

2013
INQs

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-01	(w) RQO 05-110 INQ 07-02	Hydi Webb, Manager of Business Development, Port of Miami	Three employees of the Port of Miami may accept free cruises from the Fla. Caribbean Cruise Assoc. (a nonprofit trade association) and Disney to attend an association meeting because the County, as well as Disney, are members of the association and the travel is related to that membership.
13-02	--	Felipe Rivero, Special Projects Administrator, Office of Management & Budget	The Ethics Commission has no jurisdiction to enforce the Ethics Code against nonprofit entities that receive County grants.
13-03	(g) RQO 04-04	Carlos Gimenez, Mayor, Miami-Dade County	Since the Mayor's son is no longer employed by MCM, a company that had bid on 3 County contracts, the Mayor may now support resolutions impacting those contracts. (Previously, to avoid an appearance of impropriety, the Mayor had delegated authority related to overseeing the procurement process involving MCM to his staff because of his son's employment at MCM. (See INQ 12-96 and INQ 12-158.)
13-04	(e)(2)(g) RQO 06-05	Esteban Bovo, Jr., County Commissioner, District #13	A Commissioner may solicit donations for the Dan Marino Foundation, a 501(c)(3) nonprofit organization, when neither the Commissioner nor his staff currently receives or will receive any compensation from the Foundation and all solicitations will be used by the Foundation.
13-05	(c)(2) RQO 12-06	Maria Paredes, Housing Specialist, Contract Administrative Division, Public Housing & Community Development	A County employee who works in the division that administers the Section 8 Housing Choice Voucher Program may not contract with the division to become a Section 8 landlord through the Housing Choice Voucher Program.
13-06	(g) RQO 05-06	Carlos Gimenez, Mayor, Miami-Dade County	The Mayor does not exploit his official position when he uses official County stationery to provide a letter of recommendation to an individual known to the Mayor through Mayor's public service in the city of Miami.
13-07	(m)(2) & (v) RQO 06-52 RQO 07-39 RQO 07-49	Javier L Vazquez, Esq, appointed board member, Miami-Dade Expressway Authority (MDX)	The law associate of an MTX board member may appear before the MTX board to represent a client, but the MTX board member must recuse himself from voting on matters related to the client of the associate.
13-08	(j), (k) RQO 08-36	Jerrod Neal, Labor Management Specialist,	A County employee who has founded a nonprofit organization and serves as its

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		ISD	Executive Director, a position traditionally compensated, is engaged in outside employment and must comport with all outside employment requirements.
13-09	(d) RQO 06-64 RQO 07-12	Juan Zapata, County Commissioner, District #11	A County Commissioner is prohibited from appointing his business partner, Julio Robaina, to the Miami-Dade County Expressway Authority because "partner" is one of the relationships identified in the ethics code that creates a <i>per se</i> voting conflict.
13-10	(w) RQO 05-110 <i>see also</i> R 806-04	David Livingstone, Assistant to the Director, Parks Dept.	Assistant Parks Director Allison Diego may attend an IBM conference in Las Vegas because The Parks Foundation of Miami-Dade, which is not a County vendor, is paying for Ms. Diego's air travel and lodging. Ms. Diego will be attending in her official capacity to make a presentation on how the Parks Dept. saved money by using IBM technology.
13-11	<i>directed to</i> Sunshine Law at Fla. Stat. 286.011	Joe Graubart, Commissioner, Surfside	The Sunshine Law allows a city commissioner to circulate a memo to other members of the commission through the city clerk as a public record, but it should be accompanied by a warning that the other members must not respond to the memo.
13-12	(d) RQO 06-64	Francis Suarez, Commissioner, City of Miami	A city commissioner may vote on hiring outside counsel to represent the mayor, when the commissioner is planning to oppose the mayor in the upcoming city election. The commissioner has no prohibited relationships related to the matter and would not personally benefit or be enhanced from the vote. Being a political adversary, in and of itself, does not create a prohibited conflict.
13-13	(g) RQO 04-04 RQO 07-05	Breno Penichet, Investigator, COE	To avoid the appearance of divided loyalties, a COE employee agreed to decline serving on a Miami Lakes task force to study the viability of the town forming its own police force in lieu of maintaining its current contract with the County Police.
13-14	(g) RQO 08-21 RQO 09-44	Claudia Cubellos, Councilwoman, Village of El Portal	A village councilwoman may apply for a Mom & Pop Grant provided through County Commissioner Edmonson's District 3 Office when neither the councilwoman nor any of her immediate family members have any business or financial relationships with Miami-Dade County.
13-15	(g) RQO 08-29	Kira Grossman, Attorney, Miami Parking Authority	Alejandra Argudin, the MPA's Chief Operations Officer, was advised that the

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	RQO 08-45	(MPA)	MPA should not contract with a company that subcontracts with ADA Engineering, a firm that employs her spouse and is owned by her mother- and father-in-law.
13-16	(d) RQO 06-64	Dennis Moss, County Commissioner, District #	A County Commissioner who is Executive Director of the Richmond Perrine Optimist Club, a non-profit organization that receives funding from the School Board, may vote on school board matters because none of the matters coming before the BCC involve funding for the nonprofit and the Commissioner's compensation is not affected by the funding the nonprofit receives from the School Board.
13-17	(j) RQO 09-16	Patrick Fiore, Councilman, Palmetto Bay	A councilman's employment with Camillus House, where a fellow councilman serves on the Camillus House board, is not likely to impair his independence of judgment in the performance of his public duties because the board has no supervisory authority over employees.
13-18	(e) C 11-14	Matti Bower, Mayor, City of Miami Beach	A proposed city policy regarding the use and distribution of complimentary tickets for public purposes generally follows the guidelines recommended by the Ethics Commission, except for a provision permitting complimentary opening night tickets to be distributed to officials for each performance held at city venues.
13-19	<i>directed to</i> Fla. Stat. 112.3145(1)	Bobby Flevaris, Projects Administrator, Property Appraiser's Office	County employees, regardless of title, who have the authority to approve a single expense over \$20,000 are required to disclose financial interests by filing State Form 1.
13-20	(v) RQO 06-52	Jude Bruno, Chair, Miami-Dade Youth Council	Council members are not prohibited from voting on contest entries from their schools as long as they do not have a prohibited relationship with the applicant and they would not benefit from the vote.
13-21	--	Rick Crooks, County bidder, EAC Consulting, Inc.	The Ethics Commission has no jurisdiction to opine on the Consultants Competitive Negotiation Act at Fla. Stat. 287.055. (The bidder was directed to WASD personnel, who received legal advice from the County Attorney's Office.)
13-22	(k) RQO 06-48	Hilda Fernandez, Executive Director, Miami-Dade Homeless Trust	A County employee who manages 3 or more rental units must seek permission to engage in outside employment and file the required permission and disclosure forms.
13-23	(d) RQO 06-64	Francis Suarez, Commissioner, City of	A city commissioner may vote to advance legal fees to the mayor who is the defendant

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		Miami	in a lawsuit, when the commissioner is planning to oppose the mayor in the upcoming city election. The commissioner has no prohibited relationships related to the matter and would not benefit from the vote.
13-24	<i>directed to Sunshine Law at Fla. Stat. 286.011</i>	Roger Carlton, Town Manager, Surfside	A "Round Table Discussion" including all members of the town commission, which was advertised as a public meeting, to be held in the commission chambers, and where minutes will be taken satisfies the requirements of a public meeting. However, no one may be excluded from a public meeting, unless that exclusion is made for the purpose of maintaining order in the meeting or otherwise falls under a recognized exemption under the requirements of the Sunshine Law.
13-25	--	Kathleen Gonot, Vendor, Miami-Dade CRA	A consultant for the Miami-Dade CRA is not prohibited under the County Ethics Code from bidding on a CRA project in Miami Gardens. Other laws related to government contracts may prohibit the consultant from accepting overlapping responsibilities and reviewing its own work.
13-26	(w) RQO 05-110	Jose Otero, Assistant Director, ITD	County employees may not accept free registration fees from a County vendor when they travel for training unless they obtain a waiver from the Board of County Commissioners.
13-27	(c)(4) RQO 00-13	Ralph Ventura, City Attorney, Sweetwater	The spouse of a city employee is prohibited from contracting with the city unless the city commission waives the prohibition by a 2/3 vote for good cause.
13-28	(j) RQO 12-11	Luisa Millan, Assistant Director, ITD	Although guidelines presented by the Ethics Commission staff may serve as an aid, final determination as to whether a County employee should engage in outside employment is at the discretion of his/her supervisor.
13-29	(w) RQO 05-110	Wilfredo Gort, Commissioner, City of Miami	A city commissioner may not accept a trip to Turkey from a city contractor unless the prohibition is waived by the city commission and the trip is found to serve a clear public purpose.

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13-30	(g) RQO 05-06	Esteban Bovo, Jr., County Commissioner, # 13	A County Commissioner may send birthday cards to senior constituents, paid for from his campaign account, but he should avoid storing them at or mailing them from his County office.
13-31	(q)(1) RQO 12-09	Margarita Fernandez, Former County employee	A former County employee may register as a County vendor, but she is prohibited from lobbying (<i>i.e.</i> , influencing any County decision-makers) for 2 years following County employment.
13-32	(b)(6) & directed to Sec. 2-11	Luis Gonzalez, HR Manager, Seaport	Only full-time County employees must obtain permission to engage in outside employment, but part-time as well as full-time employees are subject to the County Ethics Code.
13-33	(q)(1) RQO 12-09	Julio Amoedo, Former Chief, Construction Contracts, WASD	A former County employee is prohibited from lobbying (<i>i.e.</i> , influencing any County decision-makers) for 2 years following County employment.
13-34	(j) RQO 08-29	Cecilia Brewer-McDuffie, HR Chief, WASD	A County employee who performs a personal service for a family business, and that service is customarily compensated, is engaged in outside employment even if she is not actually compensated.
13-35	(w) RQO 05-110	Derrick Gordon, Director, Transit	Transit employees cannot accept travel expenses paid for with grants funded through contributions from County vendors.
13-36	(c)(1) RQO 06-38	Juan Zapata, County Commissioner, District # 11	A County Commissioner may donate office space, owned by him, for use by his County staff until his permanent County office is available. Because the Commissioner is not receiving any financial or other benefit, the donation does not constitute transacting business with the County, which is otherwise prohibited under the County Code.
13-37	(d) RQO 11-27	Martin Packer, Councilman, Bal Harbour	A councilman is not prohibited from voting on a matter affecting real property adjacent to the condominium building in which he resides because he has no prohibited relationship with the entity coming before the council and, as one of several hundred adjacent residents, he will not be uniquely affected by the vote.
13-38	--	Janet Lozada, President, Los Perros de la 8, Inc	A small business owner and her immediate family, who have no business or employment relationships with the County, may apply for a Mom & Pop Small Business Grant through Commissioner Javier Souto's District # 10 Office.

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13-39	(e)(2)(e) RQO 02-46	Mirta Cardoso, Contracts & Procurement Officer, ITD	ITD may accept free technical support from Microsoft valued at \$10,000 because the training will be used by County employees solely in the performance of their official duties. The training is a gift to the County and not a reportable gift to the individual employees.
13-40	(d) & § 20-45 RQO 11-27	Maurice Garcia, Member, Community Council #2	A community council member is not prohibited from voting on a matter affecting real property adjacent to a condominium that he is to inherit because he has no prohibited relationship with the entity coming before the council and, as one of several hundred adjacent residents, he will not be uniquely affected by the vote.
13-41	(g) RQO 05-06	Charles Citrin, City Attorney, Hialeah Gardens	An elected city official may use a public facility for a political campaign event provided that the facility is available to the public for rental and the official pays fair market value for the use of the facility.
13-42	<i>referred to</i> Fla. Stat. 112.3135	Joe Geller, Town Attorney, El Portal,	A councilman cannot appoint his immediate family member to a position on the town's charter review committee. Under the state anti-nepotism statute, a public official cannot appoint an immediate family member to any public position in the agency in which the official serves.
13-43	(g) RQO 07-05	Jason Walker, Village Manager, El Portal	A village manager, who has been authorized by resolution to hire a part-time village employee, may hire an individual who is also employed part-time at a local preschool owned by a village council member as long as the council member did not recommend the hiring and the private and public work will not conflict.
13-44	(o) RQO 07-05 RQO 06-64	Luigi Vitalini, Board Member, City of South Miami Planning Board	A planning board member may not acquire a financial interest in a project (by working as an architect on the project) if he has reason to believe that his financial interests will be directly affected by the planning board on which he serves.
13-45	(e)(2)(g) RQO 08-25	Javier Souto, County Commissioner, # 10	A County Commissioner is allowed to solicit donations for South Florida Autism Charter Schools, Inc., a 501(c)(3) non-profit organization, because the donations will be utilized solely by that organization, and neither the Commissioner nor any member of his staff will receive any compensation as a result of the solicitation.

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13-46	<i>directed to</i> County Code at § 2-11.38	Pam Martin, Special Projects Administrator, Office of Management & Budget	A County board member on the Criminal Justice Council must resign from the Council when she qualifies as a candidate for elective political office.
13-47	<i>directed to</i> County Charter at § 1.05 (C)	James Wyatt, Marina Attendant, Parks Dept.	A County employee must immediately take a leave of absence from his County job as soon as he qualifies for elected office in the City of Homestead. If elected, the County employee immediately forfeits his County position. If not elected, he shall be reinstated to his former position.
13-48	(i) RQO 11-07	Brett Bibeau, Member, Miami River Commission	The Miami River Commission is a State board and, consequently, members of the Miami River Commission are not required to file financial disclosure statements under County Code Sec. 2-11.1 (i).
13-49	(q)(1) RQO 12-09	Adriana Coba, Technical Assistance Coordinator, Regulatory & Economic Resources	A former County worker, Francisco Rodriguez, who left County employment in Oct. 2010 may lobby the County after Oct. 2012.
13-50	(d) RQO 11-27	Bruno Barreiro, County Commissioner, District # 5	A County Commissioner may vote to issue revenue bonds that will help finance construction at a private school where his daughter is one of approximately 800 students because neither the Commissioner nor his daughter is uniquely affected by the vote.
13-51	(b)(13) RQO 08-10	Rafael A. Rodriguez, Contract Hearing Examiner, Clerk of the Courts	A hearing examiner who contracts with the County may apply for a Mom & Pop grant without limitations because he is a private contractor, not a County employee, and his contract has not been designated as one that falls within the jurisdiction of the County Ethics Code.
13-52	(c)(2), (m)(1) RQO 00-13	Letricia Brown, President, AMAJ Enterprise Corp.	A private company with a shareholder who is a County Homeless Trust employee may apply for a Mom & Pop grant as long as the grant is not administered by the Homeless Trust and the employee does not lobby on behalf of the private company.
13-53	(q)(1) RQO 12-09	José Abreu, Director, County Airport	A former County employee may work for a company with a contract with the County as long as he does not lobby the County for 2 years following his County employment.
13-54	(c)(3), (g), (m)(2) RQO 06-52 RQO 07-39 RQO 07-45	Barbara Walters, Member, Citizens Transportation Advisory Committee (CTAC)	Because CTAC has agreed to abide by the County Ethics Code, board members may not contract with the County if CTAC oversees the contract, nor may they lobby CTAC on behalf of a third party.
13-55	(e)(1) RQO 02-46	Jean Olin, Private Attorney representing	A discount provided by the Florida Panthers solely to city firefighters is a reportable gift

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	RQO 07-28	the City of Miami Beach	if valued over \$100, but a discount made available to the public generally does not constitute a reportable gift. A discount to the general public indicates a sales/marketing strategy rather than an intent to bestow a gift.
13-56	(t) RQO 10-13	Thomas Pepe, City Attorney, City of South Miami	The Cone of Silence does not prohibit communications between a city employee not covered by the Cone and a citizen who is not connected to the bid or to the city once the bid process has been closed and the matter has been sent to a selection committee.
13-57	(j), (g), (c)(2), (o) RQO 12-11	Ana Finol, Capital Improvements Manager, Parks Dept.	A County employee should be denied permission to engage in outside employment as a “qualifier” for a private construction company seeking to do business with the County because the employee would be required to conduct outside employment during regular business hours. Additionally, the employment is similar to the work she does for the County and could, therefore, cause conflicts of interest.
13-58	(g) RQO 11-02	Nelson Hincapie, Member, Children’s Trust Board	A board member who is seeking to become employed by the board as its CEO should resign from the board in order to avoid a perception that he is using his current board position to gain a special advantage in the selection process.
13-59	(j) RQO 12-11	Richard Kuper, Outside Bond Counsel, City of Miami	An outside bond counsel who is under the direct supervision of the city attorney has conflicting employment to serve on the city’s selection committee to choose a new city attorney because the bond counsel would be voting on a matter that would directly affect his city employment contract.
13-60	(q)(1) RQO 12-09	Jim Loftus, Former Director, Miami-Dade Police Dept.	A former County director may work for a private company with a contract with the County as long as he does not lobby the County for 2 years following his departure from County employment.
13-61	<i>directed to Fla. Stat. 112.3135(2)(a)</i>	Regine Monestime, City Attorney, City of North Miami	Under the state anti-nepotism statute, a city mayor and councilmembers may not appoint spouses, domestic partners, or family members to serve on city boards or on a nonprofit organization established and controlled by the city.
13-62	(d) RQO 11-27	Juan Zapata, County Commissioner, District # 11	A County Commissioner with business relationships with H.J. Ross and TY Lin (former subcontractors to Odebrecht

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			International) may vote on awarding a contract where Odebrecht is a bidder because the Commissioner has no relationships with Odebrecht or any other bidders and H.J. Ross and TY Lin are no longer associated with Odebrecht.
13-63	<i>directed to Fla. Stat. 286</i>	Griselia Digiaco, Vice-Mayor, Town of Medley	A vice-mayor who wishes to invite the public as well as other members of her town council to a meeting to discuss matters important to the town must comply with the Florida Sunshine Law, which requires that a public meeting be open to the public, reasonable notice of the meeting be given, and minutes of the meeting be taken.
13-64	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District # 6	A County Commissioner who is employed by the School Board may vote on a matter affecting land owned by the School Board and leased to the County because the Commissioner's position with the School Board is not connected to the land transaction, the Commissioner will not be affected in a manner distinct from the public generally by the vote, and she will not, directly or indirectly, profit or be enhanced by the vote.
13-65	(t) RQO 10-13	Thomas Pepe, City Attorney, City of South Miami	The Cone of Silence is not violated for duly noticed site visits to determine the competency of bidders and when citizens provide input at duly noticed public meetings.
13-66	<i>directed to County Code at Sec. 2-11</i>	James DiBernardo, Part-time worker for County Commissioner Javier Souto, District # 10	Only full-time employees are required to obtain permission to engage in outside employment. Part-time employees need not obtain permission.
13-67	(c)(2), (d), (m)(1) RQO 00-13	Elizabeth Davis, RN, JMH & Gregory Davis, Correctional Sergeant, Corrections & Rehabilitation Dept.	County employees may contract with the County through their privately owned nursing agency, but they may not contract with the departments that employ them and they may not lobby the County for the contract.
13-68	(c)(2), (d), (m)(1) RQO 00-13	Angela Kemp, Correctional Sergeant, Corrections & Rehabilitation Dept.	A County employee may contract with the County through her privately owned party supply company, but she may not contract with the department that employs her and her husband, and neither she nor her husband may lobby the County for the contract.
13-69	--	Alisa Caballero, Quality & Assurance Officer, Public Housing & Community Development (PHCD)	The spouse of a PHCD employee has no ethics conflicts to work as a subcontractor on the rehabilitation of a public housing building because the PHCD, having

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			contracted with a third party to supervise and manage all aspects of the rehabilitation, is not directly involved in the rehabilitation.
13-70	(e)(2)(f) RQO 06-05	Juan Zapata, County Commissioner, District #11	A County Commissioner may use his elected position to solicit contributions to a Public Improvement Trust Fund as long as the money is used solely to fund County infrastructure projects that do not inure to anyone's private or political benefit. Further, the Commissioner should avoid any appearance that contributions to the fund would influence official decisions that could benefit the contributors.
13-71	(m)(1) RQO 12-10	Julio Mena, Pipeline Unit Supervisor, WASD	In anticipation of his imminent retirement, a County employee may attend the Trades Qualifying Board meeting to request that his General Engineering License be reactivated as long as he appears in his personal capacity, not on behalf of a third person seeking a benefit from the board.
13-72	(j) RQO 12-07	Michael Sarasti, Customer Service Advocate, Community Information & Outreach Dept.	A Customer Service Advocate for the Community Information & Outreach Dept. (CIAO), who does not perform any graphic design functions for CIAO, does not have conflicting outside employment if he works part-time as a graphic designer on special projects at JMH.
13-73	2-1074 (y) RQO 98-02	Art Tillberg, Chief, Construction Manager, Seaport	The COE may not opine to a Seaport manager as to whether a former Seaport employee violated the Ethics Code when preparing a bid estimate because an ethics opinion cannot be given to any person other than the one whose prospective behavior is in question.
13-74	(q), (h) RQO 12-09	Eve Boutsis, Esq., on behalf Shaw Environmental, Inc.	A subcontractor on a Port project may hire a former Port employee, but the employee may not lobby the County for 2 years following his departure from County employment and he may not use confidential information obtained while a County employee to benefit himself or others.
13-75	<i>directed to Jennings Rule (Jennings v. Dade County, 589 So.2d 1337 (1991))</i>	Toufic Zakharia, Community Council Member, District #10	The Jennings Rule might be violated if a Community Council member were to serve on a neighborhood homeowners association and he spoke with individuals in the association about zoning matters outside of a quasi-judicial zoning hearing.
13-76	(i) RQO 09-42	Carolina Lopez, Special Projects Administrator 2, Elections Dept.	Individuals who served on the Citizens' Transportation Advisory Committee (CTAC) prior to its repeal on Sept. 16, 2012, were

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			responsible for disclosing the financial interests that they held prior to the repeal date.
13-77	(i) RQO 13-01	Michelle Cerrato-Dominguez, Director of Administration, Coalition for the Homeless	Proxy board members for the Homeless Trust must file financial disclosure forms for the years during which they were able to participate—even if they did not actually participate that year.
13-78	<i>directed to</i> Fla. Stat., Chapter 104	Jim Llewellyn, Citizen, Miami Springs	The County Ethics Code (and state election laws) are not violated if a candidate prints a form on which voters can request an absentee ballot, states on the form that it be returned to his campaign address, and distributes the form as part of his political campaign as long as the campaign form contains the same information as the official government form. The prohibition against collecting absentee ballots from voters does not apply to absentee ballot request forms.
13-79	(c)(2), (d), (m)(1) RQO 00-13	Randy Mosley, Correctional Officer, Corrections & Rehabilitation Dept. <i>and</i> Michelle Fletcher, Park Manager, Parks & Rec Dept.	County employees may contract with the County through their privately owned catering company, but they may not contract with the departments that employ them and they may not lobby the County for the contract.
13-80	(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 dissolve the Homestead Educational Facilities Benefit District, which funds educational facilities in the Homestead area, because she will not be affected by the vote in a way distinct from the public generally.
13-81	<i>directed to</i> Fla. Stat. 106.15(4)	Regine Monestime, City Attorney, City of North Miami	A city may co-sponsor a candidates' forum in a city-owned building without violating the County Ethics Code, but candidates may not solicit or accept campaign contributions in a public building.
13-82	--	Gerardo Gonzalez- Quevedo, President, Artspace MAGQ, LLC	The spouse of a Public School employee does not violate the County Ethics Code if he enters into contracts with the County because a Public School employee is not a County employee subject to the County Ethics Code.
13-83	(b)(13) RQO 07-59	Jean Olin, Outside Counsel, City of Miami Beach	A hearing officer or special master, as a contract worker, is not subject to the County Ethics Code unless designated as such by the City Manager pursuant to the County Code at Sec. 2-11.1 (b)(13).

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13-84	(s) RQO 08-22	Barry Miller, Architect, Savino & Miller Design Studio	The lobbyist ordinance applies to architects who attempt to influence official County decisions outside of quasi-judicial proceedings.
13-85	(m)(2) RQO 07-39	Rosa de la Camara, Esq., Board Member, Annexation Task Force	An attorney who serves on the Annexation Task Force may not appear before the Task Force to represent third parties, but attorneys with the law firm she works for may appear before the Board of County Commissioners on matters related to annexation.
13-86	(j) RQO 07-35	Lenora Allen-Johnson, Contracts Administrator, Aviation Dept.	A private citizen has a conflict to serve on a County selection committee because he has a current contractual relationship with one of the bidders whom the selection committee will be evaluating.
13-87	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District #9	A County Commissioner who is employed by the School Board may vote on a lease agreement between the School Board and the County because the Commissioner will not be affected in a manner distinct from the public generally and she will not, directly or indirectly, profit or be enhanced by the vote.
13-88	(j) RQO 12-11	Lazaro Solis, Deputy Property Appraiser, Property Appraiser's Office	In order to avoid conflicts between duties to the County as the second in charge of the Property Appraiser's Office and duties to a private employer, the Deputy Property Appraiser was advised to decline outside employment as a consultant with a Colombian company developing IT programs to be used in searching property tax rolls.
13-89	<i>directed to Fla. Stat. 112.3135</i>	Beverly Hall, Senior Human Resources Manager, ISD	The County's anti-nepotism policy prohibits one County employee from advancing or promoting a relative, but a County employee may supervise a domestic partner because the County policy, which is based on the state anti-nepotism statute, does not include "domestic partner" in the definition of "relative."
13-90	City of South Miami Code at Sec. 8A- 1(b)(3)	Thomas Pepe, City Attorney, South Miami	Because the city of South Miami considers the South Miami CRA to be a city agency, a planning board member may not enter into a contract with the South Miami CRA, as per the City Code.
13-91	(t)1. RQO 10-13	Thomas Pepe, City Attorney, South Miami	The Cone of Silence goes into effect at the time an RFP, RFQ, or some form of a bid is first announced, but the Cone does not apply to advertising and contracting for the position of city manager.

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13-92	(d) RQO 06-64	Susan Guasch, Councilperson, Medley	A councilperson must not vote on a proposed alternative code enforcement system in her town when her spouse, who is the town's Director of Code Enforcement, will be directly affected by the vote.
13-93	(v), (m)(2) RQO 06-52	Mitch Bierman, Town Attorney, Cutler Bay	A town attorney who serves on the Annexation Task Force may not vote on matters directly affecting the town that employs him and may not appear before the Task Force to represent third parties, but attorneys with the law firm he works for may appear before the Board of County Commissioners on matters related to annexation.
13-94	<i>directed to</i> 48 CFR § 9.5 (2013)	Bruce Libhaber, Assistant County Attorney, CAO	An unsuccessful bidder in an earlier Transit contract is not prohibited from bidding on a subsequent Transit contract, which would require him to audit his earlier competitor, because an organizational conflict of interest is avoided when one County contractor independently monitors the work of another County contractor.
13-95	<i>directed to</i> Sunshine Law at Fla. Stat. 286.011	Esteban Bovo, County Commissioner, District #13	A County Commissioner may engage in private meetings with a single member of the Miami-Dade Expressway Authority Board to discuss public business, provided that no other member of either board is present, no delegation of authority by either board has been given to its member to engage in such a discussion, and neither the Commissioner nor the other board member is acting as a liaison to provide information privately to another member of his or her respective board.
13-96	(w) RQO 05-110	Diana Salinas, Chief Compliance Officer, JMH	A JMH employee may attend a forum indirectly subsidized by County vendors as long as she has the approval of her supervisor to be absent from her job and <i>she pays for her own travel expenses</i> , which include, but are not limited to, transportation, lodging, meals, registration fees, and incidentals.
13-97	<i>directed to</i> Public Records Act at Fla. Stat. 119 et seq.	Griselia Digiacomio, Vice Mayor, Medley	Public records, such as town ordinances that do not contain exempt confidential information, need not be reviewed by the town attorney prior to public distribution.
13-98	(i) RQO 11-07	Carolina Lopez, Special Projects Administrator 2, Elections Department	A cover letter that will be sent to individuals required to file financial disclosure forms, as per the County Code, accurately reflects that any one of three types of forms satisfies

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
			the requirement—County Disclosure Form, State Form 1, or federal income tax return.
13-99	(t)1(c)(i) RQO 10-13	Michael Pizzi, Town Attorney, Medley	Under the Cone of Silence, oral communications are allowed between a potential bidder on a town contract and the Town Council at duly noticed public meetings. An individual Town Councilmember is specifically prohibited from communicating with town staff about the RFP but may engage in oral conversations with the Town Attorney.
13-100	(j) RQO 09-16	Rolando Aedo, employee of Greater Miami Convention and Visitors Bureau (GMCVB) and a Aviation selection committee member	A selection committee member does not have a conflict to evaluate bidders to manage a hotel at the airport even though one of the bidders is a member of the GMCVB, a nonprofit organization that employs him. Because membership rolls account for less than 5% of the GMCVB's overall budget and have a <i>de minimis</i> impact on the committee member's salary, his personal and financial interests are not affected by membership numbers in the GMCVB.
13-101	(w) RQO 05-110	Hyde Webb, Manager, Business Development, Port of Miami	Due to the ban on accepting travel expenses from County contractors, County managers at the Seaport may not accept complimentary cruises from Norwegian Cruise Line, which is a County contractor. If participation in the cruise serves a public purpose, the managers may apply for a waiver of this prohibition from the County Commission. Alternatively, they may request that the County pay for the cruises or pay for the cruises themselves.
13-102	(v), (m)(2) RQO 06-52	Thomas Pepe, City Attorney, South Miami	A city of South Miami CRA member may vote to approve a grant to a nonprofit organization where she volunteers, but she may not appear before the CRA (the board on which she serves) to seek any benefit on behalf of the nonprofit.
13-103	(i) RQO 11-07	Carolina Lopez, Special Projects Administrator, Elections	Because employees of the Housing Finance Authority (HFA) are independent employees of the HFA (having separated from County employment in 2011), they are not required to file financial disclosure forms.
13-104	--	Alberto Parodi, Teacher, School Board	School board employees may contract with the County without an ethics opinion from the Ethics Commission because the jurisdiction of the Ethics Commission does not extend to School Board employees.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-105	(g) RQO 04-04	Bettina Rodriguez Aguilera, Vice Mayor, Doral	A vice mayor may operate her private business as a seminar speaker in the city in which she serves as vice mayor as long as she does not use her official position to obtain sponsorships not generally available to others doing business in the city.
13-106	<i>no jurisdiction</i>	Marlinis Smart, Former Paramedic, Miami Beach	The Ethics Commission does not have jurisdiction to address a City of Miami Beach whistleblower retaliation issue because the County whistleblower protection ordinance has not been adopted by the city.
13-107	(e)(2)(g) RQO 06-05	Kelly Reid, Council Member, Bay Harbor Islands	A council member may solicit donations on behalf of the Police Athletic League (PAL), a 501(c)(3) organization. Although the council member has received payments in the past from PAL, she does not presently receive any compensation from PAL and does not intend to do so while serving as a council member.
13-108	(c)(3) RQO 06-52	Sandy Lighterman, Liaison, Film and Entertainment Commission, Regulatory & Economic Resources	A member of the Film and Entertainment Commission (FEC) cannot enter into a contract with the FEC to jointly sponsor and share in the proceeds of an FEC fundraising event to be held at the member's nightclub.
13-109	(j) RQO 09-16	Roberto Suarez, County Hearing Officer, Clerk of the Courts, and Member of Community Council #10	A part-time County Hearing Officer does not have conflicting employment to serve as an appointed member of Community Council #10.
13-110	(w) RQO 05-110	Manny Gonzalez, Chief, Business Ventures, Aviation Dept.	A County employee may accept two round-trip airline tickets from a nonprofit trade association that is not a County contractor. A County contractor, Avianca Airlines, donated the airline tickets to the nonprofit entity, which maintained exclusive control and possession of the tickets until the employee won them directly from the nonprofit in a raffle. County employment was of no significance for participating in the raffle, and the County contractor, Avianca, did not intend to provide any benefit to a County employee with the donation to the nonprofit organization.
13-111	<i>directed to City Rules of Procedure</i>	Griselia Digiacomio, Vice Mayor, Medley	The Ethics Code does not address whether a city mayor has authority to remove an item from the agenda of an upcoming city council meeting.
13-112	(t)1.(c) RQO 10-13	Gerald Sanchez, Assistant County Attorney, on behalf of the Aviation	During the time that the Cone of Silence is in effect, the Aviation Director may communicate orally with FIU, a potential

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
		Dept.	bidder who has not yet submitted a proposal pursuant to an RFP, as long as the communication takes place at a duly noticed public meeting.
13-113	<i>directed to</i> § 2-11 (c)	Nicole Ewan, Assistant City Clerk, City of Miami	A municipality may utilize its own outside employment approval form instead of one available from the County because the County does not prescribe a particular form to be used.
13-114	(e)(2)(e) RQO 05-119	Larry J. Cameron, Director of Operations, Medical Examiner Dept.	An employee of the County Medical Examiner Dept. may accept the gift of 2 body lifts on behalf of the County that will be used at the County morgue as long as no favorable action is expected, promised, or implied in return.
13-115	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District #9	A County Commissioner who is employed by the School Board may vote on a lease agreement between the School Board and the County to permit walkway improvements on land owned by the School Board and located within the Commissioner's district because the Commissioner will not be affected in a manner distinct from the public generally and she will not, directly or indirectly, profit or be enhanced by the vote.
13-116	(j) RQO 98-09	Oriol Haage, Trainer, Regulatory & Economic Resources	A County trainer (who is not considered an "officer" under state law) may volunteer as a member of the Broward Board of Rules and Appeals because his volunteer activities in Broward County are unlikely to impair his independence of judgment in the performance of his public duties on behalf of Miami-Dade County.
13-117	(v), (n), (o) RQO 11-28	Eve Boutsis, Village Attorney, Palmetto Bay	Developers may serve on a village task force that will make general recommendations about an overall vision for a downtown area, but they may encounter future conflicts if they bid on construction projects resulting from more specific recommendations made by the task force.
13-118	<i>directed to</i> Sunshine Law at Fla. Stat. 286.011	Thomas Pepe, City Attorney, South Miami	A successful bidder may meet individually with members of the CRA to seek their preferences about a building design, as long as the bidder does not act as a liaison between the CRA members and does not reveal the communications he has had with other CRA members.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-119	(c)(1) RQO 06-38	Juan Zapata, County Commissioner, District # 11	A County Commissioner may donate office space, owned by him, for use by his County staff until his permanent County office is available. Because the Commissioner is not receiving any financial or other benefit, the donation does not constitute transacting business with the County, which would be prohibited under the County Code.
13-120	(e)(3), (w) RQO 02-46 RQO 05-110	Alvaro Muniz, Aide, County Commissioner Juan Zapata, District #11	A County employee is allowed to attend a local reception, with refreshments valued at \$50 and hosted by Microsoft, a County vendor, as long as the gift is not part of travel expenses and is not given with the expectation that a special benefit from the County will be given in return.
13-121	(t)1.(a) RQO 01-56	Jeanette Lebrecht, Administrator, AFSCME	AFSCME union members are not considered professional staff under the Cone of Silence provision of the County Ethics Code, which prohibits oral communications regarding an RFP, RFQ, or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and the County's professional staff.
13-122	(k)(2) RQO 06-48	Joaquin S. Vila, Detective, Miami-Dade Police Department	A County employee who owns 5 rental properties must request permission to engage in outside employment on a yearly basis from his/her department director. Once permission is obtained, the employee must file yearly income statements related to outside employment with the Elections Dept.
13-123	(t)1.(a), (t)1.(c)(i) RQO 10-13	Thomas Pepe, City Attorney, South Miami	A city manager may not sit on a city selection committee because the Cone of Silence specifically prohibits oral communications between the city manager and selection committee members while the Cone is in effect.
13-124	(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 changes to the Community Development Master Plan Educational Element because the outcome of the vote does not directly or indirectly affect the Commissioner, her district, her school department, or program.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-125	(c)(2), (d) RQO 03-156	Gustavo Placencia, Physician, Public Health Trust (PHT)	A PHT physician is prohibited from renting office space to the PHT where the property is owned by a corporation that the physician and his spouse own jointly. The County Ethics Code prohibits the physician from entering into any contract with the PHT, directly or indirectly, through a business entity in which he or his spouse has a controlling financial interest.
13-126	(i) C 08-19	Sandra Hernandez, Office Manager, Miami Dade County Sports Commission	Members of the Miami Dade Sports Commission are subject to the Miami Dade County Ethics Code and are required to file annual financial disclosure forms.
13-127	(c)(2), (d) RQO 03-156	Stephen J. Clifford, Potential employee, Public Health Trust (PHT)	A physician who is considering joining Jackson Health Services and the PHT would be prohibited from renting office space to the PHT if he were to be employed by the PHT. The County Ethics Code prohibits the physician from entering into any contract with the PHT, directly or indirectly, through a business entity in which he or his spouse has a controlling financial interest.
13-128	--	Gino R. Santorio, Vice President, Ambulatory Care Services & Operations, Jackson Health Services (JHS)	No <i>per se</i> violation occurs where a Vice President at JHS also serves as a volunteer board member for Avery Teach & Co. (ATC), which intends to contract with JHS to promote and schedule lectures given by JHS employees. ATC is owned by the VP's half-brother, and the County Ethics code does not apply to siblings. However, an appearance of impropriety could arise under these facts, which should be considered before going forward with the contract.
13-129	--	Carlos M. Flores, County Vendor, CMF International Group, Inc.	Nothing in the County Ethics Code prohibits the owner of an architectural firm that does business with the County from simultaneously serving as a County Hearing Officer for Code Enforcement, where there is no foreseeable nexus between the two entities.
13-130	(b) (2),(b)(13) PHT Resolution 08/07-067 RQO 06-46	Gino R. Santorio, Vice President, Ambulatory Care Services & Operations Jackson Health Services (JHS)	The County Ethics Code does not apply to contractor-physicians contracting with the Public Health Trust (PHT) because contractor-physicians are not considered employees of the PHT or JHS, nor are they designated as "contract staff" covered by certain provisions of the County Ethics Code.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-131	<i>directed to</i> League of Cities or International City/County Management Association	Alex Rey, Town Manager, Miami Lakes	The County Ethics Code does not address the issue of whether the Building Director and Building Official of the Town of Miami Lakes may oversee independent contractors on vertical construction projects on behalf of the town.
13-132	RQO 12-64 RQO 10-08 <i>also directed to</i> AO 7-1	Alan R. Cominsky, Division Chief, Fire Prevention Division, M-D Fire Rescue Dept.	County fire investigators should be denied permission to engage in outside employment as private fire investigators for private insurance companies and law firms because these private entities are likely to appear before the County on matters related to fire investigations.
13-133	(q) RQO 12-09	Felix Valdes, Former Construction Manager, M-D County	A former County employee is barred for 2 years from lobbying the County on behalf of his current employer, V Engineering and Consulting Corp. However, the former County employee may perform routine or ministerial activities at the County level on behalf of his new employer.
13-134	(d) RQO 06-64	Rebeca Sosa, County Commissioner, District 6	A County Commissioner who is an employee of the School Board may vote on a resolution to partner with the public schools to include animal education as part of the elementary school curriculum because the outcome of the vote does not directly or indirectly affect the Commissioner, her district, her school department, or program.
13-135	(e)(2)(e) (e)(2)(f) RQO 06-05	Barbara Kramer, Councilwoman, City of North Miami Beach	City staff and city elected officials may solicit gifts on behalf of the city if the gifts are used by the city to conduct its official business. However, the Ethics Code prohibits exploiting one's official position in the solicitation, and no <i>quid pro quo</i> arrangement can be implied.
13-136	(c)(2) RQO 00-13	Damien Adams, Supervisor, Community Action and Human Services Dept. (CAHSD)	A supervisor with CAHSD may submit tax deed applications and subsequently purchase real estate from the County under tax certificate sales because he would not be contracting with his own department.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-137	-- RQO 13-03	Michael Causley, President, M.T. Causley, Inc., and MTCI Private Provider Services, LLC	The COE does not jurisdiction over organizational conflicts, such as when two companies owned by the same owner provide both support staff to a local building department and engineers to private developers who appear before the same building department, unless jurisdiction is provided in a contract or by designation by the mayor pursuant to Sec. 2-11.1 (c)(13) of the County Code.
13-138	(t)1(a) RQO 10-23	Barbara Golphin, Grants Coordinator, Homeless Trust (HT)	The Cone of Silence prevents a proposer seeking a public relations contract from speaking with County professional staff, including staff at the Community Information and Outreach Dept. (CIAO), to discuss how to include the CIAO in the proposer's plan to provide public relations services.
13-139	(e)(2)(e) RQO 02-46	Mirta Lopez Cardoso, IT Contracts & Procurement Officer, ITD	Free technical training provided locally to County employees by Microsoft does not violate the Ethics Code because the training, although given by a County vendor, is being provided locally and will be used solely by the County employees in the performance of their official duties and in furtherance of official County business.
13-140	<i>directed to</i> Fla. Stat. 112.3145(1)(a))	Denise Covington, Board Member, South Miami CRA	An individual serving as an unpaid volunteer for a nonprofit entity does not have a business interest in the nonprofit, and consequently, has no prohibited relationship with the nonprofit if the nonprofit comes before the board seeking a benefit.
13-141	(i)(1) RQO 13-01	Shania Moore, Lead Worker, Office Operations, Clerk of the Board Division	Because the Climate Advisory Board (CAB) was in existence until 7/27/11, its members must file financial disclosure forms for 2011 even if the CAB did not meet during that year.
13-142	(i)(1) RQO 04-198	Maggie Olano Administrative Board Secretary, Homeless Trust	County Board Members must file financial disclosure statements; they satisfy the requirement by submitting a County "Statement of Income" form, a State Form 1 "Statement of Financial Interest," or a federal income tax return for the year they are disclosing.
13-143	<i>directed to</i> Uniformed Services & Reemploy- ment Rights Act (USERRA)	Cecilia Brewer-McDuffie, Chief of Human Resources, WASD	Whether a WASD employee who is in the military reserves is required to complete an outside employment request form is covered under USERRA. This federal law supersedes the County Ethics Code.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-144	(g) RQO 11-18	Shanda Mazzorana, Personnel Manager, ITD	IT employees who participate in a vendor's case study (<i>i.e.</i> , "marketing study") may violate the Ethics Code if they exploit County resources to secure special benefits for the vendor. IT staff is cautioned to avoid excessive use of County resources for any project that may not serve a public purpose.
13-145	(t)1(a) RQO 09-06	Michael Pizzi, Town Attorney, Town of Medley	While the Cone of Silence is in effect, the Town Mayor may not serve on the Selection Committee that evaluates and recommends vendor-applicants and then, subsequently, vote as part of the Town Council on the recommendation made by the Selection Committee.
13-146	(j),(k) RQO 08-45	Maurice Jenkins, Division Director, Information Systems & Telecommunications, Aviation Dept.	A County employee who provides private consulting and advisory services to entities outside of the County must obtain written permission from his or her supervisor to engage in outside employment.
13-147	(e)(2)(e), (w) RQO 02-46 RQO 05-12	Belkys Casas-Perez, Executive Secretary, ITD	An IT employee may accept a registration fee donated by the IT Financial Management Association (ITFA) because ITFA is not a County vendor, but rather an association to which the County belongs. The fee is not a gift to the employee because he will attend the conference in the performance of his official duties and in furtherance of official County business.
13-148	(d), (g) RQO 06-64 RQO 11-18	Regine Monestine, City Attorney, North Miami	A city mayor, formerly employed by Oleta Partners (OP), does not have a <i>per se</i> conflict to vote on matters related to OP because the mayor has no current business relationship with OP. However, in order to avoid an appearance of impropriety and preserve the public trust, the mayor should abstain from voting on matters involving OP.
13-149	(c),(d),(g) RQO 06-64 RQO 11-18	Nyxlie Machado, Registered Nurse, Jackson Memorial Hospital (JMH), and President, JD Distributors Automotive Supplies, Inc. (JDAS)	A nurse employed by JMH who is also 100% owner of JDAS may register as a vendor with County as long as JDAS does not contract with JMH; JDAS is not supervised by the nurse; the nurse does not use her position at JMH to secure special privileges or exemptions for JDAS; and registering as a County vendor does not conflict with other JMH policies.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-150	<i>directed to</i> Sunshine Law at Fla. Stat. 286.011	Michelle Dunaj, Miami Dade Commission for Women	The County Ethics Code does not address possible violations of a Board's By-Laws or whether two board members violated the Florida Sunshine Law when they met privately subsequent to a vote of the Board.
13-151	(t)(1)(a) RQO 10-23	Michael Pizzi, Town Attorney, Town of Medley	Members of the Medley Town Council may attend a public meeting of a Selection Committee during the time that the Cone of Silence is in effect as long as the meeting is a properly noticed public meeting.
13-152	--	Kim Lumpkin, Chair, Friends of the Oleta River/Save Greynolds Park Committee	The County Code of Ethics does not address whether and to what extent it is appropriate for paid lobbyists to also involve themselves in the campaigns of those whom they lobby.
13-153	(e)(2)(a) <i>also directed to</i> Fla. Stats. 106.07 and 838.015	Hector Roos Citizen	A city or County Commissioner may accept campaign contributions from someone with business before the commission on which he/she sits, provided there is no <i>quid pro quo</i> intended to influence any official action.
13-154	S. Miami Code at Sec. 8A-1(b), (d), (f), (l), (v)	Thomas Pepe, City Attorney, City of South Miami	A City of South Miami Planning Board member may serve on the board at the same time that his employer has a contract with the city as long as the board member has less than a 10% financial interest in the company, he will not appear before the city on behalf of his employer, he will not vote on matters directly affecting his employer, and he discloses his business relationship on a sworn statement.
13-155	(c)(4), (d) RQO 11-29	Diana Susi, Pres. & CEO, AYUDA, a nonprofit entity	A nonprofit organization that receives a grant from the County and agrees to abide by the County Ethics Code may not enter into a rental contract with one of its employees unless the prohibition is waived by a 2/3 vote of the Board of Directors of the nonprofit.
13-156	(c)(2), (d) RQO 00-13	Fosie Joseph-Norton, spouse of County employee, Melvin Norton, Supervisor, Transit Dept.	The spouse of a County employee may contract with the County to provide special events planning services, but she may not contract with the Transit Dept., which employs her spouse.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-157	(j) RQO 12-64 RQO 10-08 <i>also directed to</i> AO 7-1	Darren Altarac, Lieutenant, M-D Fire Rescue Dept.	A County fire investigator may have conflicting outside employment as a private fire investigator for private insurance companies and law firms because these private entities are likely to appear before the County on matters related to fire investigations.
13-158	(c)(2), (d), (g), (m)(1) RQO 00-13	Alejandro Delgado, Lieutenant, M-D Fire Rescue Dept.	A County fire lieutenant's part-time employment with a nonprofit youth baseball organization does not prevent the nonprofit from obtaining permits from the County Parks Dept. as long as the fire lieutenant does not appear before the County on behalf of the nonprofit or in any other way exploit his official position with the County to benefit the nonprofit.
13-159	(i) RQO 08-29	Leila Zinati, HR Manager, M-D Police Dept.	A County employee who has made a financial investment in a family business, but does not provide any personal services to the business that are customarily compensated, is not engaged in outside employment and does not have to file outside employment disclosure forms.
13-160	(w) RQO 05-110	Belkys Casas-Perez, Executive Secretary, ITD	A County employee may not accept reimbursement for travel expenses from IBM, a County vendor, to attend a conference in Boston, unless the prohibition is waived by the BCC.
13-161	(w) RQO 05-110	Juan Kuryla, Director Designee, Seaport	County employees are prohibited from accepting travel-related expenses from a County contractor. Prohibited travel-related expenses include free trips to Bimini from the Bimini Superfast Operations because the company has a County contract at the Seaport.
13-162	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District 6	A County Commissioner employed by the School Board may vote on matters involving public school students (specifically, programs to prevent childhood obesity and foster talent development) because the Commissioner will not, directly or indirectly, benefit from or be enhanced by the programs.
13-163	<i>directed to</i> Fla. Stat. 102.168	Kevin Burns, former Mayor and Mayoral Candidate, North Miami	A candidate for municipal office may accept campaign contributions intended to be used for legal expenses as long as all requirements associated with campaign contributions under state law are followed.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-164	(w) RQO 05-110	Shanda Mazzorana, Personnel Manager, ITD	A County employee who has volunteered to make a presentation at a conference in San Francisco sponsored by Oracle, a County vendor, may accept a complimentary pass from Oracle to enter the event because free passes are customarily given to volunteer speakers. As per the County Ethics Code, Oracle is not providing transportation, hotel, or other travel-related expenses.
13-165	(d) RQO 07-10	Thomas Pepe, City Attorney, South Miami	A member of a CRA that is within the jurisdiction of the County Ethics Commission cannot vote to fund a nonprofit organization where she serves as an officer because the "officer" relationship creates a <i>per se</i> voting conflict.
13-166	(s)(2)(d) RQO 04-07	Fred Menachem, FJM Consulting Group, County lobbyist	A person who registers as a County lobbyist must take the lobbyist ethics training course within 60 days of registering, even if he has not yet lobbied in the County.
13-167	(s)(2)(d) & (s)(4) RQO 04-07	Constance Collins, Director, Lotus House, a 501(c)(3)	A person who lobbies the County as an unpaid volunteer on behalf of a nonprofit organization must register to lobby but is not required to pay the lobbyist registration fee. Notwithstanding this exemption, the person must take the lobbyist ethics training course within 60 days of registering and pay the \$100 fee for the course.
13-168	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District 6	A County Commissioner employed by the School Board may vote on matters involving a partnership with the County to develop magnet schools because she will not, directly or indirectly, benefit from or be enhanced by the partnership arrangement.
13-169	(i) RQO 11-07	Carolina Lopez, Special Projects Administrator 2, Elections Dept.	A County board member must attest with his own signature (not through the signature of his executive assistant) that the financial disclosure form he is submitting is true and correct.
13-170	--	Jose Goyanes, Member, Board of Directors, Miami Downtown Development Authority (DDA)	Matters related to setting the DDA agenda are addressed by Robert's Rules of Order and beyond the jurisdiction of the County Ethics Commission.
13-171	(s)(2)(d) RQO 04-07	Ira Smelkinson, Skadde, Arps, Slate et al, County Lobbyist	A lobbyists who registers with the County but withdraws before appearing before the County is not required to take the lobbyist ethics course.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-172	(w), (e)(4) RQO 05-110	Amos C. Roundtree, Director, Purchasing Division, ISD	If a conference “organizer” is not a County contractor, County employees may accept travel expenses that include hotel and food reimbursement and \$300 flight refund to Scottsdale, AZ, from the “organizer.” The expenses must be disclosed as gifts. (Procurement employees are prohibited from accepting any gifts as per internal department policy.)
13-173	(q) RQO 08-26	Joaquin de Cueto, former member of the Financial Recovery Board, Public Health Trust	A former member of the Financial Recovery Board may contract with medical schools to supervise students engaged in clinical education at Jackson Memorial Hospital (JMH), as long as he does not lobby JMH on behalf of the schools or his private management company.
13-174	(s)(1)(b) & (s)(2) RQO 04-07	Thomas Pepe, City Attorney, City of South Miami	A city with a less stringent lobbyist ordinance than the County’s must follow the County’s lobbyist ordinance that requires a person to register as a lobbyist if he represents an individual who is seeking to encourage the passage or denial of an application, even if the representative is not being compensated in cash or in kind.
13-175	(g) C 09-13	Lucia Davis-Raiford, Director, Community Action & Human Services Department (CAHSD)	An immediate family member of a CAHSD employee may receive social services offered by CAHSD, as long as the family member is eligible to receive these benefits and the employee has not used her official position to obtain special assistance that is not available to others similarly situated.
13-176	(q) RQO 06-54	Theresa Fiano, Grants Coordinator, OMB	A former County employee who is now a paid consultant for a 501(c)(3) nonprofit organization may lobby the County because of the exemption created under the two-year post-employment ban.
13-177	(e)(3) RQO 02-46	Barbara Kramer, City Commissioner, City of North Miami Beach	As long as no <i>quid pro quo</i> arrangement is intended or implied, the husband of a city commissioner may sell products that clean polluted land to the owners of a Brownfield site that was recently designated as such by the city. The city does not own the property nor does the city have any contractual relationship with the owners of the property.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-178	(f), (m)(1) RQO 00-13	Charles Dinkins, Administrative Officer 3, Public Works Waste Management <i>and</i> President & CEO, Hosanna Community Foundation, Inc. (HCF)	A County employee may not appear before any department in the County seeking a benefit for a nonprofit organization with which he is associated (and which has recently received a \$20,000 County grant). Additionally, because he is associated with an entity that has a legal obligation to the County through the award of the grant, he must file a sworn statement disclosing his work affiliation with the nonprofit entity with the Clerk of the Board.
13-179	(q) RQO 12-09	Dorian Valdes, former Assistant Director, Seaport & current County Seaport contractor	A former County employee may not lobby the County for two years following his retirement from the County.
13-180	(s)(2)(d) RQO 04-07	P. Scott Cunningham, Director, University of Wynwood, a nonprofit organization	A lobbyist who represents a nonprofit 501(c)(3) organization is not exempt from taking ethics training or paying the \$100 fee for the course.
13-181	(i)(1) RQO 13-01 RQO 04-198	Carmen Bofill, Financial Disclosure Coordinator, Elections Dept.	County board members are required to file financial disclosure forms by July 1st of the year following the year in which they serve—not within 30 days of appointment as per state law.
13-182	(e)(3), (g), (l) RQO 02-46	Juan Carlos Arteaga, Assistant Director, Water & Sewer Dept.	A County employee's inadvertent participation in a contractor's video presentation at a public bid conference does not create a conflict of interest for the employee as long as he has no financial interests in the contractor's company and he did not agree to the action taken by the contractor in return for a personal or financial benefit.
13-183	(g) RQO 05-06	Carol Frances Keys, Councilwoman, City of North Miami	A councilwoman does not violate the ban on exploitation of one's official position if she appoints her tenant to a quasi-judicial city board as long as the landlord-tenant relationship is an arm's length transaction made in the ordinary course of business.
13-184	<i>directed to</i> Fla. Stat. 286.011, AGO 90-3, AGO 89- 39	Connie Leon-Kreps, Mayor, City of North Bay Village	Under the Fla. Sunshine Law, North Bay Village Commissioners cannot correspond with each other outside of public meetings on matters that are likely to come before the City Commission.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-185	(w) RQO 05-110	Silvia Valles, Part-time Contract Staff Worker, Animal Services Dept.	An individual who works at a County Dept. as a staff member of a temporary agency and who is an employee of the temporary agency may accept a trip to Bimini offered by Resorts World, a County contractor. Only County officials, County employees, and contract staff designated by the Mayor are prohibited from accepting gifts involving travel from County contractors, vendors or service providers. <i>See also</i> INQ 12-86.
13-186	(d) RQO 06-64 RQO 07-12	Nelson Hernandez, Councilman, Miami Lakes	A councilman may participate and vote on awarding a city contract to a former business associate whom he has not had a business relationship with for over 1 year, as long as he will not, directly or indirectly, profit or be enhanced by the vote.
13-187	(m)(2), (v) RQO 06-52	H. Leigh Toney, Board Member, M-D Economic Advocacy Trust (MDEAT)	A board member cannot appear before her board on behalf of her employer, Miami Dade College, nor can she vote on matters involving her employer if she will be directly affected by the vote.
13-188	(i) RQO 10-25	Shania Moore, Lead Worker, M-D Clerk of the Board	Nonvoting members of the Military Affairs Board are not required to file financial disclosure forms as long as they do not perform any final, decision-making functions similar to voting members.
13-189	(s)(2)(d) RQO 04-07	Eric Bernstein, M-D Former Lobbyist for Gilead Sciences	A former employee of Gilead Sciences was not required to complete the lobbyist ethics course because he had severed employment with Gilead Sciences and withdrew as a lobbyist.
13-190	(w) RQO 04-165	Jim Heisler, Jr., Transit Safety Officer, M-D Transit	County employees cannot accept travel discounts from County contractors such as Bimini SuperFast and Norwegian Cruise Lines unless the Board of County Commissioners waives the prohibition by a majority vote in a public meeting.
13-191	(c)(2), (m)(1) RQO 12-06	Penelope Bivins, Resident Services Coordinator, M-D Public Housing	A County employee may do business with the County through her privately owned company, Signal Experts, but she may not contract with the department that employs her, and she may not appear before the County on behalf of her privately owned company.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-192	(s) RQO 04-33	Oriol Haage, Training & Certification Officer, M-D Dept. of Regulatory & Economic Resources	Private plans expeditors may be required to register as lobbyists when communicating with building inspectors or plans examiners if they are attempting to influence an official decision.
13-193	(c)(1) RQO 12-13	Bob Hohenstein, Board Member, M-D Ronald Reagan Equestrian Center Council	A board member may enter into a contract with the County on behalf of Youth Fair, a nonprofit organization he heads, because the board member does not have a financial interest, directly or indirectly, in the nonprofit organization.
13-194	(e)(1), (e)(4) RQO 02-46 RQO 07-28	Madeleine Paredes, Board Member, M-D Ronald Reagan Equestrian Center Council	A County board member who is an employee of the Greater Miami Convention & Visitors Bureau (GMCVB) attends functions as part of her employment obligation, which serves a public purpose. Consequently, events valued at over \$100 and which the employee attends solely in connection with rendering personal services to her employer are not considered gifts and need not be disclosed.
13-195	(e)(4) RQO 02-46 RQO 07-28	Thomas Pepe, City Attorney, South Miami	City employees who receive free trees valued at more than \$100 from a city commissioner must disclose the gifts of trees on a gift disclosure form.
13-196	(j) RQO 12-11	J.M. Burns, Lt. Fire Investigator, M-D Fire Investigation Bureau	A County fire investigator who transfers out of the Fire Investigations Bureau to work on a rescue or fire truck, and who will no longer conduct fire inspections for the County, will not have conflicting outside employment as a private fire investigator outside of the County.
13-197	(q) RQO 12-09	Ivor Myers, Chief, Rail/Mover Vehicle Acquisition, M-D Transit	A retired County employee may subsequently accept employment with a County vendor, but he may not lobby the County for 2 years following his County retirement.
13-198	<i>directed to</i> 48 CFR § 9.5 (2013)	Ammad Riaz, Chief, Planning Division, M-D Aviation Dept.	Lacking jurisdiction conveyed through a contract, staff advised in a nonbinding opinion that a County contractor may have an unfair advantage to bid on projects related to a road project that the contractor worked on initially where the contractor obtained information in that initial phase that is not available to other bidders.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-199	(s)(1)(b) RQO 11-26	Steven R. Davies, Retired Supervisor, Real Estate Division, Property Appraiser's Office	Immediately following his retirement, a County employee may represent taxpayers at publicly noticed quasi-judicial proceedings such as those conducted before the Miami-Dade Value Adjustment Board (VAB), but for 2 years following his retirement, he may not lobby the County, <i>i.e.</i> , make appearances in the County that are not quasi-judicial and intended to influence an official decision.
13-200	(d) RQO 06-64 RQO 07-12	Kelly Reid, Councilwoman, Bay Harbor Islands	A councilwoman whose town council also sits as a Planning & Zoning Board will have a voting conflict if she has a certain relationship with the person or entity bringing the matter before the council (<i>i.e.</i> , officer, director, partner, of counsel, consultant, employee, fiduciary, beneficiary, stockholder, bondholder, debtor, or creditor) or if she would, directly or indirectly, profit or be enhanced by the vote.
13-201	(u), (f), (w), (d) RQO 06-64 RQO 05-110 RQO 00-13	Connie Leon Kreps, Mayor, North Bay Village	A village mayor may accept employment with an affiliate of an insurance company that provides an insurance policy to the village, where the mayor's work with the affiliate and the affiliate itself have no connection to the village, as long as the mayor's employment contract is made at arm's length and disclosed. However, the mayor cannot vote on matters affecting the insurance company and its affiliate nor can she accept travel expenses from the insurance company and its affiliate.
13-202	(d) RQO 06-64	Antoaneta Apostolakos, Contracts & Grants Manager, M-D Dept. of Management & Budget (OMB)	A County Commissioner's loans to the Richmond-Perrine Optimist Club, a nonprofit organization that receives County grants and employs the Commissioner, does not violate any provisions of the County Ethics Code. However, the Commissioner may not vote on any matters directly related to his employer.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-203	(d), (m)(1) RQO 11-27	Bruno Barreiro, County Commissioner, District # 5	Since the company's relationship will not differ from other similarly situated consumers of the County's water & sewer services, no prohibited conflict of interest is created for a County Commissioner when IUSA Group, a company that the Commissioner has a business association with, establishes an account with the M-D Water & Sewer Dept., as long as the Commissioner does not vote on matters or appear on behalf of IUSA.
13-204	(i) RQO 09-42	Maggie Olano, Administrative Board Secretary, M-D Homeless Trust	A member of a County board who files financial disclosure statements based on her employment with the State of Florida satisfies the County requirement for the years she filed under State law.
13-205	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District # 9	A County Commissioner who is employed by the School Board may vote on an agreement between the School Board and the County to provide Inspector General Services by the County to the School Board because the Commissioner will not be affected in a manner distinct from the public generally and she will not, directly or indirectly, profit or be enhanced by the vote.
13-206	(n) RQO 11-28	Thomas Pepe, City Attorney, South Miami	Because the City Manager does not have a current business relationship with a previous business associate (the relationship terminated approximately 7 years ago), the City Manager may recommend that the City enter into a contract with his former business associate.
13-207	(m)(1) & Sunny Isles Beach Code at Sec. 33-3 L RQO 00-13	Hans Ottinot, City Attorney, Sunny Isles Beach	Before a private attorney accepts employment with the city, the attorney must sever her attorney-client relationship with a developer with ongoing matters before the city because, as a city employee, she cannot appear before the city on behalf of a third party.
13-208	(b)(b) <i>plain reading</i>	Regine Monestime, City Attorney, North Miami	A new County ordinance requiring municipal <i>elected</i> officials to take an ethics course within 90 days after being sworn into office does not also apply to municipal <i>employees</i> unless that portion of the ordinance is adopted by the municipality and the municipality enters into an interlocal agreement with the COE for provision of such courses.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-209	(b)(b) <i>plain reading</i>	Thomas Pepe, City Attorney, South Miami	The new ordinance requiring municipal elected officials to take an ethics course within 90 days after being sworn into office applies only to those officials who were elected after the passage of the ordinance, <i>i.e.</i> , after June 4, 2013.
13-210	(d) RQO 11-27	Juan C. Zapata, County Commissioner, District # 11	A County Commissioner cannot vote on a wastewater system solicitation because the Commissioner has a prohibited “consultant” relationship with a subcontractor to one of the bidders.
13-211	(d) RQO 11-27	Xavier Suarez, County Commissioner, District # 7	A County Commissioner may vote on the designation of historic status to the Fontainebleau Hotel when his brother is an employee of a company that shares some common ownership with the Fontainebleau Hotel but has no financial ownership interests in the company. A brother is not considered an “immediate family member” under the County Code, and the Commissioner would not personally benefit or be enhanced by the vote.
13-212	<i>directed to</i> 48 CFR § 9.5 (2013)	Alex Peraza, Construction Projects Manager, M-D Dept. of Cultural Affairs	Unless stipulated in the solicitation documents, the Ethics Commission does not opine on organizational conflict of interest, including whether a firm chosen to complete a feasibility study to expand the HistoryMiami property is excluded from bidding on future work on the project.
13-213	(i)(1) RQO 13-06 RQO 10-25 RQO 05-66	Linda Miller, Town Attorney, Surfside	A liaison to a town’s Charter Review Board, who serves as a non-voting member of the board and does not perform any final, decision-making functions similar to voting members, is not required to file financial disclosure forms as a board member but may be required to file financial disclosure forms based on another position he/she holds.
13-214	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District # 9	A County Commissioner who is employed by the School Board may vote on an agreement to grant approximately \$2.5 million of County funds to the School Board to expand the driver’s education program because the Commissioner will not be affected in a manner distinct from the public generally and she will not, directly or indirectly, profit or be enhanced by the vote.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-215	(g), (m)(1) RQO 00-13	Jose Smith, City Attorney, City of Miami Beach	A City Attorney whose municipality occasionally hires a law firm as outside counsel must separate himself from any official actions related to the law firm when the law firm hires the City Attorney's son as an associate.
13-216	(o) + South Miami Code at Sec. 8A-1 (k) RQO 02-46	Thomas Pepe, City Attorney, City of South Miami	A member of the Environmental Review & Preservation Board cannot be reappointed to the Board if he acquires an ownership interest in a construction project that will be coming before the Board.
13-217	(l) + South Miami Code at Sec. 8A-1 (k) RQO 02-46	Thomas Pepe, City Attorney, City of South Miami	An architect has no conflict to serve on the Architectural Review Board when, through his architectural firm, he has a subcontract with a developer that is building a project in the city, but the project received final approval from the Architectural Review Board prior to the architect's appointment, and the project will not go before that board again.
13-218	(d) RQO 06-64	Ed MacDougall, Mayor, Town of Cutler Bay	A town mayor cannot vote on matters affecting a developer who appears before the town council when the mayor owns a real estate company that he knows may be contracting with the developer. A voting conflict is created when the mayor, directly or indirectly, could profit or be enhanced by any action of the town council regarding this developer.
13-219	(d) RQO 06-64	Rebeca Sosa, County Commissioner, District # 6	A County Commissioner employed by the School Board may vote on an agreement with the School Board related to educational classes for juveniles in the custody of the County Corrections Department because the Commissioner's position with the School Board is not connected to the educational program, she will not be affected in a manner distinct from the public generally by the vote, and she will not, directly or indirectly, profit or be enhanced by the vote.
13-220	<i>directed to</i> Fla. Stat. 112.3135	Alex Muñoz, Director, Animal Services Department	Whether the former spouse of an employee's uncle may supervise the employee is not addressed under the County Ethics Code but falls under the State anti-nepotism statute and the County's administrative policies.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-221	(c)(5)(5) RQO 09-20	Mayra Santamaria, Administrative Officer, Miami-Dade Public Housing	The mother of a Public Housing employee may apply for housing at a County facility as long as the mother meets all the requirements for entering the facility and the County employee's responsibilities do not require her to be involved in any way in the administration of the program in which her mother participates.
13-222	(c)(2) RQO 00-13	Sean Tabor, Vice-President, AirManager Technologies, whose father is employed by the County Fire Dept.	The son of a County employee may contract with the County through a privately owned company, but he may not contract with the department that employs his father, and the father's job responsibilities must be kept entirely separate from administration and oversight of the contract.
13-223	(i)(2) RQO 04-198	Shania Moore, Lead Worker, Office Operations, Clerk of the Board Division	A former County employee who was required to file financial disclosure forms under State law must file State Form 1F within 60 days of leaving County employment. A County employee who was required to disclose under the County Code may file any of the enumerated forms by July 1 st in the year following the last year he/she was employed by the County.
13-224	(m)(2) + (v) RQO 06-52 RQO 07-39 RQO 07-49	Pam Martin, Grants Coordinator, Office of Management and Budget	Board members cannot appear before their board, either directly or through an associate, seeking a County grant on behalf of their nonprofit employer. Additionally, they cannot vote on or participate in matters affecting their nonprofit employers if they will be directly affected by the vote.
13-225	(e)(2)(e) RQO 02-46	Mirta Lopez Cardoso, IT Contracts & Procurement Officer, ITD	A meal valued at \$9 provided locally to County employees by Microsoft does not violate the Ethics Code because the meal, although given by a County vendor, is furnished locally, does not include travel, and is being provided in connection with in-service training offered to County employees.
13-226	PHT By-Laws, Article III, Section 3 RQO 12-01	Eugene Shy, Assistant County Attorney, Public Health Trust (PHT)	Under the heightened ethics standard established for the PHT, an individual cannot be appointed to the PHT Board of Trustees when his brother is on the board of directors of an organization that provides services to the PHT and, additionally, competes with the PHT for children's hospital services.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-227	(w) RQO 05-110	Evelyn Campos, Director, Professional Compliance Division, Aviation Dept.	County employees may accept travel expenses from a County vendor when the terms of the vendor's contract require the vendor to pay for employees' travel expenses for product training. In this case, the County has provided adequate consideration for the travel expenses through the terms of the contract, and the BCC has approved the contract.
13-228	(t)(1)(c)(i) RQO 10-13 INQ 13-59	Patra Liu, Interim Inspector General, Office of the IG	During the Cone of Silence, written communication to a non-County employee who serves on a selection committee, with a copy to the Clerk, is permissible. The non-County employee serves in a capacity similar to that of an advisory board appointee and is considered a County official.
13-229	(s) RQO 04-33	Andrew O'Keefe, Eastern Regional Sales Manager, Transonic Systems, Inc.	The efforts of a vendor at JMH to extend the use of its equipment to a department not defined in its current contract is considered lobbying because the vendor is seeking to modify a current contract.
13-230	(d) RQO 13-08	John Herin, Jr., City Attorney, City of Doral	The Ethics Commission has determined that the Mayor of Doral has voting conflicts regarding all matters connected to The Grand Floridian development due to his family and business connections with the developer. However, members of the Doral City Council do not have prohibited voting conflicts related to The Grand Floridian as long as they, their families, and business associates have no financial connection to The Grand Floridian and the development it plans in the city.
13-231	<i>no jurisdiction</i>	Julie Edwards, Assistant Director, County Public Housing and Community Development Dept.	The Ethics Commission does not have jurisdiction over Rene Rodriguez, a former Director of the Housing Dept. who left County employment over 6 years ago. Mr. Rodriguez is currently the real estate agent (representing himself as the seller and also representing the buyer) of a home being purchased with an \$80,000 loan administered by the County.
13-232	(m),(n), (g), (j) RQO 12-07	Joe Geller, City Attorney, Miami Lakes, Opa-locka, and El Portal	To avoid creating conflicting loyalties, a city attorney cannot proffer the services of a bank to municipalities that employ him as a city attorney when the bank is also the attorney's private law client.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-233	<i>directed to</i> Fla. Stat. 97.021(14)	Linda Miller, Town Attorney, Town of Surfside	A town ordinance creating a Charter Review Committee and requiring that town “electors” serve on the committee does not define “electors,” but Fla. Statutes defines an elector as a “voter” or “qualified elector or voter,” except where the word is used to describe presidential electors.
13-234	<i>directed to</i> Ord. 04-104	Deborah Hayden, citizen	An ordinance creating the Northeast Dade Area Municipal Advisory Committee (MAC) removed the requirement that members be “electors who reside within the boundaries of the study area.”
13-235	(d) RQO 06-64	Robert Yaffe, Mayor, Bay Harbor Islands	The mayor may appoint an individual to a vacancy on the Town Council when the mayor subleases office space for his private law practice from the individual because the mayor has none of the prohibited relationships with the individual and the mayor will not be affected by the vote in a manner distinct from the public generally. The mayor was cautioned that were he to obtain a preferred discounted rent not available to others or if he were to become a debtor to his landlord, a voting conflict would be created.
13-236	(j) RQO 02-87	Michael Chavez, Manager, County Office of Elevator Safety	A County employee is not prohibited from serving as a non-compensated board member for NAESAI, a nonprofit entity that certifies professionals in his field, as long as the County employee recuses himself from any matters on the board related to County employees’ certifications.
13-237	(c)(2) RQO 00-13	Annie Perez, Procurement Contracting Manager, ISD	The M-D Police Dept. may rent storage space from a company owned by an unpaid, volunteer police chaplain, but to avoid an appearance of impropriety the solicitation and administration of the contract should be delegated to another County department.
13-238	(g) RQO 12-13	Yioset De La Cruz, Mayor, Hialeah Gardens	A city mayor may use an administrative variance procedure that is available to all similarly situated city residents to seek a modification to construct a fence in the front of his house. In order to avoid possible exploitation of his official position or an appearance of impropriety, however, the mayor should not directly contact city personnel to process his request and, instead, should assign a family member or other representative to make the application on his behalf.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-239	(m)(2), (v) RQO 06-52 RQO 07-39 RQO 07-49	Pam Martin, Grants Coordinator, Office of Management and Budget	County board members cannot appear before their board, either directly or through an associate, seeking a County grant on behalf of their private nonprofit employer. Additionally, they cannot vote on or participate in matters affecting their nonprofit employers if they will be directly affected by the vote.
13-240	(j) RQO 12-11	Steve Jablonowski, Golf Operations Manager, County Parks Dept.	The manager of County golf operations does not have conflicting employment when he creates a private golf management company to oversee golf course operations outside of Miami-Dade County, but his outside work should be closely monitored by his supervisor to prevent any possible conflicts.
13-241	(g) RQO 12-05	Thomas Pepe, City Attorney, City of South Miami	An acting police chief should delegate to another manager the authority to disperse drug forfeiture funds when the acting police chief serves on the board of directors of the nonprofit entity that has traditionally received the funds in the past.
13-242	City of Miami Code at § 2-612 (a) RQO 00-13	Alice Bravo, Assistant City Manager, City of Miami	A private company that employs the spouse of a City of Miami employee may contract with the city as long as the spouse has no ownership interest in the private company.
13-243	(v) RQO 11-28	Wayne Rinehart, Member, County Planning Advisory Board	A Planning Advisory Board member may vote on matters being presented by two applicants who donated to a golfing event that the board member headed on behalf of a nonprofit foundation because the board member will not be directly affected by the votes and/or he has no prohibited business relationships with the applicants.
13-244	(w) RQO 05-110	Gino R. Santorio, Vice President, Ambulatory Care Services & Operations, Jackson Health Services (JHS)	A JHS physician may accept travel expenses from medical associations in Ecuador, where he has been invited to speak at a conference, because none of the sponsoring organizations are JHS or County vendors, but he should disclose the trip as a gift.
13-245	(w) RQO 05-110	Gino R. Santorio, Vice President, Ambulatory Care Services & Operations, Jackson Health Services (JHS)	JHS employees may accept travel expenses from a JHS vendor, Sysmex, to attend instrument-operator training out of state because the JHS contract with Sysmex includes a provision covering the cost of travel for training. Consequently, the ban on accepting travel expenses from County vendors does not apply because, in essence, the County is paying for travel expenses through the contract.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-246	(d) RQO 10-18	Griselia Digiacomio, Vice Mayor, Town of Medley	A vice-mayor may serve as a voluntary member of the Board of Directors for the Town of Medley Chamber of Commerce, but her relationship with the Chamber will create an ongoing <i>per se</i> voting conflict for her whenever matters involving the Chamber come before the Town Council.
13-247	<i>directed to</i> Sunshine Law at Fla. Stat. 286.011	Joe Geller, City Attorney, El Portal, Miami Lakes, and Opa-locka	A text sent or received by a commissioner or council member during a public meeting from a non-board member regarding an item before the board is a public record and should be maintained either by the individual board member or the city clerk.
13-248	(s) RQO 04-33	Gerald Sanchez, Assistant County Attorney	An outside advocate/negotiator hired by a County labor union is required to register as a lobbyist when appearing before the County representing the union.
13-249	(s)(7) RQO 06-34	Jorge Machado, Sales Representative, Skeletal Dynamics, LLC	Traditional sales commissions are not considered contingency or success fees that are banned in the County lobbyist ordinance, and consequently, sales reps employed by a medical device company who call on Jackson Health Services may be compensated with sales commissions without violating the County Ethics Code.
13-250	(g), (j), (n) RQO 12-07	Ralph Ventura, City Attorney, City of Sweetwater	A city attorney does not have a prohibited conflict of interest representing a city-authorized towing company in his private law practice when the towing company does not have a contractual relationship with the city, the attorney's representation of the company is limited to matters occurring outside of the city that employs him, and the city attorney plays no role in authorizing the towing company to do business in the city.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-251	(d) RQO 11-27	Jean Monestime, County Commissioner, District 2	A County Commissioner whose wife is employed by Waste Management, Inc., a County contractor, does not have a <i>per se</i> voting conflict involving County issues concerning Waste Management. The Commissioner does not have any of the enumerated relationships with the company that would prohibit him from voting. Additionally, and in light of the large number of people employed by the company and the non-managerial position his wife holds, the Commissioner and his wife would not be uniquely affected by the award of a County contract to Waste Management. However, the Commissioner should consider abstaining from votes on Waste Management issues to avoid an appearance of impropriety.
13-252	(q) RQO 12-09	Diana B. Rio, former Senior Planner, City of Miami Beach	A former city planner cannot lobby her former city employer as a private consultant and expediter for two years following her departure from city employment.
13-253	(e)(2)(g) RQO 06-05	Thomas Pepe, City Attorney, City of South Miami	Although an exception to the gift ordinance allows elected officials to solicit gifts on behalf of nonprofit entities, a South Miami CRA member was advised not to solicit a free benefit for a nonprofit from a developer who has ongoing matters before the CRA because a <i>quid pro quo</i> arrangement could be inferred based on official actions yet to be taken by the CRA regarding this developer.
13-254	Hialeah Code at § 26-32	Gonzalo Planas, Jr., Job applicant for electrical inspector position, City of Hialeah	A job applicant for part-time employment with the City of Hialeah cannot be hired because a company owned by the applicant's parents has contracts with the city. The City of Hialeah Ethics Code specifically prohibits city employees and their family members from contracting with the city. The code does not include a waiver provision to overcome this ban.
13-255	(q) RQO 08-26 <i>see also</i> INQ 13-173	Joaquin de Cueto, former member of the Financial Recovery Board, Public Health Trust (PHT)	A former member of the Financial Recovery Board may contract with medical schools to supervise students engaged in clinical education at Jackson Memorial Hospital (JMH), as long as he does not lobby JMH on behalf of the schools or his private management company.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-256	(c)(2) RQO 00-13	Hermes Yanes, owner, Miami Fireball Academy, LLC	Because the owner of a private company is not employed by the County and has no immediate family members employed by the County, he may do business with the County through his private company. His mother is employed by the Miami-Dade County School Board, which is not a County agency
13-257	(g), (j) RQO 12-07	Helen Rodriguez, Administrative Secretary, M-D Dept. of Regulatory & Economic Resources	A County employee may distribute a flyer describing the participation of her privately owned company in a County-sponsored event to support Breast Cancer Awareness because the Mayor's Office has invited her to participate in the event, which plainly serves an appropriate public purpose.
13-258	(e)(3),(g) RQO 06-05	Ralph Ventura , City Attorney, City of Sweetwater	A city attorney, employed as an independent contractor, does not have a prohibited conflict of interest representing a City of Sweetwater employee at the employee's real estate closing and providing the employee legal advice in his private law practice, where the arrangement has been made in the ordinary course of business, at arm's length, and completely independent of any City-related matters.
13-259	(d), (g) RQO 10-18	Tony De Fillipo, Councilman, City of North Miami Beach	A North Miami Beach councilman does not have a prohibited conflict of interest to be employed as president of the North Miami Beach Chamber of Commerce as long as he does not use his official authority to benefit the Chamber. However, he cannot vote on any matters related to his employer.
13-260	<i>directed to</i> Fla. Stat. 286.011	Joseph Geller, City Attorney, Town of Miami Lakes	The Sunshine Law is not violated when a Town Councilman writes a letter to the Town Mayor expressing dissatisfaction with actions of the Mayor as long as the letter is filed with the Clerk, is not delivered personally to the Mayor or any individual council members, and is not responded to.
13-261	(b)(b) <i>plain reading</i>	Alexi Manresa, Records Coordinator, DERM	A County employee present at the Ethics Seminar held on 8-2-12 is not required to take the course that is currently being put online. However, the employee will be required to take a refresher course within two years.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-262	(d) RQO 11-27	Jose "Pepe" Diaz, County Commissioner, District 12	A County Commissioner cannot vote on or participate in any matters directly or indirectly affecting him or his employer, Coastland Construction, but his employer may be hired as a subcontractor by a County contractor, where the Commissioner has no ownership interest in the company.
13-263	(e)(1), (e)(3) RQO 02-46 RQO 07-28	Xavier Suarez, County Commissioner, District #7	An elected official & his staff may accept free tickets to the Theodore Roosevelt Gibson Memorial Fund 31 st Annual Unity Dinner as long as the recipients report the tickets as gifts if valued over \$100 and as long as no official action is expected in exchange for the gifts.
13-264	(e)(4) RQO 02-46 RQO 07-28	Nelson Andreu, Chief, West Miami Police	Police officers may accept complimentary vouchers for entry into the MMA World Series of Fighting as long as the recipients are not working in their official capacity at any of the events, they report the tickets as gifts if valued over \$100, and no official action is expected in exchange for the gifts.
13-265	<i>directed to</i> Fla. Constitution, Article II, Sec. 5(a), Dual Office Holding	Suzanne Gilmore, Board Member, M-D Fire Prevention and Safety Appeals Board	A board member seeking to hold office as both a County board member and a County Hearing Officer was directed to the prohibition in the Florida Constitution regarding dual office holding.
13-266	<i>directed to</i> Consumer Protection Services & Dept. of Regulatory & Economic Resources, Contractor Licensing Enforcement Section	Kevin Dindial, Private Citizen	A citizen with a complaint against a private contractor who did not complete residential work that he was paid for was directed to two County Departments with jurisdiction in this matter.
13-267	(g) RQO 12-05	Carlos Migoya, CEO, Jackson Health System (JHS)	A State Representative who does not serve on any healthcare committees in the legislature may be hired by JHS as a Managed Care Plan Director without violating the County Ethics Code, where she will have no contact with State government agencies in her JHS position. However, she should seek guidance from the Florida Ethics Commission concerning possible conflicts in her State position.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-268	(d), (j) RQO 12-07	Enbar Cohen, City Commissioner, City of Aventura	A City Commissioner may accept a paid or unpaid law school internship while serving as an Aventura City Commissioner as long as the arrangement does not induce her to place her personal or financial interests ahead of the public's interests. Additionally, the Commissioner may not vote on any matters affecting her business and/or professional associates.
13-269	(i) RQO 13-02	Carmen Bofill, Clerk, Elections Dept.	The County Elections Department may, but is not required to, accept financial disclosure forms electronically, by fax, email, or other devices as long as the maintenance of the electronic records meets state standards.
13-270	(s) RQO 04-33	Fernando V. Ponassi, Manager, Contracts Administration, M-D Internal Services Dept.	Persons appearing on a video during an oral presentation as part of a County procurement process and who are attempting to influence an official decision are required to register as lobbyists.
13-271	(w) RQO 05-110	Willy Gort, City of Miami Commissioner, District 1	A City Commissioner may attend a business development mission in Paraguay paid for by a City contractor (CAMACOL, the Latin Chamber of Commerce) because the City Commission waived the prohibition on accepting travel expenses from City contractors in this case. However, the Commissioner must still disclose the trip as a gift.
13-272	(e) RQO 06-05	Charles Scurr, Executive Director, M-D Citizens Independent Transportation Trust	A County employee may accept and need not report tickets to events given to his wife, who heads a nonprofit entity that does not receive funding from the County. If he receives the tickets directly from the donor or if he is the specific intended recipient of the tickets given to his wife, he must report the gift if valued over \$100.
13-273	--	Alexis Riveron, Building Official, City of Hialeah	<i>pending</i>
13-274	(g), (h) RQO 12-05	Selena P. Williams, Director, Resident Services, Public Housing and Community Development (PHCD)	In order to avoid exploiting their official positions, Public Housing staff should limit assistance to Public Housing clients to explanations of the programs, the application and approval procedures, and other technical information. Staff should not become involved in offering advice that would give one applicant an unfair advantage over another, nor should they have any financial interests in any application, either personally or through an immediate family member.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-275	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District #9	A County Commissioner who is employed by the School Board may vote on a resolution authorizing the Mayor to enter into agreements with the School Board for the provision of adult education classes with the M-D Community Action and Human Services Dept. because the Commissioner will not be affected in a manner distinct from the public generally and she will not, directly or indirectly, profit or be enhanced by the vote.
13-276	(t) RQO 10-13	Gerald Sanchez, Assistant County Attorney	The Mayor cannot communicate with the County's professional staff, including all staff at MIA, during a contract evaluation process at MIA while the Cone of Silence is in effect. However, the Mayor may communicate with his own staff on the 29 th floor, which consists of deputy mayors and other assistants within the Mayor's office, as well as support staff located there.
13-277	(e) RQO 06-05	Olga Espinosa-Anderson, Division Director, Procurement & Contracts Management, Public Works & Waste Management Dept.	A County employee may accept a \$50 gift card won in a raffle open to everyone attending a trade show sponsored by a County vendor. Because the a gift is less than \$100, it need not be disclosed. However, County procurement employees may be prohibited by administrative rule from accepting any gifts.
13-278	(e), (w) RQO 05-110	Jose R. Otero, Assistant Director, Information Technology Dept. (ITD)	ITD employees may accept free training from Microsoft, a County vendor, that is being offered locally because the training does not involve travel. Additionally, the training is not considered a gift that must be disclosed because its sole purpose is to assist County employees in the performance of their official duties.
13-279	(e)(4), (e)(2)(g) RQO 06-05	Michelle Chong, Assistant to the Interim Director, Public Works & Waste Management Dept. (PWWM)	Barring any <i>quid pro quo</i> arrangement, PWWM employees may accept tickets from the Dolphins to attend a Dolphins football game if the tickets are distributed fairly. If any employee receives a ticket or tickets valued in excess of \$100, the gift must be disclosed. Additionally, only County Commissioners and their staffs, not PWWM employees, may solicit gifts in support of the PWWM United Way charity ball.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
13-280	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District #9	A County Commissioner who is employed by the School Board may vote on a resolution directing the Mayor to work with the School Board to conduct a feasibility study to provide library and media center access to the community because the Commissioner will not be affected in a manner distinct from the public generally and she will not, directly or indirectly, profit or be enhanced by the vote.
13-281	<i>directed to</i> County Code at § 2-11.36.1 (a)	Susannah Troner, Sustainability Initiatives Coordinator, M-D Office of Sustainability	A new advisory board that will be studying sea-level changes and will sunset in 364 days (less than one year) is not a “board” as defined under the County Code and is not, strictly speaking, required to comport with responsibilities under the County Ethics Code.
13-282	(x) RQO 11-14	Jay Flynn, Chief, Human Resources, M-D Transit	A new Transit employee cannot supervise the employees of his former employer, 50-State Security Services, for two years following his departure from private employment with 50-State Security.
13-283	(c)(3),(g),(n) (o),(v) <i>directed to</i> Fla. Stat. 112	Linda Miller, City Attorney, City of Surfside	A bank employee is likely to have a conflict of interest when serving on a town Pension Board and making official recommendations related to his/her employer. At the very minimum, s/he can never participate in or vote on any matter related to his/her employer if s/he would be directly affected by the vote.
13-284	(d) RQO 06-64	Esteban Bovo, County Commissioner, District # 13	A County Commissioner employed as an independent regulatory consultant by Hialeah Race Track, which operates slot machines and is a licensed pari-mutuel facility in the County, has a prohibited conflict of interest in voting on or participating in the BCC’s consideration of a resolution directing the mayor to provide a report to the board regarding existing slot machine agreements with pari-mutuels in Miami-Dade county, because his employer could be affected by the vote.
13-285	(g),(j),(k) RQO 12-07	Troyano, Jorge, Firefighter, Miami Dade Fire Dept.(MDFR)	A County firefighter does not engage in conflicting outside employment when selling fire equipment outside the County for a County vendor that provides firefighting equipment to MDFR where the firefighter has no contact with or authority over the County contract.
13-286	(w) RQO 05-110	Emilio Gonzalez, Executive Director,	MDAD Executive Director may not accept travel expenses of 25,000 miles from

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
		Miami-Dade Aviation Department (MDAD)	American Airlines (AA) won at a drawing held by a company with very close ties to AA, a county vendor.
13-287	<i>directed to</i> Fla. Stat 112.3143(3)	Commissioner Esteban Bovo, County Commissioner District 13	Written disclosure on a voting conflict issue is not required where there was no quorum because without quorum there really is no meeting at which a vote could have occurred.
13-288	(t) RQO 10-13	Joe Bober, Attorney	Under the Cone of Silence, the exception for communications with the County Attorney and his or her staff includes written, personal, telephonic or other electronic communications.
13-289	(i) RQO 05-66	Ivan Rodriguez, R.A, Dir. I, Planning Design and Sustainability, Miami-Dade County Public Schools	A non-voting, ex officio member of the Planning Advisory Board is not required to file financial disclosure forms if s/he does not vote and does not perform any duties that a regular board member is required to perform.
13-290	(x) RQO 11-14	Cecilia Brewer-McDuffie, Chief Human Resources, Miami-Dade Water and Sewer Department (MDWASD)	A new MDWASD employee cannot supervise the employees of his former employer, Emerson, for two years following his departure from private employment with Emerson.
13-291	(e)(2)(g) RQO 06-05	Hall, Beverly Senior Hiring Manager Internal Services Dept.(ISD)	When activities to support the United Way are explicitly sanctioned by the Mayor or BCC, ISD employees may solicit gifts for United Way, but they should not target County vendors or County contractors.
13-292	(s)	Pedro Munilla, Principal, MCM	Individuals accompanying registered lobbyists meeting with the Mayor are not lobbying where they are potential subcontractors who will not be participating in the presentation but will be available to take questions regarding matters within their subject matter expertise.
13-293	<i>directed to</i> Fla. Stat. 286.011	Jan Seiden, City Attorney, City of Miami Springs	The Sunshine Law does not prohibit the Mayor and Council members of the City of Miami Springs from meeting privately one-on-one with an applicant for a City position, where applicant is to be interviewed by the entire Council prior to a vote. However, such meetings are not encouraged due to the appearance problem they create.
13-294	(j)	Noel Cubela Park Manager II	Pending
13-295	(g) RQO 05-06	Rebeca Sosa, County Commissioner,	A County Commissioner does not violate the Ethics Code by accepting an invitation

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
		District #9	to a swearing in of new officers of the Latin Builders Organization where she will be introduced in her official position. Further, she may utilize her Sergeant-at-arms for transportation to the event which is for a public purpose.
13-296	-- RQO 13-03	Jesus Valderrama, Manager Contract Services, Miami Dade Transit (MDT)	The COE does not have jurisdiction to provide binding opinions on organizational conflicts involving potential or current Transit contractors, unless jurisdiction is provided in a contract or by designation by the mayor pursuant to Sec. 2-11.1 (c) (13) of the County Code.
13-297	-- RQO 13-03	Ammad Riaz, P.E. Chief, County Aviation Planning Division	The COE does not have jurisdiction to provide binding opinions on organizational conflicts involving potential or current Aviation contractors, unless jurisdiction is provided in a contract or by designation by the mayor pursuant to Sec. 2-11.1 (c) (13) of the County Code.
13-298	(m)(1) RQO 12-10	Christine Velazquez, Chief Code Coordination and Public Hearings, Division of Environmental Resources Management (DERM)	A DERM employee who is the president of the Fulford Methodist Church (FMC) cannot appear before the County's Environmental Quality Control Board (EQCB) seeking a variance or an appeal on behalf of the church, nor can he contact County personnel in an attempt to influence the ruling. However, a FMC vice president, or attorney who are not County employees may represent the Church.
13-299	(e),(h),(w) RQO 02-46 RQO 05-110	Shanda Mazzorana, Manager, (ITD)	An ITD employee may participate in a free seminar sponsored by AppSense, a County vendor, offered locally, because the training does not involve travel. Further, the employee may accept lunch from the vendor, but it must be reported as a gift if the value of the lunch is greater than \$100.00.
13-300	(d) <i>directed to</i> Fla. Stat. 112.3143	Thomas F. Pepe City Attorney City of South Miami	Whether a commissioner has a voting conflict to vote for or against her own censure depends on the consequences of the censure. A voting conflict would exist if the commissioner might, directly or indirectly, suffer a serious personal consequence unique to her as a result of the censure.
13-301	(e)(3) RQO 02-46	Thomas F. Pepe City Attorney City of South Miami	A City Commissioner may accept a gift of technical assistance from a person he has voted to appoint and, in the future, reappoint to the South Miami Community redevelopment Agency (SMCRA) as long as

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
			no <i>quid pro quo</i> arrangement exists. The gift must be reported if its value exceeds \$100.00.
13-302	(c)(1), (2) (m)(1) RQO 12-06	Randy Mosley, Correctional Officer, County Corrections & Rehabilitation Department Michelle Fletcher, Manager, County Parks & Recreation Dept.	County employees who own a catering company may enter into a contract with the County as long as it does not interfere with the discharge of their duties to the County, they don't participate in awarding or administering the contract, they don't lobby for it, and the employee does not work in County department which will enforce, oversee or administer the contract.
13-303	(e)(3), (e)(2)(f) RQO 02-46 RQO 06-05	Robert Meyers, Attorney, Weiss Serota & Helfman	The practice of elected officials (EO's) soliciting municipal residents to donate money to a Holiday Gift Fund to be distributed to municipal employees is prohibited since it is not a gift solicited by EO's on behalf of the municipality in performance of their duties and for use by the municipality in conducting official business, but rather directed to the private interest of the recipients.
13-304	(s)(1)(b) RQO 04-07	Miguel De Grandy, Attorney, Holland & Knight	Principals who provide specialized knowledge at a <i>public meeting</i> to assist the decision-makers and are not addressing the merits of any pending procurement are expert witnesses and not lobbyists under an exception in the lobbying section of the Ethics Code. However, if the principal is providing specialized knowledge at a <i>non-public</i> meeting, then the activity would constitute lobbying and registration would be required.
13-305	<i>directed to</i> Public Records Law Section at Fla. Stats. 119.0713, and 119.071(1)(a)(2)	Amos C. Roundtree, County Director Purchasing Division and Procurement (ISD)	Where notes and correspondence exchanged between the County Internal Services Department and the Office of Inspector General concern a matter subject to a bid protest, are made in connection with an OIG announced recommendation, and there is no pending OIG investigation, the records would be public.
13-306	(t)(1)(c)(i) RQO 10-13	Jason Korn' Attorney/Lobbyist	Under an exception in the Cone of Silence, written communications sent directly to County officials that are duly filed with the Clerk of the Board (COB) are not prohibited. However, it would be a better policy to first submit the written communication to the COB who would then distribute the written communication to

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
			County officials.
13-307	(e)(3) RQO 2-46	Richard Chervony Commissioner, North Bay Village	A municipal Commissioner is not prohibited from giving a Christmas Holiday gift of a box of chocolates (valued at \$70) to his municipal Manager provided that there is no <i>quid pro quo</i> involved and no expectation on either side of such. The gift is proffered as an expression of friendship or collegiality during the holiday season and is not connected to any performance on the Manager's part on any action on the part of the Commissioner. However, since the North Bay Village ethics ordinance gift reporting threshold is \$25, the Manager would be required to report the gift.
13-308	(j) RQO 09-16	Vivian O. Walters, Jr. Contract Development Specialist II, Small Business Development Division (SBDD)	A County Contract Development Specialist for SBDD obtained permission from his supervisor to serve as a volunteer board member for the Broward County Consumer Protection Board (BCCPB). The Ethics Commission concurs with the supervisor that the County employee does not have a prohibited conflict of interest serving as a volunteer board member for BCCPB where the board member's role includes reviewing consumer complaints and addressing consumer grievances in Broward County and this role does not affect any area of the employee's County employment.
13-309	<i>directed to</i> Zoning Department, City of Miami Gardens RQO 06-48	Agboro, Augustine, Tourist Tax Examiner 2, County Finance Dept.	Whether a County employee may rent a single family home owned by him to multiple families is not within the jurisdiction of the Ethics Commission, but rather under the jurisdiction of the local zoning department. However, the rental of 3 or more units constitutes outside employment. If the employee were to rent 3 or more units, he would be required to obtain permission from a supervisor and report on an annual basis.
13-310	<i>directed to</i> County Code at Secs. 20-41(C), 33-307.1	Julio Caceres, District 10 Zoning Appeals Board of Miami-Dade County	The County Code, at Sections 20-41(C) and 33-307.1, prohibits a Community Zoning Appeals Board member from appearing to advocate on behalf of a third person before another Community Zoning Appeals Board or before the County Commission sitting in its capacity as the zoning authority.
13-311	(d) RQO 11-27	Marc Sarnoff, City of Miami	City of Miami Commissioner Sarnoff who is the Director of Sarnoff Foundation, Inc.

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
		Commissioner, District 2	(SFI) a nonprofit corporation, is prohibited by the Ethics Code from voting on resolutions before the city Commission regarding SFI. The resolutions involve acceptance by the City Commission of a \$36,000 donation from SFI to be used to pay the rent for a building in the Commissioner's district to house a Miami Police sub-station, and another resolution authorizing the City Manager to enter into a two-year lease for the rental of the Police sub-station building. Although the Commissioner does not have a financial interest in SFI, he would likely benefit indirectly from the vote by receiving favorable public recognition and substantial donor support for a foundation to which he is personally connected.
13-312	(a)(1), County Code at Sec. 2-11.36(a)	Barbara Herrera, City Clerk, City of Doral	The members of a municipal board which are appointed for less than one year in order to review the city of Doral Charter are not required by the Ethics Code to file financial disclosure forms.
13-313	(j)	Michelle Aleman, Grants Analyst, Office of management and Budget	Pending
13-314	(e) RQO 2-46	Virginia Harris, President, Firefighters Local 1403	The Firefighter's Local 1403 union president, who lobbies the County Commission, is not prohibited from giving a basket of flowers to a County Commissioner valued at less than \$100 (approx. \$40) as a holiday gift as long as no official action is expected in exchange for the gift. However, the Ethics Commission discourages such gifts due to the appearance of impropriety.
13-315	(e),(s) <i>directed to Fla. Stat 112.3148 (5)(a)</i>	Christopher L. Walker Corporate Counsel, Jacobs, Inc.	Unsolicited gifts of payment of lunches by a County vendor to a County employee which are not offered in exchange for official action are not prohibited under the code. The recipient must disclose the gift of the lunches if they singly or cumulatively exceed \$100.00. However, the Ethics Commission discourages such gifts due to the appearance of impropriety. Furthermore, discussion of matters at lunch related to any prospective contract with the County constitutes lobbying and all requirements of the lobbying ordinance must be met. State law bars lobbyists who in the preceding 12 months engaged in

INQ #	County Code at Sec. 2-11.1 + Precedent, or other as noted	Requester	Holding
			lobbying activities in the County from giving gifts to County personnel in excess of \$100.
13-316	(b) RQO 04-48	Jessica Gonzalez, Commission Aide, Commissioner Jose "Pepe" Diaz, District 12	Part-time employees are subject to the Ethics Code and are required to complete the required ethics training course for county employees
13-317	--	Joan Bender, Vice President of Development, Jackson Memorial Foundation.	The Ethics Commission has no jurisdiction to enforce the Ethics Code against nonprofit entities such as the Jackson Memorial Foundation (JMF). However, given JMF's close association with Jackson Memorial Hospital (Jackson), and the presence of Jackson officials on the JMF board, caution should be exercised when JMF solicits funds for Jackson to avoid any situation which implies or suggests any <i>quid pro quo</i> in connection with participation in JMF's fundraising events and the award of contracts at Jackson or the County
13-318	--	Daryl K. Hildoer, Engineer 3, Public Works and Waste Management Department	While the Ethics Code does not address the issue of County employees providing letters of reference for a former County Contractor, these letters should avoid express advocacy which could be construed as lobbying and there should not be any payment or other incentive for providing the reference. Other factors to be considered are the circumstances under which the reference will be utilized, the possibility that the contractor will have further business in the County, and whether the supervisor of the person providing the reference has given approval, and other considerations.