
From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, August 11, 2014 9:44 AM
To: Sanchez, Rodzandra (COE)
Subject: Patricia Braynon, Director, Miami-Dade Housing Finance Authority (HFA) (Gifts) INQ 14-191

INQ 14-191

From: Centorino, Joseph (COE)
Sent: Friday, August 08, 2014 4:27 PM
To: Gulley, Cheree (HFA)
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)
Subject: INQ - Patricia Braynon, Director, Miami-Dade Housing Finance Authority (HFA) (Gifts)

Ms. Gulley,

You have inquired on behalf of Ms. Patricia Braynon, Director of the Miami-Dade Housing Finance Authority (HFA) regarding her acceptance of a retirement party being sponsored by a number of private developers and firms that have done business with the HFA. The event in question is to take place on Thursday, August 28, 2014 at the Wynwood Kitchen & Bar, 2550 N.W. 2nd Avenue, Miami, FL. The party includes hors d'oeuvres, drinks and a steel drum band. The sponsors include the following: Atlantic Pacific Communities, Bryant Miller Olive, Cornerstone Group, eHousing Plus, Foley & Lardner LLP, Gatehouse Companies, Housing Trust Group, Landmark Companies, Inc., Law Offices of Richard Kuper, P.A., Manuel Alonso-Poch P.A., New Urban Development, Public Resources Advisory Group, RBC Capital Markets LLC, Related Urban, Stearns Weaver Miller Weissler, et.al.

There are several reasons why this particular event, sponsored by firms that either do business with HFA or do business with HFA via obtaining bond financing, is inappropriate.

The list of sponsors includes firms that have contracted with HFA. A brief check with the Clerk's office has indicated that a number of these firms have employed lobbyists in connection with their county work. Ms. Braynon, as a Department Director, would likely be considered a "Reporting Individual or Procurement Employee" pursuant to Section 112.3148, Florida Statutes. The latter statute prohibits such individuals from "knowingly accepting, directly or indirectly, a gift from a vendor doing business with the reporting individual's or procurement employee's agency...or a lobbyist who lobbies the reporting individual's or procurement employee's agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100..." It is my understanding that the amount to be contributed by each sponsor of this event exceeds \$100.

From the circumstances above, it appears that the acceptance by Ms. Braynon of the sponsored party by the above-named firms, which include firms doing business with the HFA as well as employing lobbyists in connection with said business, could violate Section 112.3148, Florida Statutes.

In addition, the Miami-Dade County Ethics Code, Section 2-11.1(e)(3) would prohibit Ms. Braynon from accepting "from another person or entity any gift for or because of: (a) An official public action taken or to be taken, which could be taken; (b) A legal duty performed or to be performed, or which could be performed; or (c) A legal duty violated or to be violated, or which could be violated..." Those involved in the sponsorship of the event may be sincerely motivated by a desire to express appreciation to a worthy public servant for her years of service to Miami-Dade County. However, the direct expenditure of funds by these firms in connection with such an event could be construed as being made because of her actions as a public servant, where the firms in question have done business with the HFA over the years. Without

suggesting any impropriety by her or any of those on the list of sponsors, in an abundance of caution such a benefit from private developers doing business with one's agency should not be accepted.

While the Code does not specifically prohibit "appearances of impropriety," the sponsorship of such an event by county contractors and lobbyists, which would likely be attended by many county employees, including employees of the HFA, would create an appearance issue that would not reflect favorably on the county or the HFA. It has been the policy of the Commission on Ethics to discourage actions which could contribute to a lessening of the public trust in the integrity of county government.

Ms. Braynon is to be commended for her years of honorable and faithful service to the county. I am sure that there are other ways in which her friends and colleagues could express their appreciation for her service.

Sincerely,

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust

From: Gulley, Cheree (HFA)
Sent: Wednesday, August 06, 2014 5:28 PM
To: Centorino, Joseph (COE)
Subject: Request for Ethics Opinion

Per our conversation, attached is the invitation from a group of developers honoring Patricia Braynon, in her retirement as Director of the Housing Finance Authority. This event is being sponsored and coordinated by the group of developers and not by the HFA.

An email was forwarded to individuals on Patricia Braynon's guest list.

Please advise if there is an ethics issue with the party occurring in light of the fact that the developers will continue doing business with the HFA after Ms. Braynon retires.

Thanks.

Cheree L. Gulley, Esq.
Associate Director, Housing Finance Authority
7855 NW 12 Street, Suite 102
Miami, FL 33126
Office: (305)594-2518
Cell: (786)493-6828
Fax: (305)392-2722
Email: cgulley@miamidade.gov

From: Aguiar, Mary (HFA)
Sent: Wednesday, August 06, 2014 4:57 PM
To: Gulley, Cheree (HFA)
Subject:

Mary Aguiar

Special Projects Administrator 2

Housing Finance Authority

7855 NW 12 Street, Suite 102

Doral, FL 33126

305-594-2518 (Office)

305-392-2722 (Fax)

786-493-1966 (Cell)

IND 14-191

Centorino, Joseph (COE)

From: Gulley, Cheree (HFA)
Sent: Thursday, August 07, 2014 11:17 AM
To: Centorino, Joseph (COE)
Subject: RE: Request for Ethics Opinion

Mr. Centorino,

No Ms. Braynon does not complete either State Form 1 or 6 in this capacity.

The firms listed either contract with the HFA or do business via obtaining bond financing.

Cheree

From: Centorino, Joseph (COE)
Sent: Thursday, August 07, 2014 10:23 AM
To: Gulley, Cheree (HFA)
Subject: RE: Request for Ethics Opinion

Ms. Gulley,

Can you confirm that Ms. Braynon is a "Reporting Individual or Procurement Employee" under state law, i.e., that she files either State Form 1 or Form 6 annually as her financial disclosure statement?

Also, can you tell me whether any of the firms on the invitation lobby your agency?

Joe Centorino

From: Gulley, Cheree (HFA)
Sent: Wednesday, August 06, 2014 5:28 PM
To: Centorino, Joseph (COE)
Subject: Request for Ethics Opinion

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Miami, FL 33126
Office: (305)594-2518
Cell: (786)493-6828

Fax: (305)392-2722

Email: cgulley@miamidade.gov

From: Aguilar, Mary (HFA)

Sent: Wednesday, August 06, 2014 4:57 PM

To: Gulley, Cheree (HFA)

Subject:

Mary Aguiar

Special Projects Administrator 2

Housing Finance Authority

7855 NW 12 Street, Suite 102

Doral, FL 33126

305-594-2518 (Office)

305-392-2722 (Fax)

786-493-1966 (Cell)

Registration by Principal

Principal: THE CORNERSTONE DEVELOPMENT GROUP

Lobbyist	Subject	Registration Date	Status
VALRIA SCREEN	LARCHMONT GARDENS RFP	4/22/1997	Withdrawn
SUSAN FRIED	LARCHMONT GARDENS RFP	4/23/1997	Withdrawn
JERRY PROCTOR	ZONING APPL. 96-485	5/22/1997	Withdrawn
ATHALIE RANGE	LARCHMONT GARDENS RFP	6/2/1997	Open
SERGIO PEREIRA	AFFORDABLE HOUSING PROJECT	3/10/1998	Withdrawn
RODNEY BARRETO	MULTI FAMILY HOUSING PROGRAM	6/24/1998	Withdrawn
COURTNEY CUNNINGHAM	MULTI FAMILY HOUSING PROGRAM	6/24/1998	Withdrawn
E. JOHN NAGELIS	VILLA ESPERANZA ENTRANCE	10/8/1998	Withdrawn
E. JOHN NAGELIS	DORAL TERR.ENTRANCE FEATURES EF-1999-09	4/8/1999	Withdrawn
E. JOHN NAGELIS	EF99-28 EF99-29 EF99-30	9/30/1999	Withdrawn
PHILIP WARD	WAIVER OF PLAT FOR MABRISA	6/14/2000	Open
JAVIER VAZQUEZ	ZONE CHANGEE FORM IU-C TO RU-4M	12/13/2000	Withdrawn
ERICK VALLE	REZONING AND SITE PLAN APPROVAL	6/6/2001	Withdrawn
PHILIP WARD	ZONING APPLICATION Z20011072	6/7/2001	Open
JOSEPH GELLER	REZONING KOBE TRAILER PARK	6/11/2001	Withdrawn
✓ JORGE LOPEZ	REZONING KOBE TRAILER PARK	6/11/2001	Open
JOHN COSGROVE (deceased)	LAND USE	2/20/2002	Withdrawn
TABATHA FAZZINO			

LAND USE	2/20/2002	Withdrawn
E. JOHN NAGELIS		
HIBISCUS POINT TENTATIVE PLAT	3/5/2002	Open
SANDY WALKER		
RESIDENTIAL & COM DEVELOPMENT	4/24/2002	Withdrawn
CHRIS KORGE		
AMEND THE FY2002 AND PRIOR YEARS CDBG STATEMENTS	6/13/2002	Withdrawn
DEWEY KNIGHT III		
ZONING APPLICATION/SITE PLAN APPROVAL TUSCANY ESTATES	6/14/2002	Withdrawn
CHRIS KORGE		
RESOLUTION APPROVING MARBELLA APARTMENTS MULTI-FAMILY MORTGAGE REVENUE BONDS	6/17/2002	Withdrawn
LYNN WASHINGTON		
MIAMI-DADE HFA MARBELLA APARTMENTS	6/18/2002	Withdrawn
E. JOHN NAGELIS		
PLAT COMMITTEE/ENTRANCE FEATURE EF-24-25-26-2002	8/16/2002	Open
PHILIP WARD		
PLAT COMMITTEE- TUSCANY PLACE ENTRANCE FEATURE 2002 242526	10/4/2002	Open
JOHN COSGROVE (deceased)		
ZONING APPLICATION / RE-ZONING CC 15	4/29/2003	Open
MITCHELL BIERMAN		
ISSUES RELATED TO USE OF PARK	5/15/2003	Withdrawn
JOHN COSGROVE (deceased)		
NONE	6/17/2003	Withdrawn
SERGIO PEREIRA		
NONE	1/16/2004	Withdrawn
ESTHER MONZON-AGUIRRE		
NONE	1/21/2004	Withdrawn
CLIFFORD WALTERS		
NONE	1/21/2004	Withdrawn
JEFFREY BERCOW		
CDMP APPLICATION NO. 1	5/5/2004	Withdrawn
JEFFREY BERCOW		
CDMP APPLICATION NO. 2	5/5/2004	Withdrawn
JEFFREY BERCOW		
CDMP APPLICATION NO. 3	5/5/2004	Withdrawn
MICHAEL LARKIN		
CDMP AMEMDMENT NO 2	5/5/2004	Withdrawn

MICHAEL LARKIN			
CDMP AMEMDMENT NO 3	5/5/2004	Withdrawn	
MELISSA TAPANES LLAHUES			
CDMP AMEMDMENT NO. 1	5/5/2004	Withdrawn	
ROBERT HOLLAND			
DRI AMENDMENT	6/22/2006	Withdrawn	
GRAHAM PENN			
MOBILE HOME PARK MORATORIUM	10/15/2007	Open	
MICHAEL RADELL			
MOBILE HOME PARK MORATORIUM	10/15/2007	Open	
MATTHEW AMSTER			
MOBILE HOME PARK MORATORIUM	10/15/2007	Withdrawn	
JEFFREY BERCOW			
MOBILE HOME PARK MORATORIUM	10/15/2007	Withdrawn	
BEN FERNANDEZ			
MOBILE HOME PARK MORATORIUM	10/15/2007	Withdrawn	
MICHAEL GIL			
MOBILE HOME PARK MORATORIUM	10/15/2007	Withdrawn	
MICHAEL LARKIN			
MOBILE HOME PARK MORATORIUM	10/15/2007	Withdrawn	
MICHAEL MARRERO			
MOBILE HOME PARK MORATORIUM	10/15/2007	Withdrawn	
MELISSA TAPANES LLAHUES			
MOBILE HOME PARK MORATORIUM	10/15/2007	Withdrawn	
ROBERT HOLLAND			
FUNDING ISSUES	9/1/2009	Open	
FELIX LASARTE			
AFFORDABLE HOUSING PROJECTS	10/6/2009	Open	
JORGE NAVARRO			
AFFORDABLE HOUSING PROJECTS	10/6/2009	Open	
MICHAEL MARRERO			
DEVELOPMENT APPROVALS FOR 1921 NW 79 ST, INCLUDING RELEASE FROM MHP MORATORIUM	11/2/2009	Open	
JEFFREY BERCOW			
DEVELOPMENT APPROVALS FOR 1921 NW 79 ST, INCLUDING RELEASE FROM MHP MORATORIUM	11/2/2009	Withdrawn	
MATTHEW AMSTER			
MOBILE HOME PARK MORATORIUM AND RELATED ORDINANCES	9/9/2010	Withdrawn	
JEFFREY BERCOW			

MOBILE HOME PARK MORATORIUM AND RELATED ORDINANCES	9/9/2010	Withdrawn
JEFFREY BERCOW		
TRADWINDS-ZONING APPLICATION	1/9/2013	Open
GRAHAM PENN		
TRADWINDS-ZONING APPLICATION	1/9/2013	Open
MELISSA TAPANES LLAHUES		
NONE	4/16/2013	Open
GRAHAM PENN		
VILLA CAPRI SITE PLAN MODIFICATION	4/16/2013	Open

Registration by Principal

Principal: GATEHOUSE GROUP INC

Lobbyist	Subject	Registration Date	Status
COURTNEY CUNNINGHAM	AFFORDABLE HOUSING	7/13/2001	Withdrawn
COURTNEY CUNNINGHAM	BRISAS DEL MAR	6/18/2002	Withdrawn
COURTNEY CUNNINGHAM	MIAMI RIVER PROPERTY ZONING	9/24/2002	Withdrawn
SUSAN FRIED	CDBG-MIAMI RIVER PROJECT	12/18/2002	Withdrawn
✓ PABLO ACOSTA	GENERAL REPRESENTATION	10/26/2009	Open
✓ JORGE L. LOPEZ	GENERAL REPRESENTATION	10/26/2009	Open
ALEXANDER HECKLER	RFP 794	11/14/2011	Withdrawn
BENJAMIN POLLARA	NONE	2/14/2012	Closed
OSCAR BRAYNON II	NONE	9/14/2012	Withdrawn

Registration by Principal

Principal: HOUSING TRUST GROUP OF FLORIDA

Lobbyist	Subject	Registration Date	Status
JORGE L. LOPEZ	ALL HOUSING MATTERS BEFORE COUNTY AGENCIES	1/29/2001	Withdrawn
VALRIA SCREEN	ALL HOUSING MATTERS BEFORE COUNTY AGENCIES	1/29/2001	Withdrawn
PABLO ACOSTA	ALL HOUSING MATTERS BEFORE COUNTY AGENCIES	1/29/2001	Withdrawn
DEBORAH MARTOHUE	PH NO. 01-172	7/11/2001	Withdrawn
JOHN HALL	ZONING HEARING 01-172	10/17/2001	Withdrawn
JEFFREY BERCOW	APPLICATION OF HOUSING TRUST GROUP PH NO. 01-172	10/22/2001	Withdrawn
ERICK VALLE	APPLICATION OF HOUSE TRUST GROUP PH NO. 01-172	10/22/2001	Withdrawn

Registrations By Lobbyist

KUPER, RICHARD

2014 Annual Registration; Submitted on 6/12/2014

Principal / Subject	Registration Date / Status
FLAGLER FIRST CONDOMINIUMS, LLC TO DISCUSS HOUSING REQUIREMENTS RELATED TO FLAGLER FIRST CONDOMINIUMS	6/12/2014 Open
MIAMI-DADE LEAGUE OF CITIES NONE	10/6/2009 Open
MIAMI-DADE LEAGUE OF CITIES OPTION TO OPT OUT OF FIRE DISTRICT	7/24/2007 Open
AMERICAN BRIDGE TRANSPORTATION RELATED TO MIA, POM AND ROADWAYS IN MIAMI-DADE	8/22/2000 Withdrawn

Registration by Principal

Principal: RBC CAPITAL MARKETS, LLC

Lobbyist	Subject	Registration Date	Status
	RICHARD MONTALBANO		
	INVESTMENT BANKING	7/6/2011	Closed
✓	TODD HOLDER		
	INVESTMENT BANKING	7/6/2011	Open
✓	DOUGLAS DRAPER		
	INVESTMENT BANKING	3/15/2013	Open
✓	BHANUMATHI PATIL		
	INVESTMENT BANKING	3/15/2013	Open
✓	JAKE SIGMUND		
	INVESTMENT BANKING	3/15/2013	Open
✓	THOMAS CARLSON		
	INVESTMENT BANKING	3/27/2013	Open
✓	MICHAEL LEXTON		
	INVESTMENT BANKING	5/6/2013	Open
✓	ANDREW MENDELSON		
	INVESTMENT BANKING	5/6/2013	Open
✓	MANUELLA DE BARROS		
	INVESTMENT BANKING	6/2/2014	Open

Registration by Principal

Principal: **STEARNS WEAVER MILLER WEISSLER ALHADEFF&SITTERSON**

Lobbyist	Subject	Registration Date	Status
ESTON MELTON	NONE	1/15/2014	Open

**Please Join us in Celebrating
The Affordable Housing Career of
Patricia Braynon**

Bask in the warmth of Wynwood's vibrant alfresco art garden while enjoying delicious hors d'oeuvres, chilled libations, and the sounds of a steel drum.

**Thursday, August 28, 2014
5:30 P.M. to 7:30 P.M.**

at



**Wynwood Kitchen & Bar
2550 N.W. 2nd Avenue
Miami, FL 33127
(305) 722-8959**

Attire: Leave your jackets at home — Caribbean Casual!

Event Sponsors:

Atlantic Pacific Communities	Law Offices of Richard Kuper, P.A.
Bryant Miller Olive	Manuel Alonso-Poch, P.A.
Cornerstone Group	New Urban Development
eHousing Plus	Public Resources Advisory Group
Foley & Lardner LLP	RBC Capital Markets. LLC
Gatehouse Companies	Related Urban
Housing Trust Group	Stearns Weaver Miller Weissler, et.al.
Landmark Companies, Inc.	

RSVP

**Thursday, August 21st
denise.rodriquez@rbccm.com
(727) 895-8857**