Dade County Ethics Code at Sec. 2-11.1 (i)(1) and (2) when he failed to file financial disclosure forms for the years 2007, 2008, and 2009.

Pursuant to the Code of Miami-Dade County at 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....”

On April 28, 2011, in public session, the Ethics Commission entered into a SETTLEMENT AGREEMENT with RESPONDENT. RESPONDENT pled “No Contest” to the charges filed against him and agreed to pay a fine of \$500 for the first offense. In exchange, the Ethics Commission consented to dismiss additional fines when RESPONDENT filed accurate financial disclosure forms for the outstanding years and accepted a LETTER OF INSTRUCTION. Subsequently, the missing forms were filed, the fine of \$500 was paid, and a LETTER OF INSTRUCTION was issued.

Therefore it is:

ORDERED AND ADJUDGED THAT COMPLAINT C 11-02 is hereby
DISMISSED.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics &
Public Trust in public session on April 28, 2011.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Dawn E. Addy
Chair

Signed on this date:

5/25/2011

MIAMI-DADE COUNTY COMMISSION ON
ETHICS AND PUBLIC TRUST

ORIGINAL

IN RE:

CASE NO: C11-02

LARRY SPRING

_____ /

SETTLEMENT AGREEMENT

Pursuant to section 5.13 of the Miami-Dade County Commission on Ethics and Public Trust Rules of Procedure, Respondent does hereby enter into this settlement in full satisfaction of the above captioned matter based upon the following terms and conditions:

1. Respondent, LARRY SPRING believes it to be in his best interest and in the best interest of all parties involved to avoid the expense and time of litigating this matter and to resolve the differences between Respondent and Petitioner. Respondent agrees to enter a plea of **No-Contest** to the allegations contained in Counts One, Two and Three of Ethics complaint number C11-02
2. Respondent agrees to pay a fine of \$500.00 to the Miami-Dade County Commission on Ethics and Public Trust in full satisfaction of Count One. The fine with respect to Count Two is waived however, Respondent will accept a Letter of Instruction and provide proof that he has filed true and accurate financial disclosures for 2009, 2008 and 2007 in full satisfaction of Count Two; the fine with regard to Count Three is waived pursuant to this agreement.
3. Respondent understands and agrees that failure by respondent to pay all monies due, as outlined in paragraph 2 above, may result in garnishment or other appropriate processes or proceedings to enforce the recovery of a judgment as governed by the Florida Rules of Civil Procedure.

CLERK OF THE BOARD
2011 MAY -2 AM 10:14
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

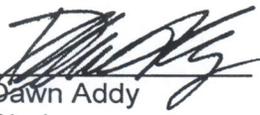
4. Failure by respondent to fulfill and abide by his obligation under this Agreed Settlement Order may also result in contempt proceedings against Respondent.

5. This agreement, consisting of two (2) pages, embodies the entire agreement of the parties respecting the subject matter herein. There are no promises, terms, conditions or obligations other than those contained herein. This instrument supercedes any and all previous communications, representations or agreements, either verbal or written between the parties.

6. By signing this agreement, Respondent acknowledges that he is doing so freely, voluntarily and without duress; that he is competent to enter this agreement; that he has fully and completely read and understood the terms and conditions of the agreement and has either had the opportunity to discuss these terms with legal counsel or has freely and voluntarily chosen to proceed without legal representation and that if anyone is signing this agreement on Respondent's behalf or in a representative capacity, that they are duly authorized and have full authority to execute this agreement .

7. Respondent agrees that settlement of this action in the manner described above is just and in the best interests of Respondent, citizens of Miami-Dade County and the City of Miami.

Done and Ordered at Miami-Dade County, Florida this 28th day of March 2011. 28th April

By:  Dawn Addy
Chairperson

 Michael P. Murawski
Advocate

 Larry Spring
Respondent

LETTER OF INSTRUCTION

To: Larry Spring
From: Miami-Dade County Commission on Ethics and Public Trust
Re: Ethics Complaint C 11-02
Date: May 9, 2011

Larry Spring, Chief Financial Officer (CFO) for the City of Miami, was charged via an ethics complaint with violating Sec. 2-11.1(i)(1)(2) of the Conflict of Interest and Code of Ethics Ordinance, entitled *Financial Disclosure*, by failing to file financial disclosure forms in 2008, 2009, and 2010.¹

On April 28, 2011, Mr. Spring pled No Contest to the allegations in the ethics complaint and agreed to pay a fine of \$500 and accept this Letter of Instruction.

Wherefore, Mr. Spring is instructed as follows:

The position of City of Miami CFO is one of the positions required to file an annual financial disclosure.

Section 2-11.1 (i) of the Conflict of Interest and Code of Ethics Ordinance entitled *Financial Disclosure*, states, in pertinent part:

(1) All persons and firms included within Subsections (a) and (b)(2), (3) and (4) of this section shall file, no later than 12:00 noon of July 1st of each year, including the July 1st following the last year that person is in office or held such employment, one (1) of the following:

(a) A copy of that person's or firm's current federal income tax return; or (b) A current certified financial statement on a form of the type approved for use by state or national banks in Florida listing all assets and liabilities having a value in excess of one thousand dollars (\$1,000.00) and a short description of each; or (c) An itemized source of income statement, under oath and on a form approved by the County for said purpose. Compliance with the financial disclosure provisions of Chapter 112 (Part III) Florida Statutes, as amended, or with the provisions of

1. Financial disclosure forms pursuant to ordinance are to be filed on or before July 1 of each year and are to disclose information from the previous calendar year, *i.e.*, the 2008 form contains income information from 2007; the 2009 form contains information from 2008, etc.

Article II, Section 8 of the Florida Constitution, as amended by the voters on November 2, 1976, and any general laws promulgated thereunder shall constitute compliance with this section.

Mr. Spring did not file the required financial disclosure forms for the past three (3) years. Moreover, when initially pressed to comply with the filing requirement, he filed incompletely.

The Miami-Dade County Commission on Ethics and Public Trust hopes that Mr. Spring will take this letter of instruction to heart. Often, it is the mere appearance of impropriety that shakes the public's trust in its elected and appointed officials. As the Chief Financial Officer of the City of Miami, Mr. Spring should be especially diligent in filing correct and complete financial disclosure forms in a timely manner.

LETTER OF INSTRUCTION
May 9, 2011
2 of 2

Larry Spring

Ethics Complaint C 11-02