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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

MIAMI-DADE
COMMISSION ON ETHICS & PUBLIC TRUST

In re:

C 14-34

J. Llewellyn v. Zavier Garcia

PUBLIC REPORT AND FINAL ORDER

An ethics complainant was filed by James Llewellyn, a private citizen, against Zavier Garcia, the Mayor of the City of Miami Springs.

The complaint alleged that at a September 8, 2014 City Council meeting, the Mayor made disparaging remarks about several individuals who had earlier in the meeting expressed their views about the city's plans to build a new aquatic center.

The Ethics Commission found that the complaint was not legally sufficient. Cordiality, civility and decorum are not governed by the Citizens' Bill of Rights or the Ethics Code. Elected officials enjoy a right to free speech as any other citizen. In *Wood v. Garcia*, (370 U.S. 375) the Supreme Court recognized that: "The role that elected officials play in our society makes it all the more imperative that they be allowed freely to express themselves on matters of current public importance."

On October 8, 2014 the Ethics Commission found the complaint was not legally sufficient because it does not identify any violations within the jurisdiction of the Miami-Dade County Ethics Commission.

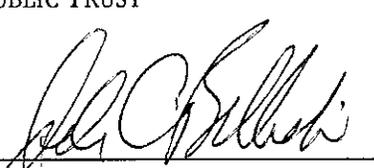
Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 14-34 against respondent Zavier Garcia is dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on this 8 day of Oct, 2014.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:


Nelson C. Bellido
Chair

Signed on: 10/21/2014