



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

CLERK OF THE BOARD
2013 OCT 11 PM 12:07
CLERK, CIRCUIT & COUNTY CLERK
MIAMI-DADE COUNTY, FLA.
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In re: MacDougall v. Gomez
_____ /

C 13-12

PUBLIC REPORT AND FINAL ORDER

Edward MacDougall, the Mayor of the Town of Cutler Bay, filed the above-referenced complaint against respondent Fausto Gomez, an officer of Gomez Barker Associates, a town vendor that provides lobbying services to the Town of Cutler Bay.

The complaint alleged that respondent violated the Town of Cutler Bay Ordinance 06-11 and the Town of Cutler Bay Charter at Sec. 7.6 (c) when he failed to disclose a campaign contribution made to a candidate running for elective office in Cutler Bay in 2012. The campaign contribution was made through Education Management Services, a company that is not a town vendor but one in which Mr. Gomez is also an officer.

Pursuant to the Code of Miami-Dade County at Secs. 2-1068 and 2-11.1 (a), the Ethics Commission is empowered to enforce the County and municipal Code of Ethics ordinances and to accept and enforce settlement agreements entered into by the advocate and respondents.

On June 12, 2013, the Town Council of Cutler Bay refused to hear this matter and determine whether the indirect campaign contribution made by Mr. Gomez violated the Town's ordinance and Charter.



On August 8, 2013, in public session, the Ethics Commission declined to accept jurisdiction in this complaint, noting that the Cutler Bay Town Council also had jurisdiction to act but had refused to do so.

Therefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 13-12 against respondent Fausto Gomez is hereby concluded.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on August 8, 2013.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:


Charlton Copeland
Chair

Signed on this date: 10/10/2013