
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, October 07, 2014 3:12 PM
To: Sanchez, Rodzandra (COE)
Subject: Debra Eastman, Town Clerk, Town of Cutler Bay (Travel expenses-Gifts) INQ 14- 239

INQ 14-239

From: Centorino, Joseph (COE)
Sent: Tuesday, October 07, 2014 2:29 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: INQ - Debra Eastman, Town Clerk, Town of Cutler Bay (Gifts)

Debra Eastman, Town Clerk for the Town of Cutler Bay, inquired regarding whether it is ethically permissible for her to accept paid travel from the New Hampshire Clerk's Association for her to travel to NH and give a speech to a meeting of the Association, of which she is an honorary member (Ms. Eastman formerly was employed as a Clerk in the State of NH).

Inasmuch as the association is not a Town vendor, contractor, service provider, bidder or proposer, there is no prohibition under Section 2-11.1(w) to acceptance of the trip. However, the amount paid on her behalf for the trip should be reported by her as a gift pursuant to Section 2-11.1(e)(4). Since she is not being paid for the speech, this would not be considered an honorarium event under Section 112, Florida Statutes.

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, October 07, 2014 8:47 AM
To: Centorino, Joseph (COE)
Subject: FW: Teri Samuels, Assistant to the Town Clerk, Town of Cutler Bay (Gifts)- INQ 14- 236

Joe,

While you were on the phone yesterday, I received a call from Debra Eastman, Town Clerk of the Town of Cutler Bay, regarding additional issues related to this INQ you provided to her secretary. Her phone number is (786) 573-5509. I believe the question involves travel and she would be leaving on October 16. She wants to discuss this with you and I told her I would forward the message to you.

Mimi

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, October 06, 2014 1:05 PM
To: Sanchez, Rodzandra (COE)
Subject: Teri Samuels, Assistant to the Town Clerk, Town of Cutler Bay (Gifts)- INQ 14- 236

INQ 14-236

From: Ethics (COE)
Sent: Monday, October 06, 2014 12:52 PM
To: 'Teri Samuels'

Cc: Diaz-Greco, Gilma M. (COE)

Subject: INQ - Teri Samuels, Assistant to the Town Clerk, Town of Cutler Bay (Gifts)

Ms. Samuels

You have inquired regarding whether there is a cap on acceptance of gifts by municipal officials or employees. As you have noted, any gift in excess of \$100 must be reported on the Miami-Dade County Quarterly Gift Disclosure Form per Section 2-11.1(e)(4). For municipal officials required to file Financial Disclosure under Chapter 112, Florida Statutes, there is also a \$100 threshold for reporting of gifts.

There is no cap or upper threshold under Miami-Dade County Ordinance for the acceptance of gifts. However, the larger the gift that is accepted by a public official or employee that is in any way related to the duties of that person's public position, the more likely it is that such gift will be scrutinized under Section 2-11.1(e)(3) or under State Bribery/Unlawful Compensation criminal statutes, or under Section 112.313(4) (Unauthorized Compensation) as an illegal gift intended to influence a decision made a public official or public employee in connection with his or her official duties.

Further, for those who are required to report under Chapter 112, Florida Statutes, which includes all elected officials, as well as designated reporting individuals and procurement employees, Section 112.3148(4) prohibits acceptance of a gift in excess of \$100 from a vendor of the government agency, a lobbyist who lobbies the government agency, or a political committee.

Please contact me should you have any further questions.

Sincerely,

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

From: Teri Samuels [<mailto:TSamuels@cutlerbay-fl.gov>]

Sent: Monday, October 06, 2014 8:46 AM

To: Ethics (COE)

Subject: Gift Disclosures

Good morning –

I am aware that any gift in excess of \$100 must be reported using the Miami-Dade County Quarterly Gift Disclosure form. However, I have a quick question. Is there a cap for the monetary value of gifts?

Thanks so much for your assistance with this.

Teri Samuels
Assistant to the Town Clerk
[Office of the Town Clerk](#)

[Town of Cutler Bay](#)
[Cutler Bay Town Center](#)
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