

2011

INQ Summary

INQ #	Code Sec.	Requester	Holding
11-01	(m)	Eric A. Brown, Co. Police Officer	A Co. employee has no ownership interests in Brownsville Basketball Academy, Inc., a nonprofit, but he cannot make appearances in the Co. on behalf of the nonprofit.
11-02	(j), (k)	John Perez, City of Miami Police Detective	Outside employment as a part-time firefighter in Key West is not prohibited per se, but ultimate authority resides with the employee's supervisor.
11-03	(s)(6)	Paul Hernandez, lobbyist, Lasarte Law Firm	A lobbyist expenditure is reportable only if expended in connection with official or legislative business.
11-04	(e)	Victor M. Delgado, WASD engineer	A \$50 gift card donated by a Co. vendor and won in a random drawing at a seminar is not a reportable gift.
11-05	(j), (k)	Judy Shepard, Transit purchasing specialist	A Co. employee must obtain permission from her supervisor to engage in outside employment and file the appropriate, signed forms with the Employee Relations Dept. and Elections.
11-06	Fla. Sunshine Law	Yvonne Beckman, South Miami resident	Two public meetings may be held simultaneously, and a quasi-judicial matter may be discussed at a public meeting if the matter is properly before the commissioners (<i>i.e.</i> , on the agenda).
11-07	(e)	Lourdes Milian, Dist. 6 Office Manager	Comm. Sousa may contribute money from her district funds to a hospital program in her district. Her daughter's employment at the hospital (in a different program) does not prevent the donation.
11-08	(p)	Lynn Dannheiser, Village Attorney, Surfside	A municipal attorney may make a recommendation of another attorney to her village as part of the duties of her office.
11-09	(d)	Lourdes Alfonsin, Acting City Attorney, Coral Gables	A city commissioner who made a contribution to a museum in the city may vote on a matter involving the museum because he has no prohibited relationship with the museum and will not be uniquely benefitted by the vote.
11-10	(t)	Eugene Shy, Assistant Co. Attorney	The Cone of Silence is not breached when a member of a selection committee discusses strategies with an extension of Co. staff (<i>i.e.</i> , a management consultant).

INQ #	Code Sec.	Requester	Holding
11-11	--	David Wolpin, City Attorney, Aventura	No provision of the Co. Ethics Code is violated if a partner with the City Attorney's law firm serves on the Aventura Marketing Council (a type of "chamber of commerce").
11-12		withdrawn	
11-13	Miami Code at § 2-612 (a)	Wilson Vallecillo, City of Miami GSA Technician	An exemption in the city code (which otherwise prohibits employees from contracting with the city) allows a city employee to participate in a city-administered 1 st time homebuyer program.
11-14	(v)	Debbie Turney, Assistant City Attorney and City Pension Board member, Miami Beach	A board member has no voting conflict if the board on which she serves brings legal action against her employer (the city) because (although she has an enumerated relationship with the city) she would not be directly affected by the action.
11-15	(c),(d)	Jesse Jones, owner of Floridian Tours & Travel, Inc., and spouse of Dept. of Procurement Management (DPM) employee	Floridian Tours & Travel cannot enter into contracts with DPM because the owner's spouse is employed by DPM. Furthermore, DPM may have additional prohibitions.
11-16	(j), (k)	Saens Dorcely, City of Miami Police Detective	No prohibition in the city code prevents a city employee from holding elected office in Homestead, but he must disclose compensation received for serving on the council as outside employment.
11-17	Miami Code at § 2-612 (a), (c)	Aldo Reyes, recently retired manager of City of Miami Office of Zoning	The city's two-year rule prohibits lobbying the city for 2 years following retirement. <i>See also</i> , RQO 04-33 to Charlie Danger, which describes prohibited lobbying activities.
11-18	Miami Code at § 2-654 (h)(2)	Larry Capp, non-compensated board member of the nonprofit organization, Mount Zion Developments, Inc.	The city requires a non-compensated volunteer to register as a lobbyist when representing a nonprofit in the city, but the volunteer is exempt from paying the lobbyist registration fee.
11-19	--	Albert Vila and Joseph Schillaci, Miami Police Department lieutenants	City and Co. codes contain no provisions that would prevent police officers from competing for prizes in a televised contest. Ultimate authority resides with their supervisors.
11-20	(c), (m), (v)	Luis A Prieto-Porter, Environmental Quality Control Board (EQCB) member	A board member's company may contract as a subcontractor to a prime contractor working for the Co., but the board member may not appear before his board on behalf of his company nor may he vote on any matter that would benefit him as long as he owns at least a 10% interest in the company.

INQ #	Code Sec.	Requester	Holding
11-21	(q)	Dorrin Rolle, former County Commissioner	A former Co. official may be employed by a subcontractor working at the MIA as long as the former official does not lobby the Co. for 2 yrs. following departure from office.
11-22	(q)	Dorrin Rolle, former County Commissioner	A former Co. official may appear before the BCC to support or oppose an agenda item in his individual capacity for the purpose of self-representation. Lobbying, but not self-representation, is prohibited for 2 yrs. following departure from office.
11-23	(q)	Felicia Murphy, PWD, Personnel Specialist	A recently retired PWD employee may apply for an advertised consulting position with PWD, but he may not lobby the PWD to create the position.
11-24	(j), (k)	Beverly Hall, GSA	A Co. employee is engaged in outside employment when he sells photos he has taken from a private website, even though the amount of time expended to maintain the website is minimal.
11-25	(j), (k)	Jennifer Roden, WASD	A trainer for WASD may also teach courses for a private entity as long as she is not teaching the same course she teaches for the Co. and she does not use Co. materials in her private employment.
11-26	(g)	Patrick Smikle, Public Information Officer, PA	The Property Appraiser cannot use Co. resources to announce that he plans to run for reelection because the decision to seek reelection is not Co. business.
11-27	(j), (k)	Juan Basulto, Airport	A Co. employee who works for his privately owned company must obtain permission from his supervisor to engage in outside employment & file appropriate disclosure forms.
11-28		withdrawn	
11-29	(a)	Gloria Delgado, daughter of School Board employee	The Co. Ethics Code does not extend to immediate family members of the School Board.
11-30	(a)	Alice Bravo, applicant for Director of Miami Metropolitan Planning Organization (MPO), and her husband, Walfrido Pevida, partial owner of C3TS	The Co. Ethics Code does not extend to MPOs, which are created by State statutes. Therefore, applicant's employment with the MPO would not affect contracts between the Co. and her spouse's company, C3TS.
11-33	(b),(c),(d)	Mercedes Sosa, Transit	"Domestic partners" refers to those who have registered with the Co. as domestic partners, per Co. Code 11A-72.
11-34	(j), (k)	Judy S. Shepard, Transit	Co. employee is not prohibited from engaging in outside employee in her cleaning business, but he may not contract with his own department.

INQ #	Code Sec.	Requester	Holding
11-35	(i)	Brett Bibeau, Executive Director Miami River Commission	Because the commission was created under Fla. Stat. 163.065, members do not file financial disclosure per the Co. Code.
11-36	(j), (k)	Gladys Negron-Soto, JSD	No conflict is created if a research manager who does not do training for the Co. Juvenile Justice Dept. accepts outside employment to train in other jurisdictions on juvenile justice issues.
11-37		withdrawn	
11-38	Fla. Sunshine Law	Roberto Martell, Medley Town Council	A town council member may meet with members of the public, town personnel, and other nonvoting members of town government to discuss an issue that may come before the council.
11-39	(g)	Kathryn Mefaffey, Weiss Serota	City official may not purchase a ticket to a partisan political event with city funds because attending a partisan event is not within the scope of his official duties and he would be securing a special privilege for himself based on his elected position/
11-40	(e), (w)	Steve Kaufman, Police	Airline tickets given by air carriers to airport police to be used to conduct investigations related to official Co. business are not gifts. Since the air carriers are not Co. vendors, the tickets are not prohibited travel expenses.
11-41	(v)	Adrienne F. Promoff, Community Council #2 member	No conflict is created if the homeowners' association that Mr. Promoff belongs to speaks at a public meeting for or against a zoning matter. Ms. Promoff has no relationship with the property and is not affected differently from the public generally on the vote on the issue.
11-42	(j), (k)	Carlos M. Vazquez, Police	Co. employee is not prohibited from engaging in outside employee in his private landscaping business, but he may not contract with his own department.
11-43	(j), (k)	Eduardo I. Diaz, Human Rights	Co. employee is not prohibited from engaging in outside employee in his private training business, but he may not contract with his own department.
11-44	(c), (d)	Katherine Naranjo, Parks & Recreation, Construction Contract Specialist	A Co. employee may contract with the Co. through her privately owned construction company, but she may not contract with her own department.
11-45	(w)	Morris Copeland, Juvenile Services, Director	A department head may accept a lunch from a Co. vendor <i>as long as</i> it is not part of a traveling expense.

INQ #	Code Sec.	Requester	Holding
11-46	(i)	Etta Jardine, GSA, Design & Construction Services Coordinator	Interior designers who create purchase orders for over \$20,000 but do not have final authority to make purchases over that amount are not required to file financial disclosures. Architects, etc., performing services for the Co. <i>pursuant to a contract</i> refers to <i>outside</i> contractors (who are required to file financial disclosures).
11-47	(i)	Michelle Sifontes, Waste Management, Chief of Human Resources	Co. employees cannot be required to file financial disclosure forms by their supervisors if the employees' titles, duties, or functions are not listed in the Co. Code or if they are not required to file under State law. Unresolved questions should be brought to the Ethics Commission.
11-48	(c), (d)	Olga Codero, Parks & Recreation, Professional Engineer	A Co. employee may contract with the Co. through her privately owned construction company, but she may not contract with her own department.
11-49	(w)	Jose Otero, ETSD, Assistant Director	A Co. employee who sits on a vendor's Customer Advisor Board may not accept travel expenses related to sitting on the board.
11-50	(g)	Andre Williams, Councilman, Miami Gardens	A city councilman may not use the city's email system to solicit customers for his private tax accounting business. Although the city emails are a public record, the purpose of the system is to conduct city business.
11-51	(c), (m), (n), (v)	Cynthia Guerra, DERM, Director of Environmentally Endangered Lands Program	A board member may nominate his own property to be considered in a program because this is not an official action under (n). However, he may not contract with the Co. to sell the property (c), make a presentation before his board on the matter (m), or vote on the matter (v).
11-52	--	Alberto Delgado, private land-use attorney and lobbyist	The Code does not prohibit a land-use attorney from lobbying the Co. subsequent to making a campaign contribution to a mayoral candidate.
11-53	(e)	Phil Mandina, Opalocka Police Reserve Officer and private attorney	Providing free legal services to a city employee is a gift that the employee must disclose if the value of the legal services exceeds \$100.
11-54	(i)	Joan Dormer, GSA, Personnel Specialist	A Co. employee with final authority to approve a purchase of \$20,000 or more (regardless of his/her title) must file a financial disclosure statement with the Elections Dept.

INQ #	Code Sec.	Requester	Holding
11-55	(i)	Valerie Sandoval, PWD, Finance Division Chief	In the PWD, because only Financial Division staff have final authority to approve a purchase in excess of \$20,000, only those staff members are required to file financial disclosure statements.
11-56	(c),(d)	Mercedes De La O, Seaport, Administrative Officer II	A Co. employee may contract with the Co. through her privately owned electrical company, but she may not contract with her own department.
11-57	(j)	Beverly Hall, GSA, Sr. HR Manager	A Co. employee may engage in outside employment while on annual leave (as long as permission to engage in outside employment has been approved by his/her supervisor).
11-58	no jurisdiction	Paul Winkeljohn, Stonegate CDD, District Manager	Community Development Districts (CDDs) are independent entities created under Fla. Stat. 190 and are not subject to the Co. Ethics Code.
11-59	(c),(d)	Phyllis Sloan, Fire Rescue, Firefighter	A Co. employee may contract with the Co. through her privately owned promotion/production company, but she may not contract with her own department.
11-60	Miami § 2-612 (a)	Luwiz Lieva, City of Miami, GSA Maintenance Mechanic Helper	An exemption in the city code (which otherwise prohibits employees from contracting with the city) allows a city employee to participate in a city-administered 1 st time homebuyer program.
11-61	(j)	Carmen Bofill, Elections, Elections, Clerk 3	Nothing in the Ethics Code prevents a Co. employee from earning more from outside employment than from his Co. job, but engaging in outside employment may not impair one's independence of judgment.
11-62	2-1074 (y)	Philip Stoddard, Mayor, South Miami	The Ethics Commission's enabling ordinance limits advice-giving only to those requesting guidance about their own future conduct, not about the past conduct of others.
11-63	2-11.36.1 (a)	Duncan Tavares, Tourist Director, City of Surfside	A city may hire a member of an ad hoc committee as a contract worker for a one-time project because the committee will sunset in less than one year and, therefore, is not by definition an "advisory board" subject to the Ethics Code.
11-64	(d)	Rebeca Sosa, Miami-Dade County, Commissioner	A Co. Commissioner who is employed by the School Board does not have a voting conflict regarding the <i>County's Head Start program</i> because she will not be directly or indirectly affected by the vote and her employer is only remotely connected to the issue.

INQ #	Code Sec.	Requester	Holding
11-65	(i)	Robert Parcher, Miami Beach City Clerk	Municipal officers required to file financial disclosure under State and County laws satisfy the County Code if they file with the State. Compliance with State law automatically satisfies the County Code.
11-66	(c), (d)	Constanti A. Simpson, Seaport, Security Supervisor	A Co. employee may contract with the Co. through her privately owned security company, with her Supervisor's approval for outside employment, but she may not contract with her own department.
11-67	(j)	Duran, Natalie, Fire Rescue Dept., Communications Officer	Although permission to engage in outside employment is ultimately at the discretion of the Department Director, the Ethics Code does not prohibit a Co. employee from being employed as a trainer by a Co. vendor, as long as the Co. employee has no involvement whatsoever with the vendor's contract.
11-68	(d)	Adams, James A., Fire Rescue Dept., Lieutenant	The spouse of a Co. employee may contract with the Co. through her privately owned company that provides portable toilets, but she may not contract with her husband's department.
11-69	(q)	Turin, Mimi, City of Miami, former City Attorney	The 2-year rule does not prohibit a former Miami City Attorney from serving as a Special Master in another city (Miami Gardens) following her employment with the City of Miami.
11-70	(d)	Manzini, Mario, Fire Rescue Dept., Lieutenant	The spouse of a Co. employee may contract with the Co. through her privately owned company that provides first aid training and services, but she may not contract with her husband's department.
11-71	(d)	Boniski, Nina, North Bay Village, City Attorney	A city mayor has no conflict to vote on reducing tuition for all city residents who participate in a summer camp program because the mayor is not affected in a manner distinct from the public generally. The mayor's children and her brother's children may participate in the summer camp.
11-72	(d)	Brown, Letricia, Homeless Trust, Accountant	A Co. employee may contract with the Co. through her privately owned accounting firm, with her Supervisor's approval for outside employment, but she may not contract with her own department.
11-73	AO 7-2	Vivian Walters, Small Business Division, Contract Specialist	A Co. employee may freely engage in political activities outside the workplace, but he may not attempt to coerce coworkers about his political positions while on the job. <i>See also</i> "Little Hatch Act," Fla. Stat. 104.31 (2010).

INQ #	Code Sec.	Requester	Holding
11-74	(q)	Carlos A. Manrique, former Member of Community Council 10	A former Community Council member may not lobby on behalf of a 3 rd party in the Co. regarding zoning or land-use matters for 2 years following his Council service, but he may appear before the Co. at quasi-judicial proceedings.
11-75	---	Anthony F. Petisco, Member, Community Council 12	Nothing in the Ethics Code prevents a Community Council member from attending campaign fundraisers or contributing to local political campaigns.
11-76	(v)	Vaughn Tooley, Executive Director, Domestic Violence Oversight Board	A potential appointee to the Domestic Violence Oversight Board who consulted with the operator of a Domestic Violence Center may not vote on any issues related to his consulting work only if he would be directly affected <i>and</i> if he has an enumerated relationship with the person or entity appearing before the Board.
11-77	no jurisdiction	Erick Ciocca, Pres., Ciocca Contracting, Inc.	A Co. vendor whose spouse is employed by the Board of Education is not required to obtain an ethics opinion from the Ethics Commission because the Ethics Commission has no jurisdiction over Board of Education employees.
11-78	(c), (d)	Antonio Whitley, Correctional Officer, Dept. of Corrections & Rehabilitation	A Co. employee may contract with the Co. through his privately owned concrete construction firm, with his Supervisor's approval for outside employment, but he may not contract with his own department.
11-79	---	Toufic Zakharia, Member, Community Council 10	Nothing in the Ethics Code prevents a Community Council member from working on a candidate's campaign as an unpaid staffer, financially supporting a candidate at any level of government, or officially endorsing a candidate.
11-80	---	Joaquin del Cueto, Member, Financial Recovery Board	The Ethics Commission has no authority to opine on the heightened conflict of interest standard proposed for the Financial Recovery Board. In general, however, a past association with a union that ended in 2008 does not appear to conflict with service on the Financial Recovery Board.
11-81	(e)	Ron Magill, Director, Zoo Communications & Media Relations, Zoo Miami	A Co. director must disclose the gift of a personalized director's chair valued at more than \$100 on a gift disclosure form filed with the Clerk of the Board.
11-82	(d)	André L. Williams, Councilman, City of Miami Gardens	A city councilmember may not vote on the sale of city property to a person who has employed the councilman's title agency as a consultant on the subject property.

INQ #	Code Sec.	Requester	Holding
11-83	(t)	Keith Knowles, Lobbyist Registrar, Clerk of the Board of County Commissioners	A registered lobbyist may meet with a Co. employee to discuss new product enhancements not part of the Co.'s current contract without violating the Cone of Silence because an RFP for a future contract has not yet been issued.
11-84	(e)	David M. Wolpin, City Attorney, Weiss Serota	City staff may solicit gifts from city vendors and others that are used solely to conduct official city business, in this case, a 4 th of July celebration.
11-85	(d)	Rebeca Sosa, Co. Commissioner, District 6	A Co. Commissioner whose daughter is employed by Miami Children's Hospital as an Emergency Room nurse may sponsor and vote on legislation regarding the Children's Hospital because the Commissioner does not have a prohibited relationship with the Hospital <i>nor</i> will she or her daughter receive a special benefit through the legislation.
11-86	(c)	Garielle Redfern, Member, City of Miami Beach Design Review Board	A city board member who is competing for a city lobbying contract may resign her board position contingent upon being awarded the contract. This is sufficient to avoid the prohibition regarding contracting with the city agency that will oversee her contract.
11-87	(w)	Beldys Casa-Perez, Executive Secretary, Enterprise Technology Services Dept.	Co. employees may not accept free conference entrance fees and associated meals and materials paid for by a Co. vendor.
11-88	(m)	Phyllis Sloan-Simpkins, Firefighter, Fire Rescue Dept.	A Co. employee may <i>not</i> appear before the Co. on behalf of nonprofit and for-profit entities she heads.
11-89	(q)	Jorge Aponte, former Office Associate, City of Miami Beach Building Dept.	A former City of Miami Beach employee may not lobby the City for 2 years following his separation from the City, but he may engage in routine administrative tasks associated with his subsequent private employment as a plans expediter.
11-90	(g), (m)	Elizabeth Dunn, Director of Media & Community Relations, Miami-Dade Sports Commission, on behalf of Commissioner Pepe Diaz and Co. personnel	A nonprofit organization may register as a Co. vendor when a Co. Commissioner and Co. personnel sit on the nonprofit's board because none of these individuals has a financial interest in the nonprofit. However, they may not appear on behalf of the nonprofit in the Co. nor may they exploit their official positions on behalf of the nonprofit.
11-91	(w)	Dale Poster-Ellis, Division Director, Enterprise Technology Services Dept.	Co. employees may not accept free conference entrance fees and associated meals and materials paid for by a Co. vendor.

INQ #	Code Sec.	Requester	Holding
11-92	(c), (d)	Mohammad Hajjar, spouse of Susan Hajjar, Information Technology Specialist, ETSD	The spouse of a Co. employee may contract with the Co. through his privately owned engineering company, but he may not contract with his wife's department.
11-93	(j), (k)	Michael Amabile, Captain, Miami-Dade Police Dept.	Serving as a non-compensated, voluntary advisory board member for a local university is not outside employment, and, consequently, no legal requirement exists that would require a Co. employee to obtain permission to engage in outside employment.
11-94	(s) RQO 06-63	Guy Malone, ShredQuick, potential JMHS vendor	Sales rep seeking to do business with JMHS must register as a Co. vendor, even though contracting with the rep's company is likely to save JMHS money.
11-95	--	Vinora Hamiton, Public Information Officer, Library	Nothing in the Ethics Code prevents the library from renting a room for a mayoral debate. ¹
11-96	(c) RQO 10-02	Rafael Ventura, City Attorney, Sweetwater	A city engineer may not contract with his own city through his private engineering company unless he seeks a waiver from the city.
11-97	(s) RQO 06-63	Steve Gappa, Mirador Biomedical, potential JMHS vendor	Sales rep who was asked at a medical convention to send samples to a JMHS physician does not need to register as a lobbyist unless the rep appears at JMHS to request a sale.
11-98	(j),(k),(i) RQO 06-48	Roberto Abrahante, Engineer 3, DERM	A Co. employee who rents only 1 rental unit is not engaged in outside employment. Employees with authority to approve expenditures > \$20,000 are required to file financial disclosure.
11-99	(c) RQO 00-13	Helen Litsky, Firefighter, Fire Rescue Dept.	A Co. employee may contract with the Co. through her privately owned sanitizing company, but not with the dept. that employs her.
11-100	(s) RQO 03-62	Elizabeth Hernandez, attorney, Akerman Senterfitt	A private attorney hired by the city of Coral Gables to represent the city's interests before the BCC is exempt from registering as a lobbyist because she is appearing in an official capacity on behalf of a public officer.
11-101	(d) RQO 07-54 INQ 07-170	Marcos San Martin, Legislative Director, Commissioner Rebeca Sosa	Comm. Sosa, who is employed by the Board of Ed, has no conflict to vote on a BCC resolution urging the St. legislature to award diplomas to home schooled students.

¹ Certain State Election laws will apply to the candidates, such as not accepting donations in a public building, but these issues are outside the jurisdiction of the Ethics Commission.

INQ #	Code Sec.	Requester	Holding
11-102	(c) RQO 00-13	Franklin Adams, Network Manager 2, WASD	A Co. employee may contract with the Co. through his privately owned IT consulting and training company, but not with the dept. that employs him.
11-103	(i) RQO 08-36	Walter Foeman, City Clerk, Coral Gables	City Code Enforcement Officers and Leads who enforce zoning codes and act as “zoning inspectors” are subject to the financial disclosure requirement.
11-104	(c) RQO 00-13	Pilar D. Cueto, spouse of Jose E. Cueto, Construction Manager III, Seaport	The spouse of a Co. employee may contract with the Co. through her privately owned construction company, but not with the dept. that employs her spouse.
11-105	(c) RQO 07-16	Alfred Lewers, Jr., Captain, Miami Gardens Police Dept.	A city employee may create a new business entity with a current city vendor as long as the new entity has no contracts with the city. (The city vendor does business with the city through a separate business entity.)
11-106	(q) RQO 09-36	Jill Press, <i>former</i> Co. employee, GSA	Former Co. employee may meet with the Co. GSA director on behalf of a consulting group for the limited purpose of explaining a pilot program sponsored by the Federal GSA, since no lobbying will be conducted.
11-107	(e) RQO 08-49	Gerald Sanchez, Assistant Co. Attorney, Co. Attorney’s Office	Commissioner Bell may use Co. resources to solicit donations to benefit a nonprofit organization.
11-108	(c) RQO 08-36	Halimah Adebisi, Budget & Finance Supervisor, Animal Services Dept.	A Co. employee’s private business partner may accept employment with a Co. vendor. The partner is not a Co. employee and is acting in her private capacity, not on behalf of the partnership.
11-109	(c) RQO 00-13	Andrew Burgess, Energy Management Specialist, GSA	A Co. employee may contract with the Co. through his and his father’s privately owned electrical company, but not with GSA, the dept. that employs the employee. (<i>See also</i> INQ 10-122 for the same prohibition when the employee worked for the Parks & Recreation Dept.)
11-110	(j),(k) RQO 07-03	Jay Flynn, HR Chief, Transit	Co. employees who engage in outside employment must report to their Co. jobs whenever needed—and not merely for situations that rise to the level of “emergencies.” <i>See also</i> AO 7-1.
11-111	(q) RQO 10-19	Gustavo Z. Alfonso, <i>former</i> Income Property Specialist, Property Appraiser’s Office	A former Co. employee is not lobbying and, therefore, not in violation of the 2-yr. rule when he appears on behalf of clients at quasi-judicial hearings before the Value Adjustment Board.

INQ #	Code Sec.	Requester	Holding
11-112	(c) RQO 00-13	Geronimo Chala, son of Hortensia Michelena, Juvenile Assessment Counselor, Juvenile Services Dept.	The son of a Co. employee may contract with the Co. through his privately owned tennis & fitness company, but not with the dept. that employs his mother. (His brother's employment with the Police Dept. is not germane, since "brother" is not included in the definition of "immediate family member.")
11-113	(s) RQO 10-09	Rafael Suarez-Rivas, Assistant City Attorney, City of Miami	City of Miami principals registered as lobbyists do not pay registration fees but must file annual expenditure statements to comport with Co. law.
11-114	(e) RQO05-119 RQO 02-70	Lynn Dannheisser, City Attorney, Surfside	The city may accept the gift of a fireworks display from a property owner with a zoning matter likely to come before the city as long as the gift is used for a public purpose and no <i>quid pro quo</i> arrangement is promised or made.
11-115	(q) RQO 09-36	Roly Marante, Former Chief of Staff, District 6, Co. Commissioner Rebeca Sosa's Office	A former Co. employee may not lobby the Co. for 2 yrs. following Co. employment, but he may become employed by private entities doing business with the Co.
11-116	(v) & Sec. 20-24 RQO 07-39	Jorge Garciga, Chair, Community Council 12	A community council member may vote on a matter presented by a law firm that does business with the council member's <i>client</i> . The law firm is <i>not</i> representing the council member's client at the council meeting. The council member has no prohibited relationship with the law firm and will not be directly affected by the vote.
11-117	(e) RQO 11-18	Gerard Philippeaux, Chief of Staff, District 2, Co. Commissioner Jean Monestime's Office	A Co. Commissioner may accept a free trip from a cultural organization that is not a Co. vendor as long as he discloses the gift.
11-118	(d) RQO 07-54 INQ 07-170	Marcos San Martin, Chief of Staff, District 6, Co. Commissioner Rebeca Sosa's Office	A Co. Commissioner may not vote on matters affecting the adult education center that employs her.
11-119	(q) RQO 04-33	Aurelio J. Carmenates, Former City of Miami Beach employee	A former city employee who seeks to be employed by a private entity doing business with the city may not lobby the city on behalf of his private employer for 2 yrs. following city employment.

11-120	(d) RQO 08-24	Felix Lasarate, Lobbyist, City of Hialeah	An employee of Felix Lasarte's lobbying firm, which lobbies the City of Hialeah, is Hialeah City Councilman Paul Hernandez. The firm may continue to appear before the city but the Councilman may not vote if he has a prohibited relationship with the person or entity before him or if he would be affected by the vote in a manner distinct from the public generally.
11-121	(c),(j),(k) RQO 10-02	Alexander Reines, prospective Security Guard, Parks & Recreation Dept.	A Co. employee must obtain permission to engage in outside employment and, if granted, may not contract with the Co. Dept. that employs him.
11-122	(j) RQO 05-145	Guillermo Olmedillo, Co. Contractor	A land-use consultant hired by the Co. to prepare the redistricting plan as per the 2010 census does not have an employment conflict accepting work from private citizens regarding zoning matters in the City of Miami.
11-123	(d) RQO 08-24 RQO 07-54 INQ 07-170	Rebeca Sosa, Co. Commissioner, District 6	A Co. Commissioner employed as a curriculum specialist for an adult education center may vote on matters regarding Head Start Programs because she is not affected by the vote and has no prohibited relationship with Head Start Programs.
11-124	(n) RQO 07-05	Cynthia Curry, candidate for City Manager, Opa-Locka	A candidate for city employment has no conflict regarding a pending land sale between her private company and the city as long as the contract is finalized prior to the candidate's employment by the city.
11-125	(e) RQO 11-18	Mark Jeter, Major, MDPD	A police major may accept a gift from a nonprofit organization to travel to a training conference as long as the donor is not a Co. vendor and the major discloses the gift.
11-126	(i)(2) RQO 08-36 RQO 07-22	Carmen Bofill, Clerk 3, Elections	A Division Chief in the Office of the Clerk of the Board is required to file financial disclosure statements based on his authority to expend Co. funds in excess of \$20,000.
11-127	(q) RQO 10-19	Manuel A. Ramos, Esq., on behalf of Andres E. Vengoechea, former employee of Co. Property Appraiser's Office	A former Co. employee is not lobbying and, therefore, not in violation of the 2-yr. rule when he appears on behalf of clients at quasi-judicial hearings before the Value Adjustment Board.
11-128	(e) RQO 11-18	Eve Boutsis, City Attorney, Figueredo & Boutsis	A municipal elected official must disclose the gift of payment of tuition to attend "good government" classes at UM because the recipient has not provided any consideration for the tuition.
11-129	(i)1 RQO 07-50	Carolina Lopez, Assistant to Chief Deputy, Elections	Ex officio board members who do not vote and do not perform any other board-related duties whatsoever are not required to file financial disclosure forms. The "ex officio" title is solely honorific.

11-130	no jurisdiction	Elaine Figueredo, teacher, Board of Ed.	The prohibition against individuals contracting with the same Co. department that employs an immediate family member does not affect Board of Education employees over whom the Ethics Commission has no jurisdiction.
11-131	(i)1(c) RQO 04-198	Carolina Lopez, Assistant to Chief Deputy, Elections	A Co. employee who was required to file financial disclosure forms under State law and complied with State law following his departure from Co. service automatically satisfies financial disclosure requirements under the Co. Code.
11-132	(k) C 11-16	Bart Smith, Grant Manager Coordinator, Opa-Locka	A city employee may engage in outside employment with a nonprofit headed by a city councilmember as long as his city supervisor approves his outside employment. The nonprofit organization does not receive any funds whatsoever from the city of Opa-Locka.
11-133	(c),(d) RQO 05-12 RQO 04-198	Carlos Gimenez, Mayor, Miami-Dade. Co.	Private companies that employ sons of the mayor may transact business with the Co. because the sons have no controlling financial interests ($\geq 10\%$) in the companies. However, the mayor is advised to seek further guidance if specific circumstances suggest a conflict under exploitation of official position (g) or impermissible financial interests (n).
11-134	(d) RQO 05-108 RQO 05-24	Jordan Leonard, Councilmember, Bay Harbor Islands	A councilmember may vote on a parking lot issue involving a private school whose principal has a professional relationship, completely unrelated to the school, with the councilmember's wife. The councilmember has no business or other prohibited relationship with the school, and he will not be affected in a manner distinct from the public generally by the outcome of the vote.
11-135	(g), (n) C 10-14 RQO 04-04	Steve Pizzillo, on behalf of Marlen Martell, Councilmember, North Miami Beach	A private citizen may form a nonprofit organization with a city councilmember when the nonprofit organization will not seek nor accept grants or any other resources from the city. Additionally, the councilmember will not sit on the nonprofit board.
11-136	(d) RQO 05-108 RQO 05-24	Robert H. Yaffe, Councilmember, Bay Harbor Islands	A councilmember may vote on an issue involving a condominium association because he has no prohibited relationship with the entity and would not be affected by the vote in a manner distinct from the public generally. In 2010, the councilmember provided legal services to the association. His services have been concluded, and his firm has been paid in full.

11-137	(e), (w) INQ 05-152 RQO 11-18	Charles Citrin, City Attorney, Hialeah Gardens	City officials may accept travel expenses to Barcelona from a proposer if the city council waives the prohibition that city employees may not accept gifts from proposers. The gifts must be disclosed in the quarter after they are received.
11-138	(v) RQO 07-49	Jose Bared, Board Member, Co. Planning Advisory Board	An advisory board member may not vote on a matter because he is an officer of the entity coming before his board and he acknowledges that he will be directed affected as a result of the vote. (<i>See also</i> INQ 11-147 & INQ 11-152 re Palmer Lake Charrette.)
11-139	(b)(9) RQO 06-46	Irene Hegedus, potential Co. vendor	A potential Co. vendor has no conflict contracting with the Co. based on her brother's employment with the Co. Aviation Dept. because "brother" is not included in the definition of "immediate family."
11-140	(e) RQO 11-18	Victoria Mallette, External Affairs Coordinator, Dept. of Emergency Management, on behalf of Curtis Sommerhoff, Director	A dept. director may accept a gift of travel expenses from a nonprofit organization to attend a conference in Israel as long as he reports the gift in the quarter after it is received. The nonprofit organization has no contracts with the Co. and receives no grant money from the Co.
11-141	(k) RQO 07-24	Steve Phillips, Lieutenant, Miami Beach Fire Dept.	A city employee who presents a 1-hr. lecture free of charge at a local university is not required to obtain permission to engage in outside employment. Non-compensated voluntary activities are not considered outside employment.
11-142	(e) RQO 02-46	Gladys Negron-Sotoa, Manager, Juvenile Services Dept.	Individual gifts valued at less than \$100 given by a foundation may be accepted by Co. employees without being reported if no quid pro quo has been arranged. The foundation is not a vendor or lobbyist.
11-143	(k) RQO 06-49	Antonio Fernandez, Contracts Officer, Office of Grants Coordination	A Co. employee may accept outside employment as a bookkeeper with a private company that has contracts with the Co. as long as he does not interact with Co. employees.
11-144	2-11.1.1 C 09-30 C 05-08	Elizabeth Sewell, City Clerk, Homestead	Local candidates for office are automatically covered by the mandatory fair campaign practices ordinance but have the option of agreeing to abide by the voluntary campaign practices rules.
11-145	(m)(2) RQO 07-39	Linda Cave, Clerk of the Board, on behalf of Steve Sauls, Board Member, DERM Wetlands Advisory Task Force	A Co. advisory board member may lobby the Co. on behalf of his employer, FIU, but he may not lobby his own board.

11-146	(e) RQO 02-46 RQO 09-04	Tomas Regalado, Mayor, City of Miami	An all-expense paid trip to Madrid for the mayor and a guest may be accepted because the donor is a Spanish entity that is not a city vendor. The mayor must disclose his gift and the gift to his guest in the quarter following receipt of the gift.
11-147	(v) RQO 07-49	Maria Guerrero, Admin. Secretary, Planning & Zoning Dept.	An advisory board member may vote on a matter if he has no prohibited relationship with the entity coming before him and if no direct benefit will inure to him as a result of the vote. (<i>See also</i> INQ 11-138 & INQ 11-152 re Palmer Lake Charrette.)
11-148	(q),(s) + Miami Code § 2-612 RQO 00-12	Larry Spring, former Miami City CFO	A former city employee may not lobby (or do business with) his city for 2 yrs. following city employment and must limit interactions with CRA directors who are also city commissioners.
11-149	(e)(2)(e) RQO 06-05	Matthew Pearl Weiss Serota, on behalf of a city	City employees may not solicit gifts as door prizes for a city-employee holiday party because the party does not fall within the plain meaning of “official city business.”
11-150	(v) RQO 08-21 RQO 07-50	Courtney Cunningham, CSBE Advisory Board member	A small business owner may serve on the Community Small Business Enterprise Board (CSBE) even though his business is subject to the regulation of the board. Secs. 2-11.1 (c) & (d) are specifically waived for CSBE board members at Sec. 10-33.02 (3)B8.
11-151	(q) RQO 01-38; RQO 02-139; RQO 04-33	Mario Ventura, Head Field Test Engineer, Transit Dept.	A Co. employee may be employed by a Co. vendor following his retirement from the Co. but he may not lobby the Co. for 2 yrs. on behalf of his new employer or others.
11-152	(v) RQO 07-49	Maria Guerrero, Admin. Secretary, Planning & Zoning Dept.	An advisory board member may vote on a matter if he has no prohibited relationship with the entity coming before him and if no direct benefit will inure to him as a result of the vote. (<i>See also</i> INQ 11-138 & INQ 11-147 re Palmer Lake Charrette.)
11-153	(q) RQO 06-41 INQ 05-12	Gerald Sanchez, Co. Attorney, on behalf of a former Chief of Staff of a Co. Commissioner	A former Co. employee cannot lobby the Co. nor may he lobby the MPO for 2 yrs. following Co. employment. As a former Chief of Staff, the employee served the Co. Commissioner in the Commissioner’s dual capacity as a Co. Commissioner and member of the MPO board. The MPO has agreed to abide by the Co. Ethics Ordinance.
11-154	(e) RQO 02-46	David Wolpin, Weiss Serota, on behalf of a Homestead Council Member	A council member may request of the city manager that tickets given to the city by the Homestead Speedway be conferred to a charity, as long as the council member does not receive anything in exchange for the donation.

11-155	(g) <i>see also</i> AO 7.2	Morris Copeland, Director, Juvenile Services Dept.	A Co. director may attend a political fund-raising event in his individual capacity, but not in his capacity as a Co. director.
11-156	(i) <i>see also</i> Sec 2- 11.36.1(a)	Evan Skornick, Manager, Wetland Resources, PERA	Members of a task force (empowered to act for 6 mos.) are not required to file financial disclosure statements because only member of a Co. board (defined as being in existence for more than 1 yr.) are required to file.
11-157	(g) RQO 07-36	Darcee Siegel, City Attorney, North Miami Beach	City employees may participate in a public auction of city property as long as no special benefits are granted to the employees in the process. (The city has since imposed a policy to prohibit city employees from participating.)
11-158	(c),(d) (l),(n),(o), (q) RQO 06-64	Luciano L. Suarez, City Commissioner, West Miami	A city commissioner may not enter into business dealings with entities in the private & public sectors within the Co. if the entities do business with his city.
11-159	--	Eve A. Boutsis, Village Attorney, Palmetto Bay	Nothing in the Ethics Code prohibits the village from allow 2 baseball teams to engage in fund-raising at a village park.
11-160	--	Carlos A Gimenez, Co. Mayor	Nothing in the Ethics Code prohibits the Mayor from allowing an extension of time in a construction contract that involves no additional compensation to the contractor.
11-161	(j), (k) RQOs 09- 28; 08-36; 07-24,	Steven VanDesande, Sr., Pilot, Fire Rescue Dept.	A Co. employee is considered to be engaged in outside employment & subject to the requirements in (j) & (k) if he provides a personal service to a non-Co. employer or business associate that is compensated or customarily eligible to be compensated.
11-162	(c),(j),(k) RQO 10-02	Patrick Belus & Rolando Valdes, Firefighters, Fire Rescue Dept., & joint owners of Robelus, Inc.	Co. firefighters must obtain permission to engage in outside employment and, if granted, may not contract through their private company for landscaping or janitorial services with the Fire Rescue Dept. because of their employment with the Fire Dept.
11-163	(e) RQO 06-05	Ana Chammas, Manager Online Services, Community Information & Outreach	Co. employees may participate in raffles & accept prizes provide by Co. vendors as long as the gifts were not solicited & the raffle is also opened to the public.
11-164	(s) RQO 10-09	Carlos A Gimenez, Co. Mayor	Individuals who wish to propose an affordable housing project to the Mayor should register as lobbyists.
11-165	(g),(h) RQO 07-28	Maynel Lorie, Secretary, Planning & Zoning Dept.	A Co. employee, chosen to participate in a focus group based on her Co. employment, may accept payment from the requestor. She may not participate during Co. time, use Co. equipment or share confidential Co. information.

11-166	(q) RQO 09-36	Erigene Belony, Esq., former employee of Transit Dept.	A former Transit Dept. employee may advise Co. contractors on regulations affecting Co. transit contracts, but he may not lobby the Co. on behalf of his clients for 2 yrs. following Co. employment.
11-167	(c) RQO 00-13	Martha C. Journey, Pres., Journey, Inc., & stepmother of Kent C. Journey, Jr., Police Officer, Miami-Dade Co. Police Dept.	The stepmother of a Co. employee may contract with the Co. through her privately owned polygraph service company, but not with the Police Dept. because that Dept. employs her stepson.
11-168	(c),(j),(k) RQO 10-02	Cristina M. Calderon, Deputy Assistant Director of Safety & Security, Seaport	A Co. employee must obtain permission to engage in outside employment and, if granted, may not contract with the Co. Dept. that employs hers.
11-169	(e) RQO 02-46	Evan J. Langbein, Esq., Hearing Officer, Human Resources	A Co. contractor may accept the gift of a meal from a firm that appears before the Co. but must report the gift if valued over \$100. Making a donation to a charity in lieu of paying for the meal is not adequate consideration to the donor.
11-170	(e),(w) RQO 06-05	Mirta Lopez Cardoso, Contracts & Procurement Officer, Information Technology Dept.	A Co. employee may accept a meal valued at \$10 from Microsoft, a County vendor, during a local, on-sight training program. Co. employees are prohibited from accepting meals from vendors while traveling.
11-171	(c) RQO 09-20	Clarence D. Brown, Division Director, Public Housing & Community Development	An employee of the Public Housing Dept. may accept assistance through a homeownership program administered by the Dept. if he otherwise qualifies for the program and he does not participate in administering the program.
11-172	(q) RQO 09-36	Eusebio Del Rio, former Transit Operations Supervisor, Transit Dept.	A former Transit employee may accept employment as a Project Manager by a proposer on a Transit project, but he may not lobby the Co. for 2 yrs. following his Co. employment.
11-173	see Fla. Stat 112.313(7) (a)	Jorge Forte, Chief of Staff, Commissioner Estaban Bova (Dist. 13)	A Co. employee who wishes to serve simultaneously on the MDX board was advised to seek an opinion from the St. Ethics Commission re: continuing or frequently recurring conflicts.
11-174	(g), (m), (n), (v) C 10-14 Rolle	Retha Boone, Program Officer, Advocacy Dept.	A Co. board member is likely to have conflicts if he serves simultaneously as the Executive Director of a nonprofit that coordinates its activities with his board.
11-175	(q) RQO 09-36	Mark T. Knight, Executive VP & CFO, Jackson Health System (JHS)	A former JHS employee may work for a JHS vendor as long as he does not lobby the JHS for 2 yrs. following his JHS employment.

11-176	(e) RQO 05-119 RQO 09-21 RQO 07-61	David Wolpin, Attorney, Weiss Serota, on behalf of a municipality	Although not endorsed by Ethics Commission staff, a city may purchase gifts to be used as door prizes for an employee holiday party as long as no <i>quid pro quo</i> arrangement is involved. Employees must disclose gifts received if valued over \$100.
11-177	--	Timothy Ryan, Director, Corrections & Rehabilitation Dept.	Because a Co. director has no familial relationships or financial interests with the law firm that employs the Mayor's son, the Ethics Code is not triggered if the director's condominium association hires another attorney associated with the law firm.
11-178	(v), (m), (g) RQO 06-52	Patricia Robbins, CBO Advisory Board member	An advisory board member may not appear before her board, vote on matters before the board that will affect her private employer or exploit her position on the board to benefit her private employer.
11-179	(j), (k) RQO 08-29 RQO 08-45	Giulio Miglio, Highway Division Designer, Public Works & Waste Management Dept.	Outside employment as a construction "qualifier," which requires a Co. employee to be at private construction job sites during normal business hours, may violate the Ethics Code, depending on the circumstances.
11-180	(e) RQO 02-46	Carlos Gimenez, Mayor, Miami-Dade Co.	The Mayor may solicit toys on behalf of a Co.-sanctioned toy drive.
11-181	(s) RQO 06-04 RQO 06-34 RQO 06-63 RQO 06-65	Sheryl Pool, Associate, W. L. Gore (medical device provider to JMH)	Sales representatives who sell medical devices to JMH must register as Co. lobbyists.
11-182	Sec. 20-45 RQO 98-04 RQO 98-14	Ileanna Petisco, member, Community Council #11	Although the issue is not ripe, a Community Council member was advised to seek an ethics opinion regarding a possible voting conflict if a zoning matter she advocated for as a private citizen comes before her Council.
11-183	(q) RQO 00-12 RQO 01-38	Debora Aguero, former Co. employee, Police Dept.	A former Co. employee cannot lobby the Co. for 2 yrs. following her Co. employment, but she can contract with the Co. if she does not initiate or influence the Co.'s request for goods.
11-184	(s) Miami Code at 2-651 et seq RQO 10-09	Nicole Ewen, Records System Coordinator, City of Miami	A "principal" of a nonprofit organization is a "lobbyist" who must register as a lobbyist and file expenditure reports but is exempt from paying the lobbyist registration fee.
11-185	Fla. Stat. 112 (no jurisdiction)	Rebeca Sosa, Co. Commissioner, Dist. 6	State law prohibits elected officials from accepting gifts over \$100 from lobbyists.
11-186	(t)	Miriam Singer, Director, Procurement Management	There is no basis for lifting the Cone of Silence when the BCC directs that all bids for a lobbying contract be sent directly to the BCC. The Cone is lifted only after the manager makes a written recommendation

			to the BCC.
11-187	(g) RQO 07-36	Roger Carlton, City Manager, Surfside	A city should not accept a gift from a city vendor (a Christmas party for city employees) because of the potential for a quid pro quo arrangement.
11-188	(q) RQO 04-33	Rosy Garcia, Fire Safety Inspector (on behalf of former Co. employee Joseph Gagliano)	Post-employment restrictions expire 2 yrs. after leaving Co. service. Therefore, a former Co. employee who retired in 2006 is not prevented from working as an instructor for the Fire Dept. & representing clients before the Fire Dept.
11-189	(j),(k) RQO 05-95	Leland Salomon, Director, Real Estate Div., ISD (on behalf of Daniel Borges, Co. Real Estate Officer)	A Co. employee who wishes to engage in outside employment as a security guard has no <i>per se</i> conflict as long as his Dept. Director approves of the employment.
11-190	(d) RQO 07-12	Jean Monestime, Co. Commissioner	A potential voting conflict involving the landlord of a Co. Commissioner has been referred to the Ethics Commission meeting in public session.
11-191	Miami City Code at Sec. 2-612 (a) RQO 09-44	Ana Alvarez Novo, Administrative Clerk, Planning & Zoning, City of Miami	Although the City of Miami generally prohibits city employees from entering into contracts with the city, a city employee may participate in affordable housing programs if the employee otherwise qualifies, the city manager approves, and the employee is identified as a city worker.
11-192	(e) AO 7-1 RQO 11-18	Mercy Marrero, Personnel Specialist 2, Library	A Co. employee may not accept an anonymous gift for doing her job.
11-193	(j), (k) RQO 05-95	Linda Weber, Real Estate Officer, ISD	A Co. employee who works as a real estate officer cannot engage in outside employment as a private real estate agent if her supervisor does not approve of the outside employment.
11-194	(c) RQO 00-13	Mark Watson, Firefighter, Fire Rescue Dept.	A Co. firefighter may contract with the Co. through his privately owned petroleum services company, but he may not contract with the Fire Rescue Dept.
11-195	(e) RQO 02-46	Carlos Gimenez, Co. Mayor	The Mayor may solicit gifts on behalf of nonprofit organizations and quasi-government entities, such as the Children's Trust, but he should avoid benefiting any entity that employs a family member.
11-196	45 CFR 1303.20 (no jurisdiction)	Estephanie Resnik, Assistant Co. Attorney	Federal regulations governing the Head Start program require that the Co. not engage in a competitive bid process when choosing preschool applicants. Consequently, the Cone of Silence does not apply.