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MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST



In Re:
Ximena Nuñez

C 19-40-10

PUBLIC REPORT AND FINAL ORDER

The complainant, Thom Mozloom (Mozloom), a vendor of The Children's Trust (the Trust), filed this complaint against Ximena Nuñez (Nuñez), the Trust's Director of Communications, alleging that Nuñez violated the Cone of Silence ordinance (Cone) found at Section 2-11.1(t) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance by meeting with Mozloom, a Mini-Bid proposer, and engaging in communications prohibited by the Cone.

Investigation revealed that Nuñez had been misinformed by Trust officials on the applicability of the Cone to the Trust's mini-bids for communications-related services. Relying on erroneous information, Nuñez met with Mozloom on July 24, 2019, and engaged in communication prohibited by the Cone by discussing the scope of services related to the mini-bid. Subsequently, Mozloom's firm made an oral presentation before Becerra¹ and Nuñez which was not duly noticed as required by the Cone. Lastly, Nuñez met with Mozloom in during a "question and answer" session while the Cone was in effect. The meeting was not noticed or recorded.

Pursuant to the Trust's Conflict of Interest Policy at Section III.B.5, oral communications requested by a review committee are allowed and there is no notice or recording requirement imposed by the policy.

On December 11, 2019, the Ethics Commission voted to find probable cause but dismissed the complaint and ordered the issuance of a Letter of Instruction, finding that the

¹ Felix Becerra is the Trust's Communications Manager.

violation was unintentional, and the public interest would not be served by proceeding further.

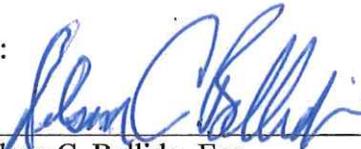
Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 19-40-10 against Respondent Ximena Nuñez is hereby concluded.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on December 11, 2019.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Nelson C. Bellido, Esq.
Chair

Signed on

12/16/2019