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MIAMI-DADE COUNTY, FLA.

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MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

In re:
David Mark Bruckner

C 19-16-04

PUBLIC REPORT AND FINAL ORDER

David Custin filed the above-referenced complaint against Respondent, David Mark Bruckner (Bruckner), alleging that Buckner lobbied the City of Miami Beach Commission without being registered, in violation of Sections 2-481-2-482 of the City of Miami Beach Code, *Lobbying* (Ordinance).

The Ordinance states, in pertinent part, that a lobbyist is a person, firm or corporation employed or retained, whether paid or not, by a principal who seeks to encourage the passage, defeat or modification of [official] action...[Furthermore], all lobbyists shall, before engaging in any lobbying activities, register with the city clerk..."

Buckner met the definition of a "lobbyist" when he appeared before the City of Miami Beach Commission on two separate occasions during the Commission's discussion on whether to issue a directive to the city attorney to file an *amicus brief* in a private lawsuit, and, at his client's behest, attempted to persuade the commissioners to direct the city attorney not to submit the brief.

Investigation determined that the violation appears to have been inadvertent, unintentional or insubstantial. Moreover, Buckner reasonably believed he had registered prior to his appearances before the Commission.

On July 10, 2019, in closed session, the Ethics Commission found that the public interest would not be served by proceeding any further and the complaint should be dismissed. The Respondent should be provided with a copy of "I'm a lawyer, not a lobbyist- You might be both," in lieu of a Letter of Instruction.

Wherefore it is:

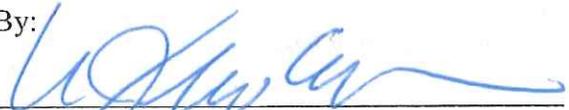
A handwritten signature in blue ink, appearing to be the initials "MK".

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ORDERED AND ADJUDGED that COMPLAINT C 19-16-04 against Respondent, David Mark Buckner, is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on August 14, 2019.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By: 

H. Jeffrey Cutler, Esq.
Chair

Signed on this
Date: 08-14-2019