

INQ Summary Year-to-Date 2012

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-01	(j), (k) RQO 10-08	Michael Pizzi, Town Attorney, Medley	A municipal attorney may engage in outside employment as a private attorney for the local Chamber of Commerce as long as the Chamber has no business before the town. The attorney is further advised to take the necessary precautions regarding fundraising for the Chamber.
12-02	(c) RQO 00-13	Edgar G. Fernandez, Sr. Assistant Government Affairs, WASD	The mother of a County employee may enter into a contract with the County to provide preschool daycare services, but not with the department that employs her son.
12-03	(g) RQO 04-04	Alphermelia Martin, Grants Coordinator, Office of Management & Budget	To avoid a potentially recurring conflict between her public duties and private volunteer work, a County grants coordinator should not sit on a city board that accepts County grants through the County employee's department.
12-04	(j) RQO 05-145	Namita Uppal, Procurement Contracting Manager, Internal Services Department	An employee of United Way, which has received a donation from a County bidder, should not sit on the County selection committee involving that bidder because of the potential for divided loyalties.
12-05	(j) RQO 02-07	Lester Sola, Director, Internal Services Department	An architectural firm that completed work on Phase 1 of the West Lot Multi-Use Facility may bid on Phase 2 of the project because Phase 1 has concluded and the firm would not be reviewing its own work.
12-06	(q) RQO 09-36	Lucia Davis-Raiford, Director, Community Action & Human Services Department	Former County employees who wish to contract with the County to provide Head Start programs may do so because the 2-yr. prohibition on lobbying the County does not apply to former County employees representing nonprofit, governmental or educational entities.
12-07	20-45 RQO 98-04 RQO 98-14	Joanne Carbana, Member, Community Council #5	A Community Council member may vote on a zoning matter brought by a homeowner who lives within her development because the voting member is not directly affected by the vote and has none of the enumerated relationships with the homeowner.
12-08	(g) RQO 11-18	Andre Pierre, Mayor, North Miami	An elected official has not received a reportable gift if he attends a conference paid for by a third party as long as the official has conducted official city business, which in this case involved making a presentation about his city's experiences with the Museum of Contemporary Art and the Sister Cities Program. Expenses paid by a third party for his wife to attend are a gift to the official that must be reported.

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12-09	<i>directed to</i> Fla. Stat. 112.3145 (1)(a) (RQO 08-36)	Walter Foeman, City Clerk, Coral Gables	Medical doctors who served as Assistant Medical Directors at the city fire department did not function as district medical examiners and, consequently, are not required to file financial disclosure.
12-10	2-11.1.1 C 09-30	Bob Welsh, Candidate for City Commission, South Miami	A candidate for local office is not required to agree to abide by the Voluntary Fair Campaign Practices Ordinance but must comply with the Mandatory Fair Campaign Practices Ordinance.
12-11	(c)(2) RQO 12-06	Miriam Singer, Assistant Director, ISD	An employee who recently transferred to ISD may maintain her Section 8 landlord contract with the County because she does not work for the Housing Agency.
12-12	(c)(3) RQO 06-52 RQO 07-39 RQO 07-45	Valerie Jeune, Member of the Black Affairs Advisory Board	An advisory board member may apply for and accept a Mom & Pop grant as long as her board is not involved in any aspect of the grant process.
12-13	(m)(1), (m)(2), (v), (g) RQO 06-52 RQO 07-39 RQO 07-49	Phyllis Sloan-Simpkins, County Firefighter & Member of the Cultural Affairs Council	A County employee and County board member cannot lobby, vote on, or use her official position in any way to benefit a nonprofit organization she heads.
12-14	(c)(2), (m)(1) RQO 00-13	Sammy Stevenson, County Firefighter	A County employee may apply for and accept a County Mom & Pop grant as long as he does not lobby the County and the Dept. that employs him does not administer the contract.
12-15	(c)(2), (m)(1) RQO 00-13	Gabriel Watson, Co Park & Rec Employee	A County employee may apply for and accept a County Mom & Pop grant as long as he does not lobby the County and the Dept. that employs him does not administer the contract.
12-16	(q) RQO 04-33 RQO 08-28	Hector Lozada, Retired County Building Dept. Employee	A former Building Dept. employee may not lobby the County for 2 yrs. following retirement but may seek small business certification from the County.
12-17	(w) RQO 05-110	Julian Manduley, County IT Procurement Supervisor	County employees may accept a \$10 lunch from Microsoft while attending local on-site training.
12-18	(c)(3), (m)(2), (v) RQO 06-52 RQO 07-39 RQO 07-49	Richard Eze, Member of the Citizens' Transportation Advisory Committee	A County board member may contract with the County as long as the board on which he serves does not regulate the contract, he does not lobby the board and he abstains from voting if a matter related to the contract were to appear before the board.

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12-19	(c)(2) RQO 12-06	Miriam Singer, Assistant Director, ISD	An employee who recently transferred to ISD may maintain her Section 8 landlord contract with the County because she does not work for the Housing Agency. (Additionally, this employee's supervisor has established other firewalls beyond those already in place at the Housing Agency.)
12-20	Miami Code at 2-651 et seq RQO 10-09	Kevin Forsthofel, Private Attorney, Ausley & McMullen	Under the City of Miami lobbyist ordinance, principals must register as lobbyists but are not required to pay the registration fee and are not required to take the ethics course for lobbyists.
12-21	(w) RQO 99-59	Flora Seff, Sr. Legal Analyst, County Fire Rescue	County employees may not accept travel expenses from a County vendor to attend training out of state.
12-22	--	Kimberly Green, Private Citizen	The Ethics Code does not prohibit a County attorney from disagreeing with a Union attorney, unless there is evidence to prove that the County attorney misrepresented some issue for his personal gain.
12-23	--	Terrence Smith, Assistant County Attorney	A health-care facility that received a County grant and subsequently subcontracted its work to a network of medical providers does not violate the Ethics Code.
12-24	(e) C 11-14	Esteban Bovo, County Commissioner, #13	A County Commissioner may use public funds to attend a League of Cities event because he is acting in his official capacity to meet municipal officials from his district.
12-25	(i) RQO 04-198	Carmen Bofill, Financial Disclosure Coordinator, Elections Dept.	A County employee who retires but remains on the County payroll into a new calendar year must file financial disclosure for the new calendar year.
12-26	(c)(3), (m)(2), (v) RQO 06-52 RQO 07-39 RQO 07-49	Robert Hernandez, Member of the Transportation Aesthetics Advisory Committee	A County board member may contract with the County as long as the board on which he serves does not regulate the contract, he does not lobby the board and he abstains from voting if a matter related to the contract were to appear before the board.
12-27	(c)(3) RQO 06-52 RQO 07-39 RQO 07-45	Erhabor Ighodaro, Member of the International Trade Advisory Board	An advisory board member may apply for and accept a Mom & Pop grant as long as his board is not involved in any aspect of the grant process.
12-28	(h), (q) RQO 04-33	Davidson Destinoble, Food Services Manager, County Fire Rescue Dept.	A recently laid off County employee may contract with the County to provide cafeteria services as long as he has no access to confidential information that would create an unfair advantage in the bidding process and he does not lobby the County for 2-yrs. following his departure from County employment.

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12-29	<i>directed to</i> Fla. Stat. 104.071(1)(c)	Sally B. Philips, Candidate for Commissioner in South Miami	Although not covered by County law, St. election law prevents a candidate from contributing money to the campaign of another candidate.
12-30	(s) RQO 10-13	Felix Lasarte, Lobbyist, Miami-Dade County	Individuals who wish to speak on their own behalf before the BCC and are not compensated for their appearance are not required to register as lobbyists.
12-31	<i>directed to</i> Fla. Stat. 286.011	Bob Welsh, South Miami City Commissioner	A City Commissioner may not sing a song on a topic that may come before the South Miami City Commission at an event at which another South Miami City Commissioner is present unless the event is duly noticed and minutes are taken.
12-32	(c), (g), (h) RQO 06-52 RQO 07-39 RQO 07-45	Jannie Russell, Advisory Board Member of the County Community Action Agency	A CAA board member may not contract with the Community Action & Human Services Dept. (CAHSD) through a nonprofit entity to provide Head Start services because the CAA oversees the Head Start program at the CAHSD.
12-33 <i>renumbered</i>	(c)(2) RQO 00-13	Magali E. Fernandez, mother of Edgar G. Fernandez, Government Affairs Officer, WASD	An immediate family member of a WASD employee may contract with the County to provide childcare services, but she may not contract with the Dept. that employs her son.
12-34 <i>renumbered</i>	(b), (d) RQO 07-12	Bob Welsh, South Miami City Commissioner	A City Commissioner has no voting conflict on matters brought by a person who has a business relationship with the Commissioner's brother.
12-35	(c)(2) RQO 00-13	Raul L. Nunez, father of Paul J. Nunez, Police Lieutenant, County Police Dept.	An immediate family member of an employee of the County Police Dept. may contract with the County to provide self-storage facilities, but he may not contract with the Dept. that employs his son.
12-36	Miami Beach Code at Sec. 2-481 RQO 10-24	Matt Amster, Lobbyist, Miami Beach	Individuals, including principals, who appear before the Board of Adjustment on behalf of corporate entities must register as lobbyists. (Principals are <i>not</i> exempt from paying the lobbyist registration fee on Miami Beach.)
12-37	<i>directed to</i> County Resolution R-736-07 & Fla. Stat. 112.3135	Flora Seff, Sr. Legal Liaison, Fire Rescue Dept.	The County's nepotism policy follows state law, which allows family members to work together but does not allow one family member to promote or advance another.
12-38	(v) RQO 06-52	Alphermelia Martin, Board Secretary, Office of Management & Budget	Advisory board members must recuse themselves on votes & discussions related to funding the entities that employ them.

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12-39	(s) RQO 08-22	Bob Welsh, South Miami City Commissioner	A recently elected City Commissioner may not speak with a neighbor about a proposed city swimming pool unless the neighbor registers as a lobbyist. The neighbor is attempting to influence the city to build the pool & to hire her as a swimming coach.
12-40	(w) RQO 05-110	Shanda Mazzorana, Personnel Manager, ITD	County employees may accept a \$10 lunch from IBM while attending local on-site training.
12-41	(e) RQO 08-48	Lisa Martinez, Sr. Advisor, Office of Mayor Carlos Gimenez	Elected officials & staff may accept free tickets to the County Fair as long as recipients report the tickets as gifts, if valued over \$100. The tickets are not County property because the entity that operates the County Fair has no contractual obligation to provide the tickets to the County <i>per se</i> .
12-42	(d) RQO 06-64	Andre Williams, Miami Gardens Councilmember	An elected official may not vote on a matter involving a property owner whom he represented on a different issue because the current vote could indirectly benefit the elected official.
12-43	Miami Code at Sec. 2-654 RQO 10-09	Priscilla Thompson, City Clerk, City of Miami	Terms such as “neighborhood associations” & “bona fide community organizations” are defined in the Miami City Code but not the County Code.
12-44	(t) RQO 09-06 RQO 10-23	Sergio San Miguel, Assistant Controller, Airport	The Assistant Controller at the Airport who is not a covered employ for a bid under the Cone of Silence may communicate orally with his supervisors & the OIG on a matter involving one of the bidders without violating the Cone of Silence.
12-45	(e) RQO 02-46	Jeannette Garcia-Amodeo, Special Projects, Juvenile Services Dept.	The Director of the County Juvenile Services Division may accept a grant from the Urban League on behalf of the County.
12-46	Sec. 20-45 RQO 98-04 RQO 98-07 RQO 98-14	Craig Collier, Assistant County Attorney	A member of Community Council #16, who is a retired UM professor and whose wife is currently employed by UM, may vote on a matter involving the RSMAS School of UM because he has no prohibited relationship with UM; alternatively, he will not be directly or indirectly affected by the vote.
12-47	(s) RQO 06-04 RQO 06-63 RQO 06-65	Sheryl Pool, on behalf of lobbyists for Gore medical devices	Sales reps at JMH must register as lobbyists and comport with all other lobbyist requirements.
12-48	(c) RQO 00-13	Pedre R. Diaz, son of Rene Diaz, Executive Director, Office of Community Advocacy (BCC)	The son of a County employee may enter into a contract with the County to provide PR design, print & mail services, but not with the department that employs his father.

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12-49	(j) RQO 10-08	Francisco Fernandez, Chief Real Estate Officer, WASD	A supervisor has discretion to prohibit a Chief Real Estate Officer at WASD to activate his real estate license & engage in outside employment as a private realtor.
12-50	(g) RQO 04-04	Dennis Moss, County Commissioner, District 9	The ethics code does not prohibit a County Commissioner from appointing one of his staff members to a County advisory board as long as the appointee acts in his capacity as a private citizen & does not attend board meetings on County time.
12-51	--	Donna Shelley, Citizen, South Miami	The Ethics Commission cannot opine on St. Sunshine and Election laws nor on the past behavior of others; however, general guidance re AG opinions & the St. Elections Division were provided.
12-52	(w) RQO 05-110	Shanda Mazzorana, Personnel Manager, ITD	ITD employees may participate in a video being produced by a County vendor for instructional purposes when no travel expenses are involved and no reimbursement is provided.
12-53	(c), (m) RQO 00-13	Paul Blake, Captain, County Fire Rescue Dept.	A charity headed by a Captain in the Fire Dept. may enter into contracts with the Co, including the County Fire Dept., because the Captain has no financial interests in the nonprofit. However, the Captain may not appear on behalf of the nonprofit before County boards and committees.
12-54	(g) RQO 11-18	Javier Souto, County Commissioner, District 10	A County Commissioner does not exploit his official position if his grandson displays a cow at the County Fair when the cow, a gift from the Commissioner to his grandson, is not entered into any competition.
12-55	(c), (n) RQO 06-64	Carlos Gimenez, Mayor, Miami-Dade County	A private school that employs the sister-in-law of the Mayor may contract with the County to receive a grant for a head-start program because the sister-in-law is not an immediate family member. Furthermore, the Mayor may take official actions regarding the school because he has no financial interests in the school, directly or indirectly.
12-56	(e) and Miami Code at § 2- 613 RQO 11-18	Tomás Regalado, Mayor, City of Miami	The mayor has not received a reportable gift when he travels to Lima, Peru, in his official capacity to perform city business.
12-57	(e) RQO 02-46	Deede Weithorn, Commissioner, Miami Beach	A City Commissioner may raise funds on behalf of a nonprofit entity as long as the funds are used solely by the nonprofit & the Commissioner does not receive compensation as a result of the fundraising.

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12-58	(c) & § 2-1074 (y) RQO 00-13	Cristy de la Puente, Administrative Secretary, PHCD	The Ethics Commission cannot provide an opinion on the past behavior of an employee of the Housing Agency who may have contracted with the Housing Agency last year.
12-59	--	Geneva Mobutu, Social Worker, CAHSD	Although not empowered to interpret State law, staff advised in general that a citizen may attend & record a public meeting if the recording is not disruptive. <i>See</i> AGO 91-28 & 829 So.2d 989 (Fla. 2d DCA 2002).
12-60	--	Barbara Watts, Vice- Mayor, Biscayne Park	Although not empowered to interpret State law, staff advised in general that Commissioners from the same city may not debate matters that will come before them in competing newspaper columns outside of a duly noticed public meeting. <i>See</i> Fla. Stat. 286.011.
12-61	(i) RQO 04-198	Mary Lou Rizzo, Director, ISD	County employees, regardless of title, having authority to make any single purchase exceeding \$20,000 must file State Form 1, as per Fla. Stats. 112.3145 (1) & 287.017.
12-62	(x) RQO 11-14	Patrick Shortel, Chief, Seaport Engineering, Seaport	A County employee who was employed less than 2 years ago by a current County bidder may not serve on the Selection Committee reviewing the bidder's credentials.
12-63	(c), (d), (g), (n) RQO 06-64	Carlos Gimenez, Mayor, Miami-Dade County	Employment by the Mayor's wife with the School Board does not prohibit the School Board from contracting with the County for head-start grants & does not prevent the Mayor from participating in actions affecting the School Board because an ownership interest in the School Board is not possible. However, if the Mayor were required to take official actions specifically involving his wife's school programs (which do not involve head-start programs), he may wish to avoid possible appearances of impropriety by delegating this authority to another County employee.
12-64	(j), (n) RQO 10-08	Nelson Caballero, Outside Contractor, So. Fla. Workforce	A private contractor who provides training for clients of the So. Fla. Workforce may not also provide auditing services to the Workforce because of possible impairment of judgment in the performance of official duties & the prohibition on taking official actions when personal financial interests are involved.

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12-65	(x) RQO 10-05	Melissa Adams, Procurement Contract Manager., ISD	A County employee who worked for IBM over 20 yrs. ago may serve on a selection committee reviewing IBM products because the prohibition on performing contract-related duties involving a former private employer is restricted to 2 yrs. following private employment.
12-66	(s) RQO 10-13	Neil Kalin, District Manager, Special District Services, Inc.	A private consultant to Community Development Districts (CDDs) who does not persuade the County on the merits or benefits of a particular CDD petition but merely attends meetings as a source of information is not a lobbyist.
12-67	(d) RQO 06-64	Rebeca Sosa, County Commissioner, District 6	A County Commissioner who is an employee of the School Board may vote on matters related to the School Board because the outcome of the vote does not directly or indirectly affect the Commissioner, her district, her school department or program.
12-68	(v) RQO 06-52	Jane McQueen, Director, Head Start, CAHSD	Parents who form part of the advisory Head Start Policy Council may vote on matters affecting the agencies they represent because the parents have no financial interests in these agencies and their children will not be affected by the vote in a manner distinct from the Head Start population generally.
12-69	(q) RQO 04-33 RQO 08-28	Angela Burrafato, MD, Jackson Health System	A Jackson employee may not lobby in the Jackson System or the County for 2 years following her departure from Jackson to work as a Medical Director for Aetna.
12-70	(c)(5)(5) RQO 07-59 RQO 09-44	Gregg Fortner, Director, PHCD	The daughter of County Commissioner Lynda Bell may enter into a contract with the County to obtain a second mortgage as long as the daughter qualifies and the Commissioner does not administer the program.
12-71	(c) RQO 00-13	Felix Valdes, Construction Manager 2, ISD	An ISD employee may enter into a contract with the County to provide construction consulting services through his private company, but he may not contract with ISD.
12-72	(c), (m), (v) RQO 06-52 RQO 07-39 RQO 07-49	Diana Susi, Advisory Board Member, Youth Crime Task Force	An advisory board member may contract with the County through her private company and a nonprofit entity but not if the contracts will be regulated by her board. Additionally, she may not appear before her board on behalf of the entities and may not vote on matters related to these entities if she would benefit.

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12-73	(e) RQO 11-18	Esteban Bovo, Jr., County Commissioner, District 13	A County Commissioner who attends an awards ceremony in his district in his official capacity does not receive a gift of a meal offered at the event.
12-74	(e) + Miami Code § 2-613 RQO 11-18	Tomas, Regalado, Mayor, City of Miami	A proposed trip to Israel for a city mayor was cancelled, and consequently, the question of whether city business would be conducted became moot.
12-75	(s) RQO 06-04	Carlos Gimenez, Mayor, Miami-Dade County	Executives from Cisco Systems are not lobbying when they meet with the Mayor for a “meet & greet” to discuss their activities in foreign cities as long as no similar activities are foreseeably pending in the County.
12-76	--	Katrina, Wilson, Citizen	State election law governs the expenditure of campaign funds, which in this case, were used to reimburse a business entity for an employee’s time spent working on a local campaign.
12-77	(e) RQO 09-04	Carlos Gimenez, Mayor, Miami-Dade County	Tickets to the Grand Prix race at the Homestead Speedway that the County received as part of a contractual agreement with the City of Homestead are a public benefit and must be disposed of in accordance with public purpose guidelines and other gift requirements, if appropriate.
12-78	(g) RQO 05-06	Rebeca Sosa, County Commissioner, District #6	It is not an exploitation of official position for a County Commissioner to use County stationery to thank staff at JMH for the care they provided to a family member. Although the impetus for the thank you was of a personal nature, JMH is a County facility that the County Commission oversees.
12-79	(w) RQO 05-110	Jose R. Otero, Assistant Director, ITD	A County employee may not accept reimbursement for travel expenses from IBM, a County vendor, to attend a conference in Chicago, except if the prohibition is waived by the BCC.
12-80	(g), (h) RQO 04-04 RQO 07-05	Shanda Mazzorana, Personnel Manager, ITD	A contract worker who was employed by Data Industries (a former County vendor whose contract was cancelled due to alleged criminal activity) may accept work with another County vendor (Think Forward, Inc.) absent signs of exploitation or use of confidential information by those involved.

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12-81	(g) RQO 04-04	Sally Heyman, County Commissioner, District 4	A County Commissioner does not exploit her official position when she appoints to the MDX a lobbyist employed by the County who represents the County at the state and federal level.
12-82	Miami Code § 2-613 RQO 11-18	Luis E. Cabrera, Assistant City Manager, City of Miami	A city employee may not accept free tuition to attend a conference sponsored by FIU because employees are prohibited from accepting gifts from city vendors & FIU is a city vendor.
12-83	(t)1.(a) (viii) RQO 09-06 RQO 10-23	Graham Penn, Lobbyist, Bercow Radell & Fernandez	A lobbyist may communicate orally with the contracting officer identified in the RFP on processes, procedures and other published information related to the RFP, but other discussions must be in writing, with a copy to the Clerk of the Board.
12-84	(s) RQO 08-22	Derrick Waller, Potential County Lobbyist	A grassroots organization that does not meet with County officers and staff but encourages citizens to contact their elected officials to support certain issues is not required to register as a lobbyist.
12-85	(t) RQO 10-13	Henry Taylor, Sr. Contracting Officer, JMH	Advertising an RFP on Twitter does not violate the Code of Silence, but public records issues under state law may be implicated.
12-86	(b)13 & (q) RQO 10-19	Alfredo Landeros, City of Miami Beach contract worker	An employee of a temporary agency assigned to work at the City of Miami Beach Building Dept. is not an employee of the city and, consequently, not subject to the County's post-employment restrictions.
12-87	(g) RQO 05-06	Pedro Garcia, County Property Appraiser	The Property Appraiser may speak at a Chamber event, but if a donation to the Chamber is required, it must be made through the Appraiser's campaign account, and the entire event must be coordinated solely by campaign workers without County resources.
12-88	(j),(k) RQO 08-45 RQO 09-36	David Raymond, Executive Director, Homeless Trust	A County employee within two months of retirement is not engaged in outside employment when he takes preliminary steps to form a corporation for future use as a retirement consulting business. He is not currently providing consulting services.
12-89	(c)(3) RQO 07-05	Lawrence Kramer, spouse of Barbara Kramer, Homeless Trust Board Member	The spouse of a County board member may contract with the County but not with any department subject to the regulation or oversight of the board on which the spouse serves.

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12-90	(m)(2) & (v) RQO 07-49 RQO 08-21	Enrique Nunez, City of Miami employee & member of the County Shoreline Development Review Committee	A City of Miami employee may present and vote on plans submitted by the City of Miami because he is not paid to represent the city before the board and he will not be directly affected by the vote of the board.
12-91	(t) RQO 05-27 RQO 09-06	Gerald Del Amo, Corp. Compliance Manager, JMH	JMH employees may attend a symposium sponsored by a bidder while the Cone of Silence is in effect, but they may not speak with the bidder regarding the pending RFP.
12-92	(g) RQO 05-06	Jude Bruno, Chair, County Youth Commission	Members of a County board may campaign for candidates in their individual capacities, but the board may not recommend candidates nor may the board use County resources to support candidates.
12-93	(e) RQO 12-03	Jeanette Gatto, City Commissioner, Sunny Isles Beach	It was recommended that an elected city official decline a gift to attend an exclusive private dinner because the dinner was targeted only to elected city officials and department heads, was sponsored by a developer with previous and ongoing issues before the city, and was being provided out of "appreciation" to the city officials.
12-94	(j),(k) RQO 11-15	Anselmo Montero, Administrative Officer 2, County Parks Department	A County Parks employee may engage in outside employment as a roofing contractor without violating the County Ethics Code, as long as he receives approval from his supervisor.
12-95	(i) RQO 04-198	Walter Foeman, City Clerk, Coral Gables	A city's Chief Information Officer who is also the Director of the city's Information Technology Department is required to file a financial disclosure statement under the County Code because he is a department director. (He is not required to file under State law because he does not have purchasing authority over \$20,000.)
12-96	(g) RQO 04-04	Carlos Gimenez, Mayor, Miami-Dade County	It was recommended that the Mayor assign authority to supervise bids involving MCM construction company to his deputies because MCM employs one of his sons.
12-97	(w) RQO 05-110	Johnny Hoben, Senior Operating Systems Programmer, County ITD	A County employee may not accept a free registration fee valued at \$2,195 from Microsoft to attend a conference in Orlando, nor may he accept any meals from Microsoft while attending the conference, because employees are prohibited from accepting travel expenses from County vendors.

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12-98	(e) RQO 08-48	Eve Boutsis, Village Attorney, Palmetto Bay	Meals valued at ≈ \$10 each and offered to all village personnel at the opening of a hamburger restaurant may be accepted and need not be disclosed because the value of each gift is under \$100.
12-99	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District 6	A County Commissioner employed by the public schools system may vote on a matter involving the public schools because she is employed in a school division that has no involvement with the program and she will not benefit from or be enhanced by the program. Additionally, the program will have no fiscal impact on the County and will be run outside of the district the Commissioner represents.
12-100	(d) RQO 06-64	Eve Boutsis, Village Attorney, Palmetto Bay	Village Council members who are also members of a garden club who volunteer at the village parks may vote to allocate funds to improve the parks because the garden club is not seeking the funding and will have no control over how the public funds are spent.
12-101	(j) RQO 09-16	Kyndal Campbell, Assistant to the Director, Vizcaya Museum	The Chief of Security at Vizcaya cannot accept outside employment with a private security company to do security work at the museum because the arrangement would create conflicting loyalties for the employee.
12-102	(g) RQO 08-21 RQO 09-44	Gregg Fortner, Executive Director, Miami-Dade Public Housing & Community Development Department	Gail Miller, an Opa-Locka City Commissioner, may apply for a residential beautification loan through the County because she meets all of the requirements of the program, has no jurisdictional authority over the program and has not exerted her official position to obtain the loan.
12-103	(d), (h), (t) RQO 09-10	Valerie Newman, City Commissioner, South Miami	A city commissioner may not respond to ostensibly “one-way” communications disseminated by a fellow commissioner regarding matters that may come before the commission.
12-104	(q) RQO 12-09	Louis Noriega, former Chief of IT, Seaport	A retired County employee may not lobby or attempt to influence any official decision or official action in the County in the two years following his retirement from the County.
12-105	(i) County Ord. 08-53	Walter Foeman, City Clerk, Coral Gables	Members of the Coral Gables Art Advisory Panel must file financial disclosure statements and cannot “opt out” of filing because a 2008 amendment to the County Code eliminated the opt-out provision.

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12-106	(d) RQO 06-64	Eve Boutsis, Village Attorney, Palmetto Bay, on behalf of Shelley Stanczyk, Mayor, Palmetto Bay	A village mayor who serves on a state education advisory committee has no voting conflicts related to matters brought before her by a village education advisory committee because the responsibilities of the state committee do not to conflict with the proposed efforts of the village committee, the mayor has no prohibited relationships with village committee members and she would not profit or be enhanced by the votes.
12-107	(g) RQO 12-03	Michael Swerdlow, City Developer, City of North Miami	A developer in North Miami was advised against responding to a solicitation to contribute \$1,000 to benefit a nonprofit organization headed by Councilwoman Steril. The developer had been asked to purchase a table at an upcoming fundraiser by someone associated with the nonprofit organization, but he was not contacted by the Councilwoman herself.
12-108	(i) RQO 04-198	Walter Foeman, City Clerk, Coral Gables	A city finance director who delegated authority to another to make purchases over \$20,000 must file a State Form 1 financial disclosure form because purchasing authority ultimately resides with her. The city's chief procurement officer, the one to whom authority was delegated, must also file a State Form 1 because he was delegated authority to make purchases over \$20,000.
12-109	(j), (k) RQO 10-08	Miriam Singer, Assistant Director, Procurement Management Services (ISD), on behalf of Frank Zuloaga, Construction Manager III (ISD)	Proposed outside employment for a County Construction Manager III creates conflicts if the Manager works for a roofing contractor as a secondary qualifier or as a strategic business consultant, but not if he is employed as an expert witness or a trainer.
12-110	(e) RQO 02-46	Gerald Del Amo, Compliance Manager, JMH	JMH may provide space at no charge to a company that is not a JMH vendor for a free event, but JMH employees who accept free food and clothing valued at over \$100 must report the items as gifts.
12-111	Palmetto Bay Lobbying Code at Sec. 2-137 RQO 08-22	Eve Boutsis, Village Attorney, Palmetto Bay	A church minister who wishes to meet with the Village Mayor regarding legislation pending before the Village Council must register as a lobbyist because the Village lobbying ordinance does not exempt nonprofit organizations from registration requirements. Under the Village code, church staff members whose normal scope of employment does not include lobbying are not required to register.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-112	(d) RQO 06-64	Marlen Martell, Councilwoman, North Miami Beach	A councilwoman may introduce a resolution related to private property located in the city because she has no prohibited relationships with the property owners or the lobbyist representing the property owners and she will not, directly or indirectly, profit or be enhanced by the passage or defeat of the resolution. A previous attorney-client relationship between the lobbyist and her husband, which concluded 3 years ago, prior to her marriage and before she became an elected official, is not germane.
12-113	(i) RQO 04-198	Shania Moore, County Boards Coordinator, Clerk of the Board	A member of the County's Climate Change Advisory Task Force in 2011 must file a financial disclosure form with the County Elections Dept. this year. Filing with the City Clerk of Miami Beach to satisfy service on a city advisory board does not satisfy the County requirement.
12-114	(c)(2) RQO 00-13	Lazaro O. Ulpiz, County vendor & spouse of Andrea M. Chao, Grants Administrator, Seaport	The spouse of a Seaport employee may enter into a contract with the County to provide office supplies through his private company, but he may not contract with the Seaport.
12-115	(q) RQO 09-12	Jorge Gonzalez, City Manager, Miami Beach	The post-employment prohibition that bans former city employees from lobbying their cities for 2 yrs. following city employment begins to toll immediately after all accumulated administrative leave and sick leave have been paid & the city employee is no longer on the city payroll.
12-116	--	Omar Gomez, County vendor	The spouse of a County vendor who works for the County Health Dept. is an employee of a state agency. This relationship does not trigger the County Ethics Code.
12-117	(c)(2) RQO 00-13	Thomas Travis, County vendor & father of Hydi Webb, Manager of Seaport Development	The father of a County employee may contract with the County but not with the Seaport, where his daughter is employed.
12-118	(q) RQO 08-28	Steven Alexander, former Town Manager, Cutler Bay	A former town employee may not lobby the town for two years following his departure from town employment.
12-119	(c)(2) RQO 00-13	Lazaro Ulpiz, County vendor & spouse of Andrea Chao, Grants Administrator, Seaport	A County vendor whose spouse is employed by the Seaport may not contract with Miami Crane Management, Inc., an entity created and controlled by the Seaport.
12-120	§ 2-11.1.1	Carolina Lopez, Assistant to the Director, Elections	The mandatory and voluntary election campaign ordinances are distinguishable.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-121	(w) RQO 05-110	Belkys Casas-Perez, Executive Secretary, ITD, on behalf of Jacqueline Newmark, Sr. Systems Analyst, ITD	A County employee may not accept free registration to an out-of-town conference from a County vendor unless the prohibition is waived by the BCC.
12-122	(s) RQO 08-28	Murray Greenberg, Esq., County lobbyist	A private attorney who meets with members of the County Attorney's Office to discuss, on behalf of a client, changes to the County Charter must register as a lobbyist.
12-123	(k)(2) & § 2-11	Jay Flynn, Chief of HR, MTD	Only full-time County employees who engage in outside employment must file a source of income statement, as per the Code.
12-124	--	Jane McQueen, Director, Head Start, CAHSD	The jurisdiction of the Ethics Commission does not extend to a County contractor who provides Head Start services to the County and asks if he has an appropriate arm's length transaction with his landlord, as is required by federal regulations.
12-125	(c)(2) & (m)(1) RQO 00-13	Joyce Green, 311 Operator, Transit Dept.	A County employee may apply for a "Mom & Pop" grant from the County as long as her department does not administer the program and she does not lobby the County for the grant.
12-126	--	Henry Angelo, County contractor	The jurisdiction of the Ethics Commission does not extend to a County contractor who has been awarded real property through the Housing Agency's infill program and asks about the appropriateness of his employing Emma and Alben Duffie. In 2006, Ms. Duffie resigned from the County, not in good standing, as Director of the County's Infill Program.
12-127	(c)(2) RQO 00-13	Jelani Miller, Correctional Officer, Dept. of Corrections	A County employee may contract with the County through his private construction company, but not with the department that employs him. (Permission to engage in outside employment is at the discretion of the employee's supervisor.)
12-128	(c)(2) RQO 00-13	Porfirio Garcia, Bus Body Technician, Transit Dept.	A County employee may contract with the County through his private body shop, but not with the department that employs him. (Permission to engage in outside employment is at the discretion of the employee's supervisor.)
12-129	(q), (s)(1)(b) RQO 11-26	Peter S. Tell, Esq., former Assistant County Attorney	A former Assistant County Attorney may represent private-entity clients in quasi-judicial hearings, but he may not lobby for 2 years following his retirement. No 2-year restriction applies to lobbying on behalf of governmental entities.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-130	(e) C 11-14	Matthew Pearl, Esq., Weiss Serota/Homestead City Attorney	City officials and advisory board members may accept complimentary tickets from the city to attend an official city centennial celebration because the event serves a public purpose. Spouses of the officials and board members who do not play an official role in the event should pay for the tickets.
12-131	(j) RQO 05-140	Frank Giallorenzo, Assistant HR Director, Coral Gables	City employees are not engaged in outside employment when they serve as officers & directors of corporations but do not provide personal services to the corporations or are not compensated.
12-132	(s) RQO 06-34 and Miami Beach Code at § 2- 485.3	Rafael Andrade, Esq., Lobbyist Miami Beach	The prohibition on lobbyist contingency fees does not restrain a lobbyist from receiving investment income and sales income related to a company that he represents as a lobbyist as long as the lobbyist has a separate agreement that defines the amount of compensation he will receive as a lobbyist.
12-133	<i>directed to</i> County Charter § 1.05	Nancy Simon, Legislative Assistant, Seaport	County employees must take a leave of absence as soon as they qualify for elective office.
12-134	(c), (d), (m), (v) RQO 06-52 RQO 07-39 RQO 07-49	Luis Prieto-Porter, Board Member, Environmental Quality Control Board	A County board member who owns an engineering firm may not contract with the County if his board oversees the contract, may not lobby the County on behalf of his private company, and may not vote on matters related to his private company.
12-135	(g) RQO 04-04 C 11-33	Shelly Stanczyk, Mayor, Palmetto Bay, through Eve Boutsis, Village Attorney	A mayor who is <i>not</i> seeking re-election and was not endorsing a candidate may speak with constituents at a polling place wearing a village-issued shirt that identifies her as the mayor without violating the ethics code.
12-136	(w) RQO 05-110	Angel Petisco, Director, ITD, through Belkys Casas-Perez, Executive Secretary, ITD	County employees may not accept travel expenses from IBM, a County vendor, valued at ≈ \$2,000 per person. The employees may attend the conference if the County pays for their expenses or if the Board of County Commissioners waives the prohibition by a majority vote at a public meeting.
12-137	(g) RQO 05-06	Molly Messer, private citizen	Because home phone numbers of County employees, except for protected classes, are public records, candidates for public office may call County employees at their homes for electioneering purposes.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-138	(e) RQO 02-04	Penelope Townsley, Supervisor of Elections	A County employee may accept travel expenses from the nonprofit PEW Center because the PEW Center is not a County vendor. However, if the travel expenses exceed a value over \$100, the employee must disclose the gift in the quarter after it is received.
12-139	(g) RQO 04-04 RQO 07-05	Jorge Baluja, Police Sergeant, Miami-Dade Police Dept.	A County police officer may attend and participate in an auction sponsored by a County vendor when he is off-duty, not in uniform and he does not exert any undue influence based on his employment as a County police officer.
12-140	(j), (g), (h), (m), (f) RQO 08-45 RQO 08-29 RQO 05-15 RQO 05-09	Margaret Gachelin, Business Process Specialist, WASD	If granted permission to engage in outside employment with a County vendor, Aflac, a County employee may not use County customer and employee information to benefit her private interests nor may she meet with County staff to lobby on behalf of Aflac or Aflac clients.
12-141	(c) RQO 00-13	David Wolpin, City Attorney, Weiss Serota	A city employee may rent event equipment to the city that employs him when neither the employee nor his department is involved in the event.
12-142	R-392-11 <i>(holding PHT Financial Recovery Board to heightened ethical standard)</i>	Eugene Shy, Assistant County Attorney, on behalf of Carlos Migoya, CEO, Public Health Trust (PHT)	To avoid an appearance of impropriety, Carlos Migoya, CEO of the PHT, delegated authority to negotiate a settlement with a PHT tenant to a subordinate because Mr. Migoya's cousin was representing the tenant. (The tenant is a nonprofit entity, which the cousin represented pro bono.)
12-143	<i>directed to</i> Fla. Stat. 106.113	Eve Boutsis, Village Attorney, Biscayne Park, on behalf of Bryan Cooper, Commissioner	A commissioner in Biscayne Park may not use the village-funded newsletter to advocate for an issue that is subject to a vote of the electors.
12-144	(d) RQO 10-20	Jimmy Morales, City Attorney, Doral	A city councilman must abstain from introducing legislation and voting on a matter that would affect him and a relatively small group of homeowners. See also INQ 12-147.
12-145	(f), (g), (h), (j), (k), (m) RQO 08-45 RQO 08-29 RQO 05-15 RQO 05-09	Maria de los Abreu, Analyst 3, Office of the Commission Auditor (OCA)	A County employee may accept outside employment from a Head Start program that receives a County grant because neither she nor her office oversees CAHS, the County department that issues grants to Head Start programs.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-146	(e), (w) RQO 05-110	Susanna Guzman-Arena, Systems Support Manager, ITD	County employees may accept lunches valued at \$10 each from Microsoft, a County vendor, because the lunches are being provided locally, are not associated with travel, and no <i>quid pro quo</i> arrangement has been made or is anticipated.
12-147	(d) RQO 10-20	Luigi Boria, Councilman, City of Doral	A city councilman must abstain from introducing legislation and voting on a matter that would affect him and a relatively small group of homeowners. <i>See</i> also INQ 12-144.
12-148	<i>directed to</i> County Code § 2-8.1.1	Philip Stoddard, Mayor, South Miami	A County ordinance prohibiting collusion between County vendors is not applicable to municipalities unless the municipality adopts the County ordinance.
12-149	--	Arthur Spiegel, private citizen	The proper forum to address judicial candidates accepting and publicizing endorsements for elections is the Fla. Judicial Qualifications Commission.
12-150	(c),(d) RQO 05-12 RQO 04-198	Carlos Gimenez, County Mayor, through Legislative Assistant Inson Kim,	The Mayor is no longer constrained from negotiating future contracts with MCM because Julio Gimenez, a son of the Mayor, no longer works for MCM. However, if the company now employing his son, Facchina, were to seek contracts from the County, the Mayor should follow the precautions previously provided to him in INQ 11-133.
12-151	(e) C 11-14 & Public Benefit Report, 2012	Francis Frances, Executive Assistant to Mayor Matti Bower, Miami Beach	Tickets to events purchased by the city and given to elected officials and city employees so that they may attend in their official capacities are not discloseable gifts.
12-152	(s) RQO 10-13	Richard Perez, Esq., Lobbyist, Holland & Knight	An attorney who challenges the disadvantaged business certification of a bidder is not a lobbyist because decertification is not reviewed by the BCC or any other County board, agency or committee.
12-153	(j), (k) RQO 02-87	Jennifer Walker, Sr. HR Manager, Dept. of Regulatory & Economic Resources	A County employee is not engaged in outside employment when he runs for office and/or serves as a committeeman for the Republican Executive Committee because this position is voluntary and not customarily compensated.
12-154	(e) RQO 07-28 RQO 07-61	Sanford Schoolfield, Safety Instructor, WASD	County employees may not accept gifts or tips given with the intent to influence an official action.
12-155	(j) RQO 99-50	Grisel Agha-Long, Executive Secretary, Aviation Business Retention & Development	A County employee with the Aviation Dept. cannot accept outside employment with an Aviation concessionaire because the County division that employs her manages concessionaire contracts.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-156	(i) <i>linked to Fla. Stat.</i> 112.3145	Dunbar Cornelle, Contracts Compliance Officer, Transit	Contracts Compliance Officers, who do not authorize individual purchases over \$20,000, do not file financial disclosure statements under state law. However, County departments may impose stricter disclosure requirements than are found in the state or County ethics codes.
12-157	(e), (w) RQO 05-110	Shanda Mazzorana, Personnel Manager, ITD	County employees may attend a seminar valued at \$120 and provided locally by IBM, a County vendor, but the seminar is a gift to the employees that they must disclose.
12-158	(g) RQO 04-04	Carlos Gimenez, Mayor, Miami-Dade County	Although the Mayor properly delegated authority to another while a company that employed his son was engaged in a County contract, the Mayor may now participate in oversight of the contract because the successor company is not one that employs his son. (The contract had been awarded prior to the Mayor's election to office.)
12-159	(j) RQO 12-11	Abel Fernandez, Battalion Chief, Fire Rescue	A firefighter cannot accept outside employment with North Shore Medical Center as a healthcare liaison because the private work parallels his duties as a public employee and would, therefore, create conflicting loyalties for the employee.
12-160	(c)(2) RQO 00-13	Gilbert Pinkston, Waste Supervisor, Public Works	A County employee may contract with the County through his private landscaping company, but not with the department that employs him. (Permission to engage in outside employment is at the discretion of the employee's supervisor.)
12-161	<i>directed to</i> County Ordinance No. 12-62	Gary Pyott, CTAC board member	CTAC board members who plan to run for public office in the future will no longer fall within the jurisdiction of the Ethics Commission because CTAC was terminated as a County board on 9/6/12, resulting in CTAC members being subject to state and federal laws. <i>See</i> 23 CFR 450.310 (a).
12-162	(e)(3) INQ 08-63 & <i>directed to</i> St. CEO 86-19	Miriam Singer, Assistant Director of Procurement, ISD	A County Department Director may accept a gift won by chance, which is not obtained through an inducement to take a legal action or perform a legal duty, but she must report the prize on a gift disclosure form.
12-163	(w) RQO 05-110	Gerald Del Amo, Compliance Manager, JMH	A JMH vendor may not pay for a dinner for a JMH employee while the employee is at an out-of-town convention.
12-164	(i) INQ 10-123	Walter Foeman, City Clerk, Coral Gables	Students who serve on a city advisory board must file financial disclosure forms if they are over 18 years old.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-165	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District 6	A County Commissioner who is employed by the Miami-Dade School Board may vote on a resolution to provide educational classes to juveniles in the custody of the Corrections Dept. because she will not profit or be enhanced by the vote.
12-166	(s)(5) RQO 08-22	Jose Villalobos, County lobbyist	Members of a technical team making a presentation to the County need not register as lobbyists if they do not otherwise lobby, but they must be listed on an affidavit filed with the Clerk of the Board.
12-167	(e)(2)(g) RQO 02-46	Gerald Sanchez, County Attorney	County employees may solicit contributions for the nonprofit Wounded Warrior Project because the County Commission has endorsed the project and given its support to the fundraising efforts of employees.
12-168	(d) RQO 07-12	Jimmie Williams, III, Homestead City Commissioner	A city commissioner must recuse himself from voting to choose a contractor to build a new city hall because the commissioner has a creditor-debtor relationship with one of the bidders.
12-169	--	Amy Carswell, Program Officer, Community Relations Board	A candidate for local office may reprint and circulate an absentee ballot request form without violating the Fair Campaign Practices Ordinance or state election law as long as the form is consistent with state law.
12-170	<i>directed to St. Public Records Act at Fla. Stat. 119 et seq.</i>	Alex Ocariz, Firefighter, Fire Rescue Dept.	Because County emails are public records, it is not a violation of County or state laws for campaigns to use the emails for political purposes. However, if County employees are involved in the campaign efforts, they may not engage in political activity on County time. <i>See Administrative Order 7-2.</i>
12-171	(k) RQO 10-08	Jennifer Walker, Sr. Human Resources Manager, Permitting & Inspection Center	County employees hired to work as movie extras must obtain permission from their supervisors to engage in outside employment and file a statement of outside employment income annually.
12-172	(e) RQO 08-48	Aimee Martinez, Assistant Director, Community Information & Outreach	A County employee may accept a weekend trip to Orlando to attend a seminar from an entity that is <i>not</i> a County vendor. The cost of the weekend must be reported as a gift.
12-173	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District 6	A County Commissioner who is employed by the Miami-Dade School Board may vote to support a school bond issue that will appear on the ballot because she will not be affected by the vote in a way distinct from the public generally.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-174	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District 6	A County Commissioner who is employed by the Miami-Dade School Board may vote on an interlocal agreement with the School Board to make a sewer connection at a school because she will not profit or be enhanced by the vote.
12-175	(g) RQO 05-06 INQ 08-128	Maria Chiaro, Assistant City Attorney, City of Miami	City Commissioners may use the title of their offices to endorse candidates, but they may not use public resources such as city stationery.
12-176	(m) RQO 04-80	Morris Copeland, Director, Juvenile Services Dept.	The Director of Juvenile Services may not use his position to recommend a County employee to an executive recruiter who is seeking to fill a senior-level position at the Homeless Trust.
12-177	(i) RQO 99-27 RQO 04-198	Michael Karukin, Town Commissioner, Surfside	Town advisory board members are required to file financial disclosure forms annually.
12-178	(d), (p) RQO 07-49 RQO 09-14	Lynn Dannheisser, Town Attorney, Surfside	A town advisory board member who is a bank executive may vote on a matter affecting a bank customer because the board member will not profit, directly or indirectly, by the vote. The board member may not make a recommendation of any services to assist a person with a matter before the town.
12-179	Palmetto Bay Code at Sec. 7.6 (A)	Eve Boutsis, Village Attorney, Palmetto Bay	A plain reading of a section of the Village Code (with no similar provision in the County Code) states that contributors to an elected official's campaign may not lobby the village for 4 years following the contribution.
12-180	(g) RQO 04-04	Carlos Gimenez, Mayor, Miami-Dade County	Although the mayor's daughter-in-law is not involved in a contract between her employer and the County, the mayor should delegate a staff member to monitor the contract in order to avoid an appearance of impropriety.
12-181	<i>directed to</i> Construction Trades Qualifying Board	Alex Pena, Citizen	A citizen seeking to appeal a citation for "advertising as a contractor without the required certification of competency" was directed to the Construction Trades Qualifying Board.
12-182	(c), (m) RQO 11-30 RQO 12-10	Dennis Blalock, Plumbing Supervisor, Parks Dept.	A County employee may enter into contracts with the County, but not with the department that employs him. Additionally, he may not lobby the County or any of its agencies, boards, or committees on behalf of his private company.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-183	(s)(4) RQO 04-07	Eileen Ball Mehta, Board Member, nonprofit organization	A board member of a nonprofit organization who registers as a lobbyist to represent the nonprofit entity on issues beyond the mere request for a grant must take the County ethics training course for lobbyists and pay the \$100 fee for the training course
12-184	(e)(2)(e) RQO 02-46	Alex Muñoz, Director Animal Services Dept.	The Director of Animal Services may solicit gifts to be used solely by the Dept. to incentivize Dept. employees to increase animal adoption rates. No vendors will be solicited.
12-185	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District #6	A County Commissioner who is employed by the School Board may vote on an interlocal agreement with the School Board for a Drivers' Education program because the Commissioner will not profit or be affected uniquely by the vote.
12-186	(e)(2)(e) RQO 05-06	Hazel Grace-Dansoh, Benefits Manager, ISD	Absent a County resolution or directive, County employees may not solicit gifts to be used to incentivize County employees to attend wellness events because attendance at wellness events is not official County business.
12-187	(g), (j) RQO 08-29 RQO 08-45	Jose Govea, Plant Electrician, WASD	A WASD electrician should be denied permission to engage in outside employment in his private electrical repair company because of possible conflicts with County time and use of County resources.
12-188	(e)(4) INQ 02-46	Ralph Granado, City Clerk, Miami Beach	Gifts offered only to city employees through a city website are reportable if any employee receives a gift or series of gifts valued at over \$100 from one person or entity during a calendar quarter.
12-189	(l) C 07-04 C 07-12	Charles Citrin, City Attorney, Hialeah Gardens	A city administrator and city contractor are not permitted to have personal investments together in a private business.
12-190	(e) RQO 02-46	Gerald Sanchez, Assistant County Attorney	NASCAR tickets received by the Mayor from the City of Homestead, where the County is a third-party beneficiary to Homestead's contract with NASCAR, are County property and should be distributed as per the policy adopted by the BCC to benefit the public.
12-191	(e) RQO 02-46	Morris Copeland, Director, Juvenile Services Dept.	The Director of the Juvenile Services Dept. (JSD) does not receive a gift when he attends a cocktail party sponsored by a private hospital that is introducing a bereavement program for children because the JSD may recommend bereavement counseling to youth as part of its official business.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-192	(e) RQO 02-46	Mary Lou Rizzo, Director, Human Services Dept.	County employees do not receive gifts when they accept lunches paid for by the United Way while attending local workshops related to official County business that are presented by the United Way.
12-193	(q) RQO 04-33 RQO 04-34	Larry Foutz, Transportation Systems Manager, MPO	A former employee of the MPO (an entity that has agreed to abide by the County Ethics Code) may allow the use of his name, title, and resume on proposals submitted to the MPO by his new employer, but he may not personally lobby on behalf of his new employer for 2 years following his departure from the MPO.
12-194	(t) RQO 10-17	Kevin Asher, Planning Director, Parks Dept.	The Cone of Silence cannot be waived for solicitations to private entities to develop land near Zoo Miami.
12-195	--	Vince Lombardi, Fire Chief, Fire Rescue Dept.	Nothing in the County Ethics Code prohibits a Miami-Dade Fire Chief from volunteering to serve on a Fire Advisory Board in Broward County. (Similarly, the appointment does not violate dual office holding, which is prohibited under Art. II, § 5(a), Fla. Const., because appointees to county advisory boards are not considered "office holders." See AGO 05-59.)
12-196	(e) RQO 02-46	Carlos Gimenez, Mayor, Miami-Dade County	A donation of 10 Thanksgiving dinners received by the Mayor from the Marlins is a gift to the County, not to the Mayor, and should be distributed as per the policy adopted by the BCC to benefit the public.
12-197	(g) RQO 05-06	Sandra Ruiz, former council member, Doral	A former council member, if re-elected, may use her title in thank-you letters to her constituents once elected, but she cannot use city stationery or other city resources.
12-198	(d) RQO 10-11	Cynthia Johnson Stacks, Assistant County Attorney, on behalf of a County Commissioner	A County Commissioner may vote on an agreement with the South Florida Workforce where the Commissioner's sister is employed by the Workforce because "sister" is not included within the County Code definition of immediate family. Additionally, no appearance issues are created, since neither the Commissioner nor the sister would benefit in any way from the vote.
12-199	(s)(7) RQO 06-34	Steve Alexander, Lobbyist, Miami-Dade County	Sales representatives who fall within the definition of "lobbyist" do not violate the lobbyist contingency fee ban when they receive commissions for sales.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-200	(e) RQO 06-05	Angelica Suarez, Budget Manager, Community Information & Outreach Department (CIAO)	The CIAO Dept. may accept a gift of \$2,500, which was won through a raffle conducted by Suntrust Bank and is to be used for Dept. group retreats. None of the 175 department employees will receive an individual benefit > \$100, so it will not trigger any reporting requirements.
12-201	<i>directed to</i> Fla. Stat. 106.15 (4)	Walter Foeman, City Clerk, Coral Gables	A candidate for city office may rent space from the city at a city-sponsored farmers' market to publicize his candidacy, but State law prevents him from accepting campaign contributions in a government-owned building.
12-202	(e) RQO 02-46 RQO 07-28	Jean Olin, Esq., on behalf of the City of Miami Beach	City employees who are required to file gift disclosure forms under the County Code file with their respective city clerks. City employees who receive a discount based on their city employment must report the discount as a gift if it exceeds \$100.
12-203	<i>directed to</i> Op. Att'y Gen. Fla. 74-40	Eve Boutsis, City Attorney, Palmetto Bay	Members-elect of the city commission are subject to the Sunshine Law upon certification of the election results.
12-204	(l) RQO 07-38	Kyndal Campbell, Assistant to the Director, Vizcaya	The chief horticulturist, who has permission to engage in outside employment, may not hire for his private business an employee at Vizcaya whom he supervises. Supervising the same person in both his public and private capacity would create a substantial conflict between his public and private duties.
12-205	(d) RQO 10-20	Isaac Salver, Mayor, Bay Harbor Islands	The mayor cannot vote on paying off city bonds that were obtained through a League of Cities Trust Fund, where the mayor serves as the Chair of the Board of Directors of the Trust.
12-206	no jurisdiction	Giraldo Cabrera, potential County Vendor, American Best Painting, Inc.	A potential vendor whose spouse is employed by the School Board is not required to obtain an ethics opinion from the Ethics Commission to register as a vendor because the Ethics Commission has no jurisdiction over School Board employees.
12-207	(e) C 11-14	Robert Meyers, WSH Attorney, on behalf of the City of Homestead	Elected officials who receive tickets to a city-sponsored event, which are given to them to be distributed, receive a city asset that must be distributed for a valid public purpose.
12-208	(e)(2)(g) RQO 06-05	Esteban Bovo, County Commissioner, District 13	A County Commissioner who solicits gifts on behalf of the YMCA should not target County vendors nor solicit individuals with current or pending County business.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-209	(g) RQO 05-06	Dwight Danie, City Clerk, City of Miami, on behalf of City Commissioner Willy Gort	A city commissioner may use the title of his office to identify himself on an invitation sent out by the Latin Chamber of Commerce, which is printed on Chamber stationery and where no city resources are used.
12-210	(b)(9) & (c)(1) RQO 08-43	Toussaint Monestime, President, Toumo Group, potential County vendor	The brother of County Commissioner Jean Monestime may do business with the County without limitations because "brother" is not included in the definition of "immediate family" in the County Code.
12-211	(e)(2)(g) RQO 06-05	Margaret Gachelin, Business Process Specialist, WASD	A County employee must not solicit County workers for donations to her private foundation, nor may she use County resources for the same purpose.
12-212	(c)(2) RQO 00-13	William Pupo, Real Estate Officer, ISD	County employees may apply for a HUD grant & enter into a real estate contract with the County to purchase a County-owned home as long as their department does not administer the grant program or execute the real estate contract.
12-213	(c)(3) RQO 99-05	Louis S. Imburgia, Member, Community Council #7	A Community Council member may register his private firm as a County vendor but the firm may not contract with any County department subject to the regulation or authority of the Community Council on which he serves.
12-214	no jurisdiction	Michael Pizzi, Town Attorney, Medley	The termination of a town employee by the Town Council, which is authorized to fire employees under the Town Charter, does not fall within the jurisdiction of the Ethics Commission absent some indication of a violation of the Ethics Code.
12-215	<i>directed to</i> Fla. Stat. 112.3135	Javier Souto, County Commissioner, District #10	Neither the state anti-nepotism statute, adopted as County policy, nor any provision in the County Ethics Code prohibits a County Commissioner from hiring a 3 rd cousin for a position on his staff.
12-216	(h) RQO 05-102 & <i>directed to</i> Fla. Stat. 112.313(8) & AGO 03-09	Eve Boutsis, Village Attorney, Palmetto Bay	A village councilmember must not disclose confidential information obtained during a properly noticed shade meeting until the records of the shade meeting are made public.
12-217	(j) RQO 07-35	Pedro Betancourt, Senior Contract Officer, Aviation	A non-County selection committee member must not serve on the committee when his employer, who has contracts with 4 of the 5 bidders to be evaluated, may benefit from the selection.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-218	(j), (k) RQO 12-11	Steve Jablonowsky, Manager, Golf Operations, Parks Dept.	A County golf profession may not accept outside employment as a part-time golf instructor at County facilities when he is employed in his part-time capacity by a company that contracts with the County to provide golf lessons.
12-219	--	Carlos Gimenez, Mayor, Miami-Dade County	Nothing in the County Ethics Code precludes the Mayor from carrying out functions related to bond counsel Squires Sanders, where the Mayor's daughter-in-law is employed but is not a partner & does not work on bond issues. Bond counsel firms are assigned on a rotating basis & the Mayor has no part in choosing the firms.
12-220	(w), (e)(4) RQO 05-110	Diana Salinas, Chief Compliance Officer, JMH	A JMH employee may accept travel expenses as long as the donor is not a JMH vendor. If accepted, the travel expenses must be disclosed as a gift.
12-221	(j) RQO 12-11	Lonny Craven, Director of Airside Operations, MIA	The County Ethics Code prohibits airport employees from engaging in outside employment with entities that the County employees monitor in their County positions.
12-222	(g) C 12-07	Rodney Harris, Councilman, Miami Gardens	A city councilman does not exploit his official position when he purchases refreshments for a local youth event sponsored by a state agency with public funds he is authorized to use at his discretion. The councilman is employed by a different department of the state agency sponsoring the event and does not benefit in any way through the event.
12-223	(c)(2), (m)(1) RQO 00-13	Aretha Reed, Correctional Officer, Corrections Dept.	A County employee may contract with the County to provide cleaning services, but she may not contract with the department that employs her.
12-224	(c)(2), (m)(1) RQO 00-13	Ty Jones, potential County employee	A potential County employee may contract with the County to provide health services, but he will not be allowed to contract with the department that employs him, and he cannot lobby the County on behalf of his private company.
12-225	(g) RQO 07-35	Timothy Ryan, Director, Dept. of Corrections	A department director is not prohibited from participating in the final selection of a vendor who will provide inmate legal services to his department even though the director is familiar with one of the vendors from his professional work 3 decades ago in Calif.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
12-226	<i>directed to Sunshine Law at Fla. Stat. 286.011</i>	Xavier Suarez, County Commissioner, District #7	A County Commissioner may apologize to another County Commissioner about the tone of a discussion at a public meeting as long as no further action on the matter is anticipated or the apology does not convey substantive information about the matter.
12-227	(m)(2) RQO 07-39	Sarah Johnston, Assistant City Attorney, Surfside	An architect who volunteers as a Surfside Planning & Zoning Board member is prohibited from appearing before the board on behalf of third parties and is prohibited from receiving compensation, directly or indirectly or in any form, for services rendered to a third party who has applied for or is seeking some benefit from the Planning & Zoning Board.
12-228	(t) RQO 10-13	David Hazouri, Shubin & Bass Attorney, for County bidder, Safe Wrap	The Cone of Silence is not violated when a local TV station broadcasts a news segment about the Airport luggage wrapping contract during the time the Cone has been imposed for the RFP.
12-229	(w) RQO 05-110	Bill Johnson, Director, Port of Miami	County employees who won free cruises from Disney through a raffle must not accept the gifts, because County employees are prohibited from accepting travel expenses from County contractors such as Disney.
12-230	(s)(7) RQO 06-34	Teresa Dozier, Sales Rep, Advanced Bionics	The County's ban on contingency fees for lobbying does not apply to medical device sales representatives whose customary compensation includes commissions based on sales.
12-231	(s)(7) RQO 06-34	Dan Reiss, Sales Manager, Business Development, NTELX	The County's ban on contingency fees for lobbying does not apply to IT sales representatives whose customary compensation includes commissions based on sales.