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

**In re: NIEMEYER v. SARNOFF**

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**C 11-33**

**PUBLIC REPORT AND FINAL DISMISSAL ORDER**

Michelle Niemeyer, a private citizen and candidate for City of Miami Commission Seat, District 2, filed the above-referenced complaint against Respondent Marc Sarnoff, an incumbent City of Miami Commissioner in District 2 and the Chair of the Miami Downtown Development Authority (DDA).

The complaint alleged that Respondent Sarnoff exploited his official position as Chair of the DDA when he acquired exclusive voter information through the DDA's get-out-the-vote campaign that singularly benefitted his candidacy for reelection in the City of Miami on November 1, 2011. If true, the allegations would violated the County Ethics Code at Sec. 2-11.1 (g), which prohibits the Commissioner and Chair of the DDA from using his official position to secure special privileges for himself.

Pursuant to the County Code at Secs. 2-1068 and 2-11.1(a), the jurisdiction of the Ethics Commission extends to Respondent Sarnoff, a municipal elected official and chair of a municipal authority.

On December 14, 2011, the Advocate for the Ethics Commission reported that an investigation found no evidence to support that Commissioner Sarnoff or anyone on his behalf initiated or manipulated the DDA get-out-the-vote campaign. Neither did the

evidence show that the Commissioner or anyone his behalf requested or obtained voter information as a result of the DDA get-out-the-vote campaign.

On December 14, 2011, based on the Advocate's recommendation, the Ethics Commission found no probable cause to support the allegations proffered in this complaint.

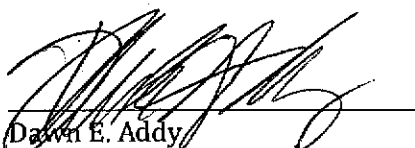
Therefore it is:

**ORDERED AND ADJUDGED THAT** the complaint against Respondent Marc Sarnoff is hereby dismissed for lack of probable cause.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session on December 14, 2011.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &  
PUBLIC TRUST

By:

  
Dawn E. Addy  
Chair

Signed on this date: 1/2/2012