

## Diaz-Greco, Gilma M. (COE)

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**From:** Centorino, Joseph (COE)  
**Sent:** Wednesday, February 26, 2014 12:30 PM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** INQ - Ken Pyatt, Deputy Director, Miami-Dade Aviation Dept. (Gifts)

I received an inquiry from Assistant County Attorney David Murray on behalf of Ken Pyatt, Deputy Director of the Miami-Dade Aviation Dept. Mr. Pyatt's daughter recently passed away, and Mr. Pyatt wanted to advise persons who might be inclined to express their sympathy through sending flowers that it was the family's preference that such expressions be made in the form of a contribution to the Miami Children's Hospital, a not-for-profit institution. Mr. Pyatt has no personal interest in or special connection with the hospital, and it is not foreseeable that such donations would inure in any way to his personal benefit or have any impact on his position or duties at the airport. I advised that, although direct solicitations of gifts are banned under Section 2-11.1(e)(3) of the Ethics Code, and the exceptions to the gift ordinance concerning solicitations of gifts for nonprofit organizations are limited to Commissioners or their staff members, I did not see this scenario as involving a solicitation of a gift. The purpose of the suggestion to contribute to the hospital is not to solicit any gift but to provide an alternative to those persons wishing to make special expressions of sympathy to his family of the family's preferred method of doing so. No one would feel compelled or obligated to do so, and the suggestion would likely affect only persons who were contemplating some expenditure of funds for flowers or other similar gestures to express sympathy for the family's loss. Accordingly, since the communication does not involve a gift solicitation; would not affect any special personal or financial interest of the inquirer; and would not affect his employment in any foreseeable way; I did not find that any Code provision would prohibit the action.

### *Joseph M. Centorino*

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