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

C 18-43-10

In re:

Xavier Suarez

PUBLIC REPORT AND FINAL ORDER

Complainant, Miami-Dade County Mayor, Carlos Gimenez (Gimenez), filed this complaint against Miami-Dade County Commissioner, Xavier Suarez (Suarez), alleging that Suarez violated Section 2-11.1(m)(1) of the Miami-Dade County Conflict of Interest and Code of Ethics entitled, "Certain appearances and payment prohibited."

On August 12, 2018, Respondent Suarez filed a lawsuit against Carlos Gimenez and Miami-Dade County concerning the half-penny transit tax. After Suarez filed the lawsuit, he was made aware of the prohibition on County Commissioners representing someone suing the County. He very quickly took steps to withdraw from the suit, filing the paperwork to substitute counsel within forty-eight hours of filing the suit.

The Ethics Commission found that there was probable cause to believe Respondent violated 2-11.1 (m)(1) of the Ethics Code but determined that the violation was insubstantial, and that Respondent took immediate action to rectify the violation. Accordingly, the complaint was dismissed with a Letter of Instruction to be issued pursuant to Section 2-1074 (s) of the County Code.

On December 13, 2018, the Ethics Commission agreed with the recommendation of the Advocate and found Probable Cause but dismissed the complaint and ordered a Letter of Instruction to be issued.

Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C18-43-10 against Xavier Suarez is dismissed.

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DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on this 13th day of December 2018.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



H. Jeffrey Cutler
Chairman

Signed on : 12/20/2018