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February 08, 2017

MIAMI-DADE

COMMISSION ON ETHICS & PUBLIC TRUST

LETTER OF INSTRUCTION

To: Chief Miguel Anchia

From: Miami-Dade County Commission on Ethics and Public Trust

Re: C16-40

Date: February 2017

An Ethics Complaint was filed against Miguel Anchia (Anchia), Chief of the City of Hialeah Fire Department, for violating Section 2-11.1(e)(4) of the Miami-Dade County Conflict of Interest and Code of Ethics ordinance entitled, "Gifts/Disclosure."

Anchia admitted that he accepted a skybox ticket to attend the December 6, 2015 Dolphins-Ravens game at Hard Rock Stadium (aka Dolphins Stadium), which was valued at \$1000.00 USC. Anchia failed to disclose the receipt of this free ticket as required under the Ethics Code.

Anchia stipulated to a finding of probable cause and filed a gift disclosure of the skybox ticket with the State Ethics Commission. He pled No Contest to the allegation and agreed to accept a Letter of Instruction.

On January 11, 2017, the Ethics Commission accepted the Stipulation and Settlement Agreement and ordered a Letter of Instruction to be issued to Chief Anchia.

WHEREFORE, the Commission on Ethics and Public Trust issues this Letter of Instruction.

Section 2-11.1(e) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance states, in part:

The term "gift" shall refer to the transfer of anything of economic value, whether in the form of money, service, loan, travel, **entertainment**, hospitality, item or promise or in any other form, without adequate and lawful consideration. (emphasis added)

Section 2-11.1 (e) (4) entitled, "Disclosure" states that, "Any person included in the term defined in Subsection (b) (1) through (6) shall disclose as provided herein any gift, or series of gifts from any one person or entity, having a value in excess of one hundred dollars (\$100.00).

Section 2-11.1 (e) (2) specifies which items are not considered "gifts" and it includes:

- (a) Political contributions specifically authorized by state law;
- (b) Gifts from relatives or members of one's household;
- (c) Awards for professional or civic achievement;
- (d) Material such as books, reports, periodicals or pamphlets which are solely informational or of an advertising nature;
- (e) Gifts solicited by [City] employees or departmental personnel on behalf of the [City] in performance of their official duties for use solely by the [City] in conducting its official business;
- (f) Gifts solicited by Commissioners on behalf of the [City] in performance of their official duties for use solely by the [City] in conducting its official business.
- (g) Gifts solicited by Commissioners, or their staff members, on behalf of any non-profit organization for use solely by that organization.....

It is our understanding that Chief Anchia has filed the requisite gift disclosure form, albeit belatedly, and has come into compliance with the disclosure filing requirement. It is our hope that the issuance of this Letter of Instruction and going through the complaint process will impress upon Chief Anchia and other similarly situated City officials the importance of compliance with the Ethics Code.

As Chief of the Hialeah Fire Department, Mr. Anchia holds a position of leadership. We are hopeful that he has learned from this experience and will use this Letter of Instruction to guide his future conduct and set an example for the men and women in his command.



Letter of Instruction