

**INQ Summary  
2014**

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-01	(g) <i>directed to</i> Fla.Stats. 104.31, 106.113(2), 106.15(4)	Thomas F. Pepe, City Attorney, City of South Miami	A private group may be allowed to hold a debate in the South Miami City Hall building to conduct candidate debates if, it is open to all candidates and the sole purpose for such an event is to disseminate candidate views to the general public rather than to favor or endorse any view or candidate, and this opportunity is afforded to any group under the same conditions. Further, no candidate should be permitted to solicit or accept campaign contributions during the forum or at any time within the public building.
14-02	<i>directed to</i> Sunshine Law	Carlos Lopez- Cantera, County Property Appraiser	A violation of the Sunshine Law does not occur where the County Property Appraiser (PA) communicates with a County Commissioner upon the suggestion of the Commission Chair regarding the repeal by the Commission of a property tax exemption for seniors provided that the PA was not conveying any substantive information about the issue from the Chair to the Commissioner and was limiting the discussion to informing him of the dissatisfaction of senior citizens with the repealed tax exemption.
14-03	(e), (d)	Thomas F. Pepe, City Attorney, City of South Miami	No prohibited voting conflict exists under the Ethics Code for an elected official to vote on a resolution concerning a municipal officer who has contributed to the elected official's campaign. The Ethics Code addresses voting conflicts with respect to certain relationships such as director, partner, employee, stockholder or bondholder, among others, but does not address campaign contributions.
14-04	(c)(2), (d) RQO 00-13	Mr. Juan C. Restrepo, Industrial Trading Solutions	The husband of a County employee may contract with the County through his privately owned industrial parts company, but may not contract with the Parks and Recreation Department that employs his wife.
14-05	(b)(b)	Angela Vaughns, Procurement Liaison-Admin., County Economic Advocacy Trust	There is no violation of the County requirement for employees to take the Ethics Course by 12/31/13, where an employee is on medical leave and will return to her County employment in February 2014. She should complete the training within 30 days of her return.

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14-06	<i>directed to</i> Fla. Stat. 112.3135	Thomas F. Pepe, City Attorney, City of South Miami	Whether the daughter of the City of South Miami Attorney may be hired to do work by the City Attorney's private law firm and part of that work involves the City of South Miami is not addressed under the County Ethics Code provided that the City Attorney is not exploiting his public position to gain employment for a family member. This would fall under the State anti-nepotism statute and the City of South Miami's administrative policies.
14-07	(k)(2) RQO 06-48	Michaela Doherty, Proj. Admin., Office of Mgmt. & Budget	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.
14-08	(c)(2) <i>directed to</i> Fla. Stat. 838.22, County Nepotism Policy	Judith Levine, Police Legal Advisor, Miami- Dade Police Department (MDPD)	A bid process occurred involving three companies providing DNA "kit" validations for the MDPD's Forensic Biology lab (FBL). One of the bidding companies, Life Tech, employs the wife of FBL's manager. Assuming a proper bid procedure, the Ethics Code does not prohibit the wife of FBL's manager, from working on this project because the manager's wife does not have a controlling financial interest in Life Tech. However an appearance of impropriety would be created and it could contrary to the County's nepotism policy that discourages such close proximity of relatives in County departments.
14-09	(e),(w) RQO 02-46 RQO 05- 110	Alvaro J. Muñiz, Commission Aide, Office of Commissioner Juan C. Zapata, Dist. 11	A County employee may accept the gift of a meal valued at \$25 from Microsoft to attend YouthSpark, an event offered by Microsoft in conjunction with Miami Dade College and the Brookings Institution to explore current research on youth, and education as long as the gift is not part of a travel expense, and is not given with the expectation that a special benefit from the County will be given in return.
14-10	<i>directed to</i> Fla. Stat. 112.3135	Cecilia Brewer- McDuffie Chief, HR, County Water and Sewer (WASD)	The County's anti-nepotism policy prohibits one County employee from advancing or promoting a relative, but a County employee may supervise a step-daughter because the County policy, which is based on the state anti-nepotism statute, does not include "step-daughter" in the definition of "relative."

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14-11	<i>directed to</i> Fla. Stat. 286.011	Tom Dratler, Senior Systems Analyst, County Information Technology Department	Under the Sunshine law, preliminary drafts or entries of inspection information become public records as soon as they are created, even though the supervisor may make changes. However, they need to be kept only until they are obsolete, superseded, or loses legal, fiscal or administrative value.
14-12	(c) (2) (d) RQO 00-13	Mary Estime– Irvin, Estime & Irvin Associates	The mother of a County employee may contract with the County to provide temporary employees, but she may not contract with the County Community and Human Services Department, which employs her daughter.
14-13	(k)(2),(j), (w),(e)	Morris Copeland, Director, Miami-Dade County Juvenile Services Department (JSD)	The Director of JSD’s participation as a <i>paid consultant</i> in the IACP Law Enforcement Leadership Institute constitutes outside employment. Because attendance is for an educational purpose, it would not constitute prohibited outside employment under the Ethics Code. The director would be required to submit a Request for Employment form to his supervisor and would have to complete the Outside Employment statement by July 1 <sup>st</sup> of each year.
14-14	(k)(2) RQO 06-48	Olga Espinosa- Anderson, Div. Dir., County Public Works & Waste Dept.	A County employee who manages 2 condos does not engage in outside employment. However, County employees that manage 3 or more rental units must seek permission to engage in outside employment and file the required permission and disclosure forms.
14-15	(t)1.(c)(i)	Gerald Sanchez, Assistant County Attorney	The exception in the Cone of Silence for oral communications during “any duly noticed public meetings” applies to duly noticed meetings by any board or board members and not just to County Commission meetings.
14-16	(i)	John Ricisak, Supervisor, Coastal & Wetlands Resources Dept. (CWR)	A supervisor of CWR who has purchasing authority over \$20,000 is required to file State Form 1 Financial Disclosure Statement with the Department of Elections to satisfy the disclosure requirement. Moreover, filing with the state will satisfy the County requirement.

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14-17	(e) RQO 02-46 RQO 05-110	Peggy Bell, Councilwoman, Town of Cutler Bay	A Cutler Bay Councilwoman may accept the gift of Miami Symphony tickets valued at \$20 from a former Cutler Bay Mayor, because neither the former Mayor, nor the Miami Symphony are a Town vendor, creditor or lobbyist. The gift is not prohibited as long as the gift is not given with the expectation that a special benefit from the Town will be given in return. The Councilwoman must report the tickets as gifts, if valued over \$100.
14-18	(w) RQO 02-46 RQO 05-110	Raul Gastesi, Town Attorney, Town of Miami Lakes	The Mayor of Miami Lakes is prohibited from accepting paid travel, meals, lodging, or other incidentals from the Sabah Al-Ahmad Center for Giftedness and Creativity, which was established by the Kuwait Foundation for the Advancement of Sciences (Center), if the Center is a vendor or contractor for Miami lakes. If the Center is not a Miami Lakes vendor, the mayor would still be required to disclose the trip a gift disclosure form.
14-19	<i>directed to</i> Sunshine Law	Victoria Mendez, City Attorney, City of Miami	Communication among board members or their aides regarding the mere setting of an item, as a purely procedural matter, does not create a Sunshine Law violation. However, it is advisable that city commissioners or aides refrain from such direct contact and make arrangements with the Clerk's office or Manager's office or the City Attorney's Office, to communicate with the Commission regarding the timing of these items.
14-20	(w),(e)(3),(4) ) RQO 02-46 RQO 05-110	Juan Zapata, Commissioner District 11 Board of County Commissioners	A County Commissioner may accept the gift of a meal valued at \$25 from Microsoft to attend YouthSpark, an event offered by Microsoft in conjunction with Miami Dade College, and the Brookings Institution to explore current research on youth and education as long as the gift is not part of a travel expense, and is not given with the expectation that a special benefit from the County will be given in return.
14-21	(j) RQO 06-48	Dolores Daily, Computer Services Manager, County Clerk of Courts	A County employee who manages 5 or more rental units through a trust owned by the County employee and her spouse, must seek permission to engage in outside employment and file the required permission and disclosure forms.

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14-22	(s)	Juan C. Castro, Jc2Bh Solutions LLC.	Pharmaceutical and medical device sales reps at JMH must register as lobbyists and comport with all other lobbyist requirements.
14-23	(j) <i>directed to</i> County AO 7-1	Kevin M. Kirwin Assist. Dir. for Operations, County Parks &, Recreation Dept. (PROS)	Although the Ethics Code prohibition on outside employment does not apply to part time employees, the Ethics Code prohibition on employment that would impair the independence and judgment of an employee's performance of public duties applies to both full and part-time employees.
14-24	--	Felipe Rivero, Proj. Admin., Office of Mgmt. and Budget	The Ethics Commission does not have jurisdiction over 501 (c)(3) (non-profit) organizations. However, generally a conflict of interest would exist under the facts presented here, where a board member of a nonprofit is also receiving compensation from County grant money for providing services under the community grant.
14-25	(z)	Gerald Sanchez, Assistant County Attorney	The wording of Section (z) of the Ethics Code does prohibit the Mayor, a County Commissioner or a member of their staffs from participating in settlement negotiations over claims or lawsuits. However, at the time that the ordinance provision was adopted, the Mayor did not serve as a strong Mayor, but rather as the Chair of the Board of County Commissioners, and, therefore, was then in the position of a County Commission member vis-à-vis the County Manager who was the CEO and the person who would, by virtue of the position, participate in such negotiations. Consequently, since the Mayor is now a strong Mayor and has, in effect, the same executive status as that the County Manager formerly had, and because he is no longer a member of the Board of County Commissioners, this section could no longer be read as applying to the County Mayor. Therefore, the County Mayor and his staff are not prohibited by the Ethics Code from engaging in settlement discussions of claims or lawsuits.

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14-26	(e)(2), (e)(3)	Robert Meyers, Attorney, Weiss Sorota and Helfman	An advisory board member would not be permitted to directly solicit gifts for use by the municipality in his/her capacity as an advisory board member, although he/she could utilize the services of an employee or elected official to do so if the solicitation occurred in the course of their official duties and for a proper official purpose.
14-27	(c)(5)(5) RQO 09-20	Alisa L. Caballero, Qual. & Assur. Officer, County Public Housing Dept.	An exception under (c)(5) of the Ethics code allows an employee of the County Public Housing Department(CPH) to accept assistance through a homeownership loan program administered by the CPH if the employee otherwise qualifies for the program and does not participate in administering the program.
14-28	(g) RQO 0-06	Walter Harris, Commissioner City of South Miami	A city Commissioner is not prohibited from using his own resources to provide complimentary photographic services to the City where he does not stand to profit from such service. However, accepting materials from the city such as printing paper or ink cartridges, to be kept in his home or office without oversight, should be avoided.
14-29	(m)(2) RQO 07-49 RQO 08-21	Jean Olin, Private Attorney representing the City of Miami Beach	Under the exemption outlined in Section (m)(2) of the Ethics Code, an architect serving without compensation on an architectural board, whose sole function is to pass on the aesthetics of plans submitted, is not prohibited from submitting to the board, plans he has been paid to prepare on behalf of a client, so long as the architect makes known his representation of the applicant and disqualifies himself from speaking or voting or otherwise participating on such application. Further, the architect would be prohibited from speaking or otherwise participating before the board as a representative of the client.
14-30	(n),(s) RQO 06-64	Jean Olin, Private Attorney representing the City of Miami Beach	Under Section (n) of the Ethics Code, a member of a board is prohibited from lobbying that board on a matter involving that member's financial interest. However, a board member's mere passive submission of an application to the board, without some affirmative act, e.g., a letter, conversation, email, appearance, or other action intended to influence the ultimate decision, would not constitute lobbying under Section (s) of the Ethics Code.

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14-31	(q) RQO 12-09	Jose R. Perez, Architect AMEC Corp.	A former County employee may not lobby or attempt to influence any official decision or official action in the County in the two years following his separation from the County. The prohibition includes advocating for decisions that may be made at the sole discretion of any municipal personnel.
14-32	(j),(k) RQO 09-16	Elisa Crespo, HR Training Specialist II, Seaport	Proposed outside employment providing CPR and first aid training to private school bus drivers which is required for their driver certification, does not create a conflict for a County Seaport HR Training Specialist II.
14-33	(g) RQO 02-46 RQO 07-28	Barnaby L. Min, Deputy City Attorney, City of Miami	City officials may accept free tickets to the International Boat Show 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. However, if the tickets are received pursuant to a contractual requirement, they would be considered public property and would have to be distributed in accordance with the COE ticket policy.
14-34	<i>directed to</i> R 189-05	Magaly Rivero- Gomez, Port of Miami Crane Management Board	Pursuant to County Resolution R 189-05 all County boards are required to complete ethics training.
14-35	<i>directed to</i> Sunshine Law at Fla. Stat. 286.011	Pepe Villalobos City Attorney City Of West Miami	A charter review committee established by the City is a public board covered by the Sunshine Law.
14-36	(j) (k) Fla. Stat. 112.313 (7)(a) (2012)	Noel Cubela, Park Mgr. II, City of Miami Parks	A City employee should be denied permission to engage in outside employment as a tennis instructor and program management for a non-profit organization youth tennis organization that runs its programs out of the same park that the employee manages. The employee schedules the program for the non-profit organization, and would be required to conduct some of the outside employment during regular business hours. Additionally, the employment is similar to the work he does for the City and could, therefore, cause conflicts of interest.

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14-37	(c)(2), (m)(1) RQO 00-13	Zachary Rinkins Multimedia	A County employee may apply for and accept a County Mom & Pop grant as long as he does not lobby the County and the Dept. that employs him does not administer the contract.
14-38	(t), (t)(4)	Joe Carollo, City Mgr., City of Doral	Where the City of Doral has elected to contract for its legal services and is soliciting bids from potential service providers of legal services, this solicitation falls within the Ethics Code's Cone of Silence. As such, the restrictions against oral communications during the time between the bid advertisements and the Manager's recommendation apply to City officials and personnel, subject to the various exceptions contained within the Ethics Code.
14-39	(g)	Christopher Agrippa Dir., Clerk of the Board,	An employee of the Clerk of the Board (COB) with ministerial job responsibilities for the COB and the BCC is not prohibited from accepting an appointment to the Board of Directors of the Chapman Partnership(CP). CP is a private, non-profit entity which contracts with the Miami-Dade Homeless Trust to provide services to the homeless. The COB employee's ministerial duties with the County would not place him in position to affect in any way the interests of CP or the Homeless Trust.
14-40	(b)(5), (u) C 04-53	Ralph Ventura City Attorney, City of Sweetwater	Under the Ethics Code, the City Attorney for a municipality may not form a business partnership with any person or entity that has a contract with the municipality that employs him. Establishing a business partnership with a municipal vendor would not fall within the definition of an arm's length transaction and would therefore be prohibited.
14-41	(j),(k)	Jennifer Walker, Sr. HR Mgr., County Aviation Depart.	A county employee, who engages in compensated work during the period of time of an approved leave of absence (LOA), is engaging in outside employment. Consequently, the employee must complete the Outside Employment form and file an Outside Employment Statement by July 1st.



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14-42	(b)(5),(n) (5) RQO 10-08	John Herin, City Attorney, City of Doral	The current Doral City Attorney whose law firm holds a contract to provide legal services for Doral, and is one of several firms competing for a new city contract, is prohibited from providing advice to Doral officials regarding the procedures for the hiring of a new City Attorney.
14-43	(u) RQO 01-115	Betty Aguirre, Chief of Staff, Comm. Sosa (Dist. 6)	A Commissioner's Chief of Staff appears in her husband's motor vehicle upholstery company's corporate paperwork as Vice President, but she is not involved in running her husband's company. Her husband's company would like to accept work from a vendor (CV) that does business with the County. In this case, no conflict would occur under the Ethics code, provided that the husband not perform any of the work the CV has with the County, and that no special benefit is provided to the husband in view of his wife's County employment.
14-44	(c)(2), (m)(1) RQO 00-13	Randy Mosley, Randy's BBQ and Catering Services, LLC	A County employee may apply for and accept a County Mom & Pop grant as long as he does not lobby the County and the Dept. that employs him does not administer the contract.
14-45	(g),(n),(v) RQO 05-43	Dennise Suarez, Exec. Assist. To Fin. Dir., County Finance Department	There is no prohibited conflict of interest for a County employee to vote in a selection committee where an employee of one of the bidder's subcontractors is the brother of two of the County employee's co-workers. The County employee does not supervise the coworkers in question, and she has no financial interest in either the bidding company, or its subcontractor. However, under the Cone of Silence, selection committee members may not have oral communications with any County Staff until a recommendation is made. Further, she should avoid contact with the County employees whose sibling is employed by the bidder's subcontractor.
14-46	--	Craig Leen, City Attorney, City of Coral Gables	The Ethics Code does not address whether the Coral Gables City Charter permits the Coral Gables Commission to create the position of Commission Aide to assist the City Commission in the performance of its functions.

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14-47	(c)(2), (m)(1) RQO 00-13	Darryl Styles	A County employee may apply for and accept a County Mom & Pop grant as long as he does not lobby the County and the Dept. that employs him does not administer the contract.
14-48	(p) RQO 05-27	Miriam Singer, Assist. Dir. ISD	Where County bid documents require firms to provide references as part of their application, bidders are not prohibited from requesting <u>professional</u> references from County employees. This is as long as, County employees are not being asked to make any recommendations concerning whether a particular firm should be hired.
14-49	(j),(k),(d)	Darrell L. Hunter, DLH Professional Services, INC.	A county employee seeking to contract with the county is required to complete Outside Employment procedure and county vendor application procedure which include applying for and obtaining compliance letters from the Ethics Commission. The County employee is also seeking a Mom & Pop grant. He is required to apply through the Neighbors and Neighbors Association and request a compliance letter from the Ethics Commission.
14-50	(w) RQO 99-59	Belkys Casas- Perez, Exec. Sec., ITD	County employees may not accept travel expenses from a County vendor to attend training out of state.

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14-51	(s)(6)(a) <i>directed to</i>	Joseph Bober, Attorney	A lobbyist registered in Miami Beach inquired about the expenditure reporting requirements under the County Ethics Code as compared to the Miami Beach lobbying ordinance. The County provides written guidelines to lobbyists for its ordinance requirements. The City of Miami Beach does not. The City ordinance concerning the reporting of expenditures is more sweeping, in that all lobbyist expenditures are required to be reported rather than only expenditures in excess of \$25. However, in regard to the reporting of expenditure items, the City of Miami Beach Ordinance, Section 2-485, has the identical list of included expenditures as does Section 2-11.1(s)(6)(a): food and beverage, entertainment, research, communications, media advertising, publications, travel, lodging and special events. Therefore, the criteria for reporting such expenditures under the City ordinance will be the same as under the County ordinance.
14-52	(e)(3)	Ken Pyatt, Dep. Dir., County Aviation Dept.	The Ethics Code does not prohibit the Executive Director of the Aviation Department from suggesting donations to the non-profit, Miami Children’s Hospital, on behalf of his deceased daughter, in lieu of flowers, as an expression of sympathy. The Deputy Director 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.
14-53	(s) RQO 06-34	Gerald Sanchez, Assist. County Attorney	A representative of County commercial of water and sewer services from the County is considered a lobbyist under the Ethics Code where he is paid to influence actions of the County’s Water and Sewer Department (WASD) in connection with billing disputes over bills generated by WASD. These disputes will foreseeably be heard by a County board. Consequently, he must register as a lobbyist with the County and must take the required lobbyist ethics course.

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14-54	(v) RQO 11-28	Jennifer Dray, Member, Surfside, Planning and Zoning Board	The Beth Moshe Congregation (BMC) operates a preschool. The Executive Director of BMC is also a member of the Surfside Planning and Zoning Board (P&Z). Another Surfside preschool, The Shul, is seeking permission from the P&Z for an expanded preschool of up to 225 children. Pursuant to Section (v) of the Ethics Code, the Executive Director of BMS is not prohibited from voting on the variance requested by the Schul because she is not an “officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary” of an entity appearing before the board. Further, given that neither the Executive Director’s position nor salary would be directly affected by this vote, the vote would not be prohibited under Section (v) of the Ethics Code.
14-55	(s)(1)(b) RQO 04-07	Murray Greenberg, Attorney, Murray, Schachter, Greenberg P.A.	An attorney’s actions do not constitute lobbying when he calls a City Attorney to discuss his client’s potential claim on a pending bid solicitation with the city and where the City Attorney does not have any decision-making authority over the solicitation contract.
14-56	(x) RQO 11-14	Ken Pyatt, Dep. Dir., County Aviation Dept.	Under the reverse two year rule, an Aviation Department manager, employed less than 2 years ago by a current Aviation vendor, may not perform any County contract-duties or actions related to that County contractor or vendor.
14-57	(e)(3) RQO 02-46	Bobbie Jones- Wilfork, Assist. Aviation Dir. County Aviation Dept.	A County employee may not accept a gift valued at \$500 in appreciation for a job-related duty she performed, after being assigned to work with United Way to help coordinate the fundraising from County employees.
14-58	(j) RQO 12-07	Hung Do, Zoo Exhibits Technician, Zoo Miami	A Zoo Miami employee’s act of providing to a third party photographs he took in the public areas of the Zoo, is not likely to impair his independence of judgment in the performance of his public duties because the pictures were taken several years ago, are in compliance with the zoo’s policies on picture taking in public areas, and were given free of charge.

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14-59	(j),(k),(g), (h) RQO 12-07	Julio A. Rey, Graphics Tech Supervisor, Miami-Dade Transit	A full-time County employee is not prohibited from including in the portfolio for his private graphic design work, samples of work he has already produced in his County employment. The employee has obtained permission for outside employment and it is unlikely that using these samples would impair his independence of judgment in the performance of his public duties where the work samples have already been prepared for a public purpose, in the ordinary course of his employment, are part of the public record, and can be readily obtained by anyone in the general public. In order to avoid exploitation of official position, the employee must not use County time or resources to benefit his private outside employment. Further, the employee may not engage in any activity which would require him to disclose confidential information acquired by reason of his official position, nor use such information directly or indirectly for his personal gain or benefit.
14-60	(c)(2) RQO 00-13	Maria E. Stocking,	An immediate family member of a County employee is allowed to enter into a contract with the County as long as her relative is not employed by the County department that will enforce, oversee, or administer the contract.
14-61	<i>directed to</i> County Ordinance 2-11.36(a)	Carolina Montealegre, Interim Village Clerk, Village of El Portal	Members of a Charter Review Commission are required to file Financial Disclosure forms only if the Commission is created to serve for a period of one (1) year or longer.
14-62	(c)(5)(5) RQO 09-20	Alisa L. Caballero, Quality and Assurance Officer, Public Housing and Community Development	An employee of the Public Housing & Community Development department can accept assistance through a homeownership program administered by the Public Housing department if the employee otherwise qualifies for the program and does not participate in administering the program.

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14-63	(u), <i>directed to</i> Fla. Stat. 112.313(7)	Ronetta Taylor, City Clerk, City of Miami Gardens	Under the ethics code, an elected official is not prohibited from contracting with a city vendor to work on his re-election campaign as long as the transaction is an arm's length business transaction that contains no special discounts, terms, or benefits obtained because of the elected official's position. However, Fla. Stat. 112.313(7) appears to set a stricter standard, and elected officials should contact the Florida Ethics Commission for an opinion under state law on this issue.
14-64	(c)(3), (m)(2), (v) RQO 06-52	Gerri Lazarre, Vice-Chair, Miami-Dade Black Affairs Advisory Board	A County board member is not prohibited from contracting with the County, as long as the board on which she serves does not regulate the contract, she does not lobby the board, and she abstains from voting if a matter related to the contract were to appear before the board.
14-65	(v),(j) RQO 06-52	Victoria Mendez, City Attorney, Miami City Attorney	A board member should recuse himself and abstain from voting on a Developer's project coming before the board where the member is employed by the same Developer, even though the member will not work on the project being considered.
14-66	(e)(4) RQO 02-46 RQO 07-28	Victoria Mendez, City Attorney, Miami City Attorney	The receipt by a city official of an expenses-paid trip from another governmental entity constitutes a reportable gift under the County Ethics Code which requires disclosure pursuant to Section (e)(4) and must be reported by the official on the proper state disclosure form that is filed quarterly.
14-67	(v) <i>directed to</i> Fla. Stat. 112.313(7)	Gary M. Held, First Assistant City Attorney, Office of the City Attorney, Miami Beach	Board members do not have to resign if their private clients appear before their board, however, they should recuse themselves and file the appropriate disclosure. If client appearances are so frequent as to interfere with the ability to serve as a member, then the State Code of Ethics may require him or her to resign from the board due to a recurring conflict.
14-68	(x) RQO 11-14	Marjorie Tejeda- Castillo, Town Clerk, Town of Miami Lakes	A town employee previously employed by a business entity, may not be involved in the oversight of that entity or perform any town contract-related duties regarding that entity for a period of two (2) years following termination of his or her prior relationship with the entity.

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14-69	(v),(j) RQO 06-52	Gerald Sanchez, Assistant County Attorney	A Construction Trade Qualifying board member should recuse himself and abstain from voting where he is a contractor who has a contract with a condominium that has filed a complaint before the Construction Trade Qualifying board.
14-70	-- <i>directed to</i> Fla. Stat. 286.011	Deborah Hayden, Citizen	A Homeowners Association is not a public board created by the government and therefore is not covered by the Florida Sunshine Law, or the Citizen's Bill of Rights provision regarding notice of public meetings. Board members are not prohibited from addressing the Homeowners Association group in a private meeting under the Sunshine law, provided that two members of a government board may not use such occasions to conduct surreptitious communications with each other in violation of the Sunshine Law.
14-71	(k)(1) <i>directed to</i> Fla. Stats. 112.312(12) (b)3, and 112.3149	Victoria Mendez, City Attorney, Miami City Attorney	The Ethics Code does not specifically address honoraria. However, an honorarium type of payment, i.e., a payment made for a single speech or event (rather than payment for expenses, which is not an honorarium), is not considered a gift because it is not given without consideration. Furthermore, Section (k)(1) of the Ethics Code would prohibit the city manager, department heads or employees from receiving any outside compensation for his or her services as an officer or employee of the city. If a particular event was very closely connected to that person's official duties or job responsibilities, then that person should not accept the honorarium at all.
14-72	(d), <i>directed to</i> Fla. Stat. 112.3143(3)	Gerald Sanchez, Assistant County Attorney, Miami-Dade County	A County Commissioner, with a conflict of interest on an item, is not required by (d) to take any further action if he or she does not attend the meeting where the item is discussed, and does not participate or vote on the matter. However, state law may require the official to file a disclosure of conflict form.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-73	(s)(3)(b)	Ellen Book, Co-Founder, Community Advocates for Libraries in Miami (CALM)	County employees appearing as individuals representing only themselves may advocate their positions before County agencies, and need not register as lobbyists under Ethics Code Section(s)(3)(b). However, Section (m)(2) would prohibit county employees from engaging in any discussions with officials, directors or staff of the county on behalf of a third party, even if they did register as lobbyists. Therefore, it would be important in any contact with the County that county employees not engage in any "lobbying" type activity as a representative, paid or unpaid, of another person or entity, and to be careful to state that they are representing only themselves. Non-county employees who hold official positions with CALM, a non-profit entity, as officers or directors and appear without special compensation or reimbursement before the County as representatives of and on behalf of CALM should register as lobbyists, but are not required to pay registration fees under Section (s)(4).
14-74	(d) RQO 07-54	Rebeca Sosa, County Commissioner, District # 6	A County Commissioner who is employed by the School Board may vote on the execution of a Memorandum of Understanding with Miami-Dade County Public Schools and other entities to develop and implement the "Kids Aspire Program" in coordination with the Miami-Dade County Office of Community Advocacy because 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.
14-75	(p) RQO 07-49 RQO 09-14	Alexander Palenzuela, Municipal Attorney	The Code of Ethics prohibits a part-time municipal attorney from recommending the services of another attorney or professional to be involved in the municipality he works for, unless the recommendation was required to be made by him by the duties of his position and was made at a public meeting attended by other city officials, officers or employees.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-76	-- <i>directed to</i> Fla. Sat 112	Alan E. Greenfield Attorney	Whether a City of Coral Gables Ordinance providing that the City's Finance Director serves as both the Trustee of the City's Retirement System as well as a voting member of the Retirement Board, is ethically permissible is not addressed by the County Ethics Code. Therefore, the Ethics Commission is unable to conclude that the Trustee's dual service as a trustee and a member of the Retirement Board violates any ethical ordinance or other provision.
14-77	<i>directed to</i> Fla. Stat. 112.3148(7) (k) and CEO 04-12	Juan Zapata, Miami-Dade County Commissioner	The value of a gift of tickets is generally the face value of the ticket or admission fee, but if the gift is an admission ticket to a charitable event and is given by the charitable organization, the portion of the cost which represents a charitable contribution, is not included in valuing the gift.
14-78	(e) RQO 08-48	Richard Chervony, Commissioner North Bay Island	An elected official may accept tickets paid for by the Village to a Miami-Dade League of Cities event. The ticket does not need to be disclosed because it involves the official representing the Village in his or her official capacity. However, the paid ticket for the spouse of the elected official should be disclosed by the elected official as a gift to the elected official if the value of the ticket exceeds \$100.
14-79	(d) <i>directed to</i> RQO 07-54	Philip Stoddard, Mayor of South Miami	A City Mayor who is employed by FIU may participate and vote on a matter regarding FIU where he will not be affected in a manner distinct from the public generally by the vote, and he will not, directly or indirectly, profit or be enhanced by the vote.
14-80	(e)(2)(b)	Marie Perikles, Staff Attorney, OIG	A County employee staying with her husband on her personal time, in a hotel room paid for by her husband's non-profit employer, has not received a gift from the non-profit but rather from her husband, making it exempt from the gift ordinance.
14-81	(w) RQO 05-110	Flora E. Seff, Senior Legal Liason Miami-Dade Fire Rescue Department (MDFR)	Due to the ban on accepting travel expenses from County contractors, County firefighters may not accept travel expenses including airline tickets, hotel shuttle, and food for an out-of-state training event. However, the firefighters may apply for a waiver of this prohibition from the County Commission. Alternatively, they may request that the County pay for the travel expenses.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-82	--	Alisa Caballero, Quality & Assurance Officer, Public Housing & Community Development (PHCD)	An immediate relative of a non-County employee, employed as a temporary employee with the department's Low Income Home Energy Assistance Program (LIHEAP), is not prohibited from applying for a PHCD loan because the County Ethics Code does not extend to non-county temporary employees or their relatives.
14-83	(j) RQO 09-16	Stephen Christensen, Environmental Resources Project Supervisor, County Public Works and Waste Management (PWWM)	An Environmental Resources Project Supervisor in PWWM whose work focuses on environmental compliance and inspection of County landfills does not have conflicting employment if he engages in outside employment for a general engineering company in projects outside of the county involving coastal zone management. His work with the engineering company is not likely to impair his independence of judgment in the performance of his public duties because the engineering company does not contract with the employee's department and the employee's work for the engineering company is unrelated to the waste management functions the employee performs in his County position.
14-84	(j),(g) RQO 07-35	Dawn M. Soper, Real Estate Officer, Miami Dade County, Internal Services Department	A County employee, employed by the Property Appraiser's Office, would not have a conflict serving on a selection committee where she works in the same department as the mother of one of the associates of a company on the County's approved appraisers list. The employee's independence of judgment is not likely to be impaired given that she is not supervised by the mother of the associate, and the employee does not have any private or financial interest that would be affected by the choice of the selection committee.
14-85	(s)(2)(d) RQO 04-07	Jason Hunter Korn, Attorney, Cohen & Grigsby	The completion of the lobbyist ethics course within 60 days of initial registration as a lobbyist satisfies any ongoing requirement by the county for lobbyist ethics training in connection with any re-registration within two years from the initial training.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-86	(d) <i>directed to</i> Fla. Stat. 112.3143	Griselia Digiaco- mo, Vice- Mayor, Town of Medley	An elected official of the Town of Medley is not prohibited from voting on a matter affecting the sale of a mobile home park in which she resides because the elected official will not be affected in a manner distinct from the public generally given that the population of Medley is centered, to an unusual degree, in the mobile home parks in the Town.
14-87	(c)(5)(5) RQO 09-20	For: Jennifer Joseph Alisa Caballero, Quality and Assurance Officer, Public Housing (PHCD),	Under an exception in the Ethics Code, a County employee is not prohibited from applying for a PHCD loan as long as he or she otherwise qualifies for the homeownership assistance program and during the entire term of the loan and does not participate in its administration.
14-88	(c)(5)(5) RQO 09-20	For: Wilna Fenelon Alisa Caballero, Quality and Assurance Officer, Public Housing(PHCD) Re: Wilna Fenelon	Under an exception in the Ethics Code, a County employee is not prohibited from applying for a PHCD loan as long as he or she otherwise qualifies for the homeownership assistance program and during the entire term of the loan and does not participate in its administration.
14-89	(e)(1),(4) RQO 11-18	Victoria Mendez, City Attorney, City of Miami	A City Commissioner and his staff must report complimentary admissions to the Annual Beacon Awards as gifts if they are not affirmatively acting in their official capacity during the event. The gift must be reported if its value exceeds \$100. If a spouse or other guest is invited along with the official, then the complimentary admission for the guest is considered a gift to the official.
14-90	(j),(k) RQO 06-48	Oriol Torres- Haage, Training and Certification Officer, County Department of Regulatory and Economic Resources	Management of three or more rental properties is considered outside employment unless the employee has a management company to manage the properties and the employee is not permanently involved in their management.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-91	<i>directed to</i> Fla. Stat. 112.3134	Joanne R. Urquiola, President, iTransport Services, Inc., Board Member, Citizen's Transportation Advisory Committee (CTAC)	The Ethics Commission's jurisdiction does not extend to a Metropolitan Planning Organization (MPO) board, CTAC, where the ordinance repealing CTAC as a County board went into effect on September 16, 2012 and where MPO's new Services Agreement with the County (signed July 1, 2013) contains no language indicating MPO's consent to abide by the County Ethics Code. The issue is governed by Fla. Stat. 112.3134 under the jurisdiction of the Florida Commission on Ethics (FCOE). While the CTAC board member in this case is not likely to have a conflict of interest by providing transportation services as a subcontractor/provider to the County's Special Transportation Services Department (STS), because CTAC does not oversee or provide funding for STS or the board responsible for STS's oversight, a binding opinion on the issue may be provided by the FCOE.
14-92	(c), (m)(1) RQO 06-52 RQO 07-39 RQO 07-45	Geraldine Lazarre, TriMerge Consulting Group, P.A.	An advisory board member may apply for and accept a Mom & Pop grant as long as her board is not involved in any aspect of the grant process.
14-93	(q)	Gerald Sanchez, County Attorney, Miami Dade County	The two-year rule does not prohibit the County from retaining a recently retired County employee as an expert witness in an existing lawsuit where the employee did not lobby to be retained and his duties would not involve lobbying the County.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-94	(c)(3), (m)(2),(v), (o) <i>directed to</i> Fla. Stat 112.313(7)	Thomas F. Pepe, City Attorney, City of South Miami	The Code of Ethics does not prohibit the appointment of an Architect to the City’s Environmental Review and Preservation Board (ERPB) where the Architect is a <u>subcontractor</u> of a real estate developer who prepared a landscaping plan for the developer (required under an agreement between the developer and the City) which the ERPB has already approved. However, once appointed the Architect may not enter into a contract with the ERPB if the ERPB would oversee the contract, he may not appear in front of the ERPB either directly or through an associate, and he may not receive compensation directly or indirectly for services rendered to the developer if the developer were to seek some benefit from the ERPB during the time of the architect’s board service. Further, the architect is prohibited from voting on matters before the ERPB if he would be directly affected by the vote and he has one of the prohibited relationships set out in the Ethics Code.
14-95	(q), (h) RQO 12-09	Ardene Estrada Training & Strategic Planning, County Park, Recreation Department	Under the two-year rule, the Ethics Code would not prohibit a former employee from working for a county vendor or becoming a county vendor himself. However, the employee would be prohibited from lobbying for the contract either on behalf of an employer or himself for two years after his County employment.
14-96	(t)1.(b)(ii) RQO10-13	Miriam Singer, Procurement Director, ISD	On a secondary process for selection of a contractor on a pending transit security contract, where the Board of County Commissioners rejected the Mayor’s original recommendation in the original process, the Cone of Silence will be re-imposed until the Mayor makes a subsequent written recommendation.
14-97	<i>directed to</i> County Attorney’s Office	Stephanye Johnson, Secretary, Foundation for Youth and Economic Development	The Ethics Code does not extend to interpreting the governing documents of the Miami-Dade Advocacy Trust (MDEAT) and the Foundation for Youth and Economic Development (FYED). Questions about the legal relationships and governance structure and powers of the MDEAT and FYED should be addressed to the County Attorney’s Office. If needed, additional clarification may be obtained by requesting an opinion from a supervising attorney at the County Attorney’s office.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-98	(e) <i>directed to</i> Fla. Stat. 112.3148	Victoria Mendez, City Attorney, City of Miami	A city commissioner would be prohibited from accepting tickets to attend the 2014 Cadillac Championship at the Trump National Doral because the gift is neither for the benefit of the City nor serves a public purpose. Merely giving the gift to an official “in his official capacity” is not enough for it to benefit the City or serve a public purpose. Further, Fla. Stat. 112.3148 could bar the gift, if it was valued at over \$100, because it would have come from a lobbyist or vendor; was not something that was offered or accepted on behalf of the City for use by the City; but was offered and would have been accepted for the official’s personal use.
14-99	(j) <i>directed to</i> Fla. Stat. 112.313(7)(a)	Aleem A Ghany Interim City Manager City of North Miami	A City Tennis Pro Manager has conflicting outside employment to operate his private tennis pro shop during his city employment, and to provide private tennis lessons to students who also attend City tennis program which the employee manages and teaches.
14-100	(d),(u) <i>directed to</i> Fla. Stats. 112.3143 and 112.313(7)	Jeff Porter, Mayor, City of Homestead	A Mayor who votes on the City Council and has a business relationship with a city vendor that has previously sold a security system to the city and who currently lobbies the city cannot vote on matters affecting the security system company. The Ethics Code requires not only that the mayor refrain from voting or discussing the issue, but also that the mayor leave the chamber during any discussion or vote. Additionally, Fla. Stat. at Sec. 112.3143 requires that the mayor announce the conflict publicly prior to the discussion, and that he file the State Conflict Disclosure form (Form 8B) with the Clerk’s office within 15 days after the vote.
14-101	-- (t) <i>directed to</i> County Citizen’s Bill of Rights	Joe Carollo, City Manager, City of Doral	The City of Doral is subject to the County’s Citizens’ Bill of Rights (Citizen’s Bill of Rights) contained in the County Charter. The Ethics Commission enforces the Citizens’ Bill of Rights (which is virtually identical to the City of Doral Citizens’ Bill of Rights). A violation of the Citizen’s Bill of Rights would subject the violator to penalties provided for under the County Ethics Code. These penalties would be in addition to any administrative or other penalty imposed by the City of Doral.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-102	(c), (m)(2), (v) RQO 99-05	J.S. Rashid, President/CEO, Collaborative Development Corporation	A County board member may contract with the County as long as the board on which he serves does not regulate the contract, he does not lobby the board, and he abstains from voting if a matter related to the contract were to appear before the board.
14-103	(j) RQO 11-15	Eric Miller, Pollution Control Inspector, County Regulatory and Economic Resources Department	A County Pollution Control Inspector does not have conflicting employment to work as a substitute teacher in the Miami-Dade public schools because the school system is separate from the County, and it is unlikely that this type of work would impair his independence of judgment in the performance of the duties of his County position.
14-104	(j) RQO 04- 127 <i>directed to</i> Village of Palmetto Bay Code Sec. 2-136	John R. Herin, Shareholder, Gray Robinson, P.A.	A prohibited conflict of interest would not occur if a partner of a former Interim Village Attorney (IVA) for the Village of Palmetto Bay, represents a bank client in securing the reduction and/or elimination of a Village code enforcement lien on a bank-owned piece of property because Section 2-11.1(j) of the County Ethics Code does not extend to the former IVA's law firm partner. However, pursuant to the Village's Code 2-136, the former IVA would be prohibited from being involved in the code enforcement lien reduction process.
14-105	<i>directed to</i> Fla. Stat. 112.3143(3)	John Murphey, Bond Analyst Miami-Dade County Finance Department	The Ethics Commission does not serve as the filing authority for the conflict of interest reports for Seaport Revenue Bonds (Form 8B). Conflict of interest reports are filed with the Clerk of the Board (COB), the entity responsible for recording the minutes of a meeting.
14-106	<i>directed to</i> Fla. Stat. 112.3135	Ramona White, Human Resource, Miami-Dade County	Whether a mother and daughter, who work in the same department in the County, are in violation of "Section C" of the County's Nepotism policy raises an administrative issue that should be addressed through the Mayor and appropriate county administrators, in consultation with the County Attorney's Office, to ensure compliance with state law on nepotism. The County Ethics Code does not contain a Nepotism provision.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-107	(c)(3), RQO 06-52 <i>directed to</i> So Miami Code 8A-1(b)(3), (c),(c)(3), Fla. Stat. 112.313(7)	Thomas F. Pepe, City Attorney, City of South Miami	Under the County Ethics Code and the City of South Miami Ethics Code, an irrevocable conflict of public and private interests would occur where an individual who has received a grant from a public board becomes a candidate for appointment to the same board. In order to avoid a prohibited conflict of interest the board member would have to choose between serving on the board and accepting the grant.
14-108	<i>directed to</i> 2-11.36.1, Fla. Stat. 286.011	Traci Pollock, MBA, MPA Special Projects Administrator, Miami-Dade Economic Advocacy Trust	Pursuant to County Code Sec. 2-11.36.1A, a County board includes every agency, authority, advisory board, regulatory board, quasi-judicial board, semiautonomous instrumentality, and <i>committee</i> that meets for a year or longer. Consequently, a standing committee in existence since 2009 is considered a “board” under this section and a person who serves on the standing committee (even if that person is not a member of the parent board) is required to file financial disclosure.
14-109	(i)	Gerald Sanchez, Assistant County Attorney	Under Sec. 2-11.1(i) of the County Ethics Code, aides to County Commissioners are not one of the enumerated parties required to file financial disclosure documents.
14-110	(s)(1)(b), RQO 14-01	Jorge Luis Lopez, Attorney/Lobbyist	A blogger, who receives payment from a private entity for the purpose of influencing elected public officials through direct emails to those officials, would be engaged in lobbying.
14-111	(d) RQO 07-49	Eli Tourgeman, Vice Mayor, Town of Surfside	The County Ethics Code does not prohibit the Vice Mayor (VM) of the Town of Surfside from voting on the expansion of a local synagogue, because the VM has never been a member or director of The Shul and does not stand to profit, directly or indirectly, or be enhanced by any action.
14-112	<i>directed to</i> Sunshine Law	Joseph Geller, Municipal Attorney	Under the Sunshine Law members of a public board cannot engage in two-way communication via email outside of a public meeting, regardless of whether the original and response email are filed as public records with the Clerk’s Office.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-113	(c)(3), (m)(2), (v) RQO 06-52 RQO 07-39	Geraldine Lazarre, GLOMIAMI, Inc.	A County advisory board member may contract with the County as long as the board on which she serves does not oversee the contract, she is not making presentations or seeking any benefits for herself or others from her board, and she does not vote on any matter where she would be directly affected by the vote and has an enumerated relationship with the entity before the board.
14-114	(e), <i>directed to</i> Fla. Stat. 112.3148	Gerald Del Amo, Hospital Compliance Officer, Office of Compliance & Ethics	A JHS South employee does not receive a prohibited gift of a ticket to a charity golf event where the company offering the ticket does not contract with the employee's department, provided that the gift is not part of any travel expenses and is not given with the expectation that a special benefit from the County will be given in return. If the fair market value of the gift exceeds \$100, then the employee has a duty to disclose the gift.
14-115	(e)(4) RQO 02-46 RQO 05- 110	Angel Zayon, Chief of Communications and Protocol, City of Miami	Acceptance of complimentary travel from a private entity that does not contract with the city is not prohibited when there is no quid pro quo involved, the travel is not connected to any decision being made by the city affecting the private interest of the donor, and there is some legitimate public purpose involved in the trip. However, insofar as it is being paid not by the city but by a private entity, and has a value of more than \$100, it must be reported as a gift on the proper disclosure form.
14-116	(s)(7) RQO 05-34	James McDonald, P.A., McLuskey & McDonald, P.A.	The County Ethics' Code ban on contingency fee arrangements prohibits an attorney from receiving a percentage of the value of the contract awarded to his client when the attorney's payment is based on whether the RFP is awarded.
14-117	<i>directed to</i> Fla. Stat. 104.071(1) (c), (2)	Walter Harris, Vice Mayor, City of South Miami	A candidate for public office is not prohibited from making a political contribution out of his or her own personal or business funds to another political candidate, so long as the contribution is not given in exchange for a promise or expectation that the recipient will directly or indirectly do anything in his public position to aid or promote the candidacy of the contributor which the recipient would not have otherwise done.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-118	(d) RQO 06-64 RQO 07-12	Barry Cohen, Commissioner, Town of Surfside	A Commissioner of the Town of Surfside has a prohibited conflict that precludes him from voting on the matter of the expansion of The Shul Synagogue, because a financial relationship is created as a result of the Commissioner's outstanding debt of unpaid membership fees he owes The Shul.
14-119	(e) <i>directed to</i> Section 4(c) of the City of Miami Charter	Lewis R. Blake, Audit Manager, City of Miami Office of the Independent Auditor General	City Commissioners, Board members, and City employees may receive and utilize complimentary tickets provided to the City under a use agreement with a concert promoter, as long as, there is a valid public purpose attached to their receipt and use of such tickets. There is no need to report them as gifts since gifts to the city do not fall under the definition of a gift in (e). However, if there is no public purpose to be served by the distribution, as indicated within the COE's "Guidelines and recommendations regarding 'public benefit' clauses in certain government contracts," then the tickets should not be given to such individuals. Distribution of public assets for non-public purposes could be construed as exploitation or theft.
14-120	(e),(e)(2)(b)	Rebeca Sosa, Chairwoman, BCC	Chairwoman Sosa is not prohibited from accepting a cruise vacation paid for by her husband's relatives provided that no County vendor or contractor is involved as the donor. Pursuant to Section (e) (2) (b) of the County Ethics Code, gifts from relatives are exempted from the gift provisions.
14-121	(c)(2),(d) RQO 00-13	Darrell Hunter, DLH Professional Services Inc.	A County employee may contract with the County through his privately-owned janitorial company, but he may not contract with the department that employs him and he may not lobby the County for the contract.
14-122	(c),(m)(1) RQO 00-13	Darrell Hunter, DLH Professional Services Inc.	A County employee may accept a Mom & Pop grant for his privately-owned company as long as his department is not involved in any way in processing or administering the grant and the employee does not lobby for the grant.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-123	(i) RQO 13-01 <i>directed to</i> Fla. Sunshine Law Fla. Stat. 286.011	Traci Pollock, Special Projects Administrator, Miami-Dade Economic Advocacy Trust	A board member must file a financial disclosure document and is subject to Sunshine law if the board is a public board that has been formed by the government to provide advice to a government decision maker or decision-making body. If it is a private non-profit board or any board unconnected to government, it is not covered by the Sunshine law
14-124	(i) RQO 13-01	Robert Meyers, Attorney, Weiss Serota Helfman	Members of an ad hoc advisory board are not required to file financial disclosure forms if the board is in existence for less than a year, however, regardless of the label "ad hoc," if the committee were to stay in existence for over a year, its members would be required to file financial disclosure forms.
14-125	(w) RQO 05- 110	Flora Seff for Antonio Hernandez, Communication Captain, Miami Dade Fire Rescue	A firefighter Captain is prohibited from accepting any travel expenses paid by a County vendor to attend a conference, whether paid outright or directly reimbursed, absent a waiver granted by the County Commission. If no waiver is sought from the County Commission, the employee may attend the conference if 1) County pays for his transportation and expenses, 2) County pays for his transportation and expenses and the County receives reimbursement from the vendor or 3) the employee personally pays for his transportation and expenses.
14-126	(s)(1)(b) RQO 04-07	Mike Hernandez, Director of Communications, Miami-Dade County Mayor's Office	Discussion at group meetings with the County Mayor that is merely informational in order to air out procedural differences, disagreements, grievances or misunderstandings concerning past actions or decisions, is not lobbying under the County Ethics Code and the meeting may include non-registered lobbyists. However, in any situation where a discussion is likely to veer into an attempt to influence the Mayor's decision-making on a future decision or on reconsideration of a prior decision, then such discussion would require anyone involved to be a registered lobbyist.
14-127	(s) RQO 04-07	David J. Coviello, Partner, Shutts & Bowen, LLP.	Principals are required to register as lobbyists whenever they engage in lobbying.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-128	(j), (c)(2), (k)	Anita M. Najiy, Assistant Chief of Police	A Miami Police Department employee is not prohibited from engaging in outside employment as a private instructor of preparatory classes for sergeant, lieutenant, and captain positions as long as the Division she works in is not involved in the process of promoting employees. The employee is required to file an annual Outside Employment Statement disclosing income from that employment.
14-129	(e)(3) RQO 99-60 <i>directed to</i> Fla. Stat 112.3148	Howard J. Fallon, Jr., Chief, Planning Division Miami-Dade Water and Sewer Department	The Code does not prohibit family members of a County employee from applying for and receiving a scholarship from a County vendor as long as the County employee does not improperly use his or her County employment to gain advantage over other applicants in the process and the employee does not oversee, supervise, or administer any of the County vendor's projects with the County.
14-130	(d) RQO 11-27	Rebeca Sosa, Chairwoman, BCC	Chairwoman Sosa, a full-time employee of Miami-Dade Public Schools, is not prohibited from participating or voting on Item No. 141003, a resolution that would authorize a County program involving Miami-Dade Public Schools, because the program will not affect Commissioner Sosa's employment with the schools, she would not directly be involved in the program or any decision concerning its administration on behalf of the school district, she would not profit or be enhanced personally by the program, and does not have a prohibited relationship that would create a voting conflict.
14-131	(g) RQO 11-27	Rebeca Sosa, Chairwoman	Chairwoman Rebeca Sosa is not prohibited from installing an application on her County-issued mobile device, that would allow her to access a live video feed of security cameras she paid personally to have installed at her home in response to recent vandalism of her vehicle and her receipt of intimidating notes posted on her private property regarding County issues, because she is not seeking in any way to obtain any inappropriate personal benefit or advantage from this action and the installation of the application would not be inconsistent with her public role and her responsibilities to the public.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-132	(e), <i>directed to</i> 2-613 City of Miami Code, 4(c)	Victoria Mendez, City Attorney, City of Miami	City officials do not receive a reportable gift when they receive an invitation to a kick-off event for a reputable non-profit organization that receives financial support by the City, where there is no entrance fee to the event and the officials are being invited in their official capacity. Also, inasmuch as there is a clear public purpose and benefit and no special benefit to the officials, there would be no violation of Section 2-613 of the City of Miami Code of Ordinances or of Section 4(c) of the City Charter.
14-133	(q)(1), RQO 11-24, RQO 12-09	Vicente Arrebola, Retired County Employee, WASD	The two year rule (two year post-employment restriction on lobbying the County) does not prohibit a retired County employee from providing consulting services to companies that are bidders for County WASD capital improvement projects, as long as he does not lobby the County for two years after termination of his County employment.
14-134	(v) RQO 11-27	David Murray, Assistant County Attorney, Miami International Airport (MDAD)	Members of a selection committee, established by the MDAD to rank proposers for a prospective contract to operate and maintain the baggage handling systems at MIA, would not have a voting conflict despite being employed by airports or airlines having contracts with the prospective proposers, as long as it is ensured that the committee members will not be directly affected by committee action in their other employment, and are not involved in the oversight or supervision of the applicant in question. Also, appropriate cautionary instructions should be provided to prospective appointees in order to effectively screen any unanticipated or potential conflict connected to their employment.
14-135	(q) RQO 11-24 RQO 12-09	Gary Held, First Assistant City Attorney, City of Miami Beach	The two-year rule (two-year post-employment restriction on lobbying the County) does not prohibit a former City employee, who is within the two-year time period from separation, to be employed by an entity involved in contracting with the City, given that the former employee's activities will not constitute lobbying but rather will be limited to behind-the-scenes discussions that do not involve interaction with City officials or employees.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-136	(c)(3), (j), (l) RQO 04-04 RQO 06-52	John Rodriguez, Board Member, Miami Dade International Trade Consortium (MDITC)	The MDITC is a County advisory board whose members are subject to the County Code of Ethics. A Bank Officer would not be prohibited from serving on the MDITC provided that he does not have a prohibited conflict of interest under the County Ethics Code. Section (c) (3) of the Code would prevent him from contracting with any agency or department of Miami-Dade County subject to the oversight of the MDITC. Section (j) would prohibit him from engaging in employment which would impair his independence of judgment in the performance of his public duties. Section (l) would prohibit him from having personal investments in any enterprise, either himself or through a member of his immediate family that would create a substantial conflict between his private and public interests.
14-137	(c),(q),(g) RQO 00-13 RQO 04-33	Jose Diez, Reserve Police Officer, City of Miami	A retired City of Miami police officer currently serving as a reserve police officer for the City does not have a prohibited conflict of interest by also serving as a Security Director for a private national security company that supervises security guards at a mall located in Miami-Dade County, assuming that the mall in question is a privately-owned enterprise and is not involved in any contract with the City of Miami; that the employee is not involved in any way in lobbying the City on behalf of his private employer, and that the City of Miami Police Department is aware of the employee's private position.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-138	(j),(k),(g),(d), RQO 07-34 RQO 07-36 INQ 11-25 <i>directed to</i> Fla. Stat. 112.313(7)(a)	Flora E. Seff, Esq., Senior Attorney, County fire Rescue Department (MDFR)	A prohibited conflict of interest is created where a Captain of the MDFR engages in outside employment as a dive instructor through his privately-owned company while he also trains MDFR personnel in dive classes and drills during his County employment. The close connection between the type of work the Captain performs for his private company and the County, and the fact that he likely would interact with County employees and subordinates, who also pay him for his private dive classes, would likely impair his independence of judgment in the performance of his public duties. However, a conflict of interest is not created for County firefighters who attend the Captain's private classes seek to receive tuition reimbursement from the County.
14-139	(q) RQO12-09	Cedric Johnson, former OIG Investigator, County OIG	A recently retired County employee is not prohibited from working for a County contractor, but is restricted from lobbying the County for a period of two years from his separation from the County.
14-140	(d) RQO 06-64	Richard Weiss, Attorney, Village of Bal Harbour	A Village of Bal Harbour council member would have an automatic prohibited conflict in voting on the Village's reimbursement to the condominium building in which she resides for damage done to condo landscaping as a result of a Village street project, if she were a member of the condominium board. Even if she is not a member of the condominium board, the council member should still not vote on the matter because, she might, directly or indirectly, profit or be enhanced by the council vote.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-141	(g), (j), (w) RQO 05-110	Richard E. Pena, Senior Berthing Officer, Seaport Department	A County employee is not prohibited from accepting paid travel and other incidental expenses from a company that has a sub-contract with a Port Contractor, which the employee does not oversee or administer, inasmuch as the company is not a contractor, vendor or service provider with the County and is also not a bidder or proposer on any pending contract. Nonetheless, payment of these expenses constitutes a reportable gift subject to disclosure requirements. Further, the employee may accept outside employment with the company as a consultant because it would not impair his independence of judgment in the performance of his public duties.
14-142	(e) RQO 02-46 RQO 05-110	Haydee Sera, Associate Attorney for Gastesi & Associates, City Attorneys for Town of Miami Lakes	It is an acceptable use of public funds for a Town to pay for its newly elected Councilman to attend and travel to an event for newly elected officials. Also, because the Town will incur no further expenses for the Councilman to be accompanied by his wife, there is no prohibited gift to the wife, and in fact, no gift at all that would necessitate a filed disclosure.
14-143	(e), (j), (g), (m)	Frantz Devilmé, Property Manager, County Aviation Real Estate Management and Development Dept.	A County employee is not prohibited from serving as President of a nonprofit organization because as a non-paid volunteer he is not engaged in “outside employment” and consequently is not subject to the filing requirements. However, the employee must refrain from using his or her position in the County in order to obtain special benefits for the nonprofit and is prohibited from appearing before any County board or agency to make a presentation or to seek a benefit on behalf of the nonprofit entity. In order to avoid an appearance of impropriety, the employee is advised to avoid personally applying for a grant from the UPS Foundation because UPS is a tenant in one of the County buildings which he is responsible for overseeing.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-144	(k) RQO 08-36	Shanda Mazzorana, (ITD) on behalf of Serafin Suarez, (ETSD)	A County employee engages in outside employment when he provides either paid or unpaid services to any firm or business including, but not limited to, those owned by an immediate family member. The County employee would therefore be required to request permission for outside employment from his department on a yearly basis and would have to file an Outside Employment Statement report by July 1st of each year.
14-145	(e) RQO 05-110	Juan Kuryla, Seaport Director	A County employee, who accepted an invitation to a reception from Qatar Airways in recognition of the launching of non-stop flights between Miami and Doha, and upon attendance with his wife received gifts valued at more than \$100, should report the reception and the gifts for himself and his wife on the quarterly state gift forms.
14-146	(j),(k)(2), (b)(13) <i>directed to County Ordinance 2-11.</i>	Juliette R. Antoine, Assistant County Attorney, County Attorney's Office	Most of the provisions of the County Ethics Code concerning conflicting outside employment, apply to all employees, full-time and part-time; however, the disclosure form requirement in (k)(2), as well as the requirement of approval by the department head in 2-11, are specifically limited to full-time employees. None of these requirements apply to a contract employee unless that employee is employed under a contract that has been designated to comply with specified provisions of the County Ethics Code pursuant to (b) (13).
14-147	--	Selena Highsmith, Clerk, M-DCPS Facilities Operations	The County Ethics Code does not extend to employees of the Miami-Dade County Public School System because they are not County employees. Therefore M-DCPS employees are not required to request an ethics opinion with respect to obtaining Public Housing assistance
14-148	(c), (j), (k)	David Fung-On Miami Dade County Seaport	A County employee who works for an unrelated department may volunteer as a "Ranger" at a County-owned golf course facility without it constituting outside employment under the County Ethics Code because it is an all-volunteer position and no compensation is provided other than incidental usage of the facilities during times that they are not in use.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-149	(e) RQO 06-05	Raul Gastesi, Jr. Gastesi & Associates, City Attorney for Town of Miami Lakes on behalf of Tony Lama, Miami Lakes Councilman	A Town Councilman is prohibited from soliciting monetary contributions from friends and colleagues, including constituents, in order to raise money for a school trip for his daughter and others to Washington D.C., organized and sponsored by the Close Up Foundation, a non-profit organization, because he would receive a financial benefit.
14-150	(c)(3), (m)(2), (v) RQO 06-52	Alejandro Aguirre, Board Member, Miami- Dade Cultural Affairs Council (CAC)	A board member of the CAC is not prohibited from contracting with the County as long as the CAC does not regulate the contract, he does not lobby the CAC, and he abstains from voting if a matter related to the contract were to appear before the CAC.
14-151	(e) RQO 02-46	Connie Leon Kreps, Mayor, North Bay Village	It is not a prohibited use of public funds for North Bay Village (Village) to pay for its Mayor to attend and travel to a professional development event for elected officials because there is a proper public purpose involved in the Mayor's attendance. This travel would not be a reportable gift under the County Ethics Code since it is provided pursuant to the Mayor's public position in the Village, and it is the Village and not some private entity that is bearing the expense.
14-152	(e) C 08-06	Victoria Mendez, City Attorney, City of Miami	A public official or employee's receipt of free legal services (valued at more than \$100.00) for his or her personal benefit, is a reportable gift under Section (e) of the County Ethics Code. In order to determine the monetary value of the gift, a reasonable approximation of the fair market value of the legal services should be used.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-153	(e), (e)(4) RQO 02-46	Jose Otero, Assistant Director, ITD Miami-Dade County	A County employee is not prohibited from accepting meals and hotel expenses to attend a summit conference sponsored by a private magazine publishing company where the sponsor is not a lobbyist, vendor or contractor in the County, and where attendance does provide an ancillary benefit to the County. However, the provisions of a complimentary hotel stay, coupled with meals, amount to a gift pursuant to Section (e) of the County Ethics Code and must be disclosed if their value is in excess of one hundred dollars (\$100.00).
14-154	(j) <i>directed to</i> Fla. Stat. 99.012	Esteban Bovo, County Commissioner, Dist. 3	A board member of the City of Hialeah's quasi-judicial planning and zoning board may also serve as an appointed commission aide given that a commission aide is not considered to be a County officer and consequently the board member would not be required to resign her City position pursuant to § 99.012 Fla Stat. However, in order to avoid any appearance of impropriety, she should avoid dealing in her County position with any issue that could foreseeably come before her as a member of the Hialeah Board.
14-155	(e), (e)(2)(f), (e)(4) RQO 02-46	Victoria Mendez, City Attorney, City of Miami	City of Miami Officials attending Tech Week events that were solicited and partially funded by the City do not need to disclose their attendance as a gift because they attended the events in performance of their official duties in connection with the City's official business and for a demonstrable public benefit.
14-156	(c), (d), (n)	Matt Pinzur, Associate VP, Communications & Outreach Executive Office JHS	No prohibited conflict of interest exists where a Jackson Health System (JHS) executive contracts on behalf of JHS with a designated caterer to cater an annual JHS reunion event at Jungle Island, when his wife has been retained by Jungle Island as their primary public-relations provider, but does not work for the caterer. Neither the County employee nor his wife have any financial interest in the contract to be executed between JHS and the catering company. Nevertheless, to avoid the appearance of impropriety, the JHS executive should recuse himself from executing the contract and defer to the CEO to approve it.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-157	(h), (x), (e)(3)	Manuel Sarria, Employee, Homeless Trust	A recently hired employee of the Homeless Trust is not prohibited from socializing with friends he made over an eighteen-year period while employed by a subcontractor of the Homeless Trust, so long as he does not disclose any confidential information gained through his official position with the County. Furthermore, he may not perform for a period of two-years following employment by such an entity, any County contract-related duties with his past employer if it was a for-profit firm or business entity.
14-158	(e) RQO 02-46 RQO 07-28	Cecilia Brewer-McDuffie, Chief, Human Resources, County Water and Sewer Department (WASD)	County employees are prohibited from soliciting a group discount rate to Crossfit, a local health and fitness provider based on their employment with the County. If Crossfit has an established program or practice that permits discounts for group rates, then the employees would be permitted to inquire about a discounted rate. If no such program exists, then to solicit a special exception for a group of County employees would be in violation of Section (e).
14-159	(i)	Carmen Bofill. County Elections Dept.	Pending
14-160	(k)(2)	Andrew Bowes, Hydrologist, County Regulatory and Economic Resources Dept.	Pursuant to Section (k)(2) of the County Ethics Code, the Outside Employment Statement form must be filed by July 1st of each year. The form should only be filed by employees who have outside employment to disclose. Completed forms must be filed with the County Elections Department
14-161	(d) RQO 07-54 RQO 08-24 INQ 07-170	Rebeca Sosa, County Commissioner, District # 6	A County Commissioner who is employed by the School Board may vote on a resolution authorizing the County Mayor or Mayor's designee to execute inter-local agreement between Miami-Dade County, Miami-Dade Public Schools and Miami-Dade College to share small business vendor information because the Commissioner's position with the School Board is not connected to this agreement, 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.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-162	(d) RQO 08-24	Richard Jay Weiss, Attorney for Village of Bal Harbour, on behalf of a member of the Bal Harbour Council	A Bal Harbour Councilmember is prohibited from voting on an issue before the Council involving a major expansion of the Bal Harbour Shops (Shops) where the Councilmember is the manager of Neiman Marcus, one of the two largest tenants located in the Shops because as a result of his position in Neiman Marcus he may, directly or indirectly, profit or be enhanced by the action.
14-163	(c), (j), (k) RQO 00-13 RQO 12-11	Craig McQueen, Central District Major, Miami Police Department (MPD)	An MPD employee who does not participate in the Department's promotional process is not prohibited from engaging in outside employment that involves conducting promotional assessment training outside of the department for fellow MPD members, so long as the MPD does not pay for individuals to take the course. Also, the employee is required to request permission by his department head in order to engage in outside employment and must file an Outside Employment Statement disclosing that income by July 1 <sup>st</sup> of each year.
14-164	<i>directed to</i> Citizen's Bill of Rights	Jose Villalobos, City Attorney, City of West Miami	The City of West Miami need not accede to a request by an organization demanding public records in the City's possession to be in a particular compilation format when those records do not already exist. The Public Records law requires that access be provided to the City's public records for inspection or copying in the form that they currently exist currently, the City's obligation ends at providing reasonable access to the existing records, and it need not create a record conforming to the particular compilation format being requested.
14-165	(d) RQO 07-54 RQO 08-24 INQ 07-170	Rebeca Sosa, County Commissioner, District # 6	A County Commissioner who is employed by the School Board does not have a prohibited voting conflict in connection with a resolution authorizing an affiliating agreement with the MDCPS for the provision of educational services for juveniles in the County's Corrections and Rehabilitation department, and authorizing the County Mayor or his designee to exercise the renewal and cancellation provisions contained therein because the Chairwoman does not have a relationship with a business entity that would be affected by the item nor stands to profit or be personally enhanced, directly or indirectly, by action on the item.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-166	(t)(1)(a)(iii)	Amos Roundtree, ISD Procurement Management, County Procurement Dept.	County Water and Sewer (WASD) officials may confer with City of Miami officials concerning the details and possible impact of a prospective County WASD project without violating the Cone of Silence as long the discussion is limited to merely technical aspects and the impact of the planned project itself does not involve the procurement process, the parties involved in the procurement or the potential winner of the contract.
14-167	(e), <i>directed to</i> Fla. Stat. 112.3148, 838. 015	Victoria Mendez, City Attorney, City of Miami	An elected official in the City of Miami is not prohibited from raising funds for a Political Action Committee (PAC) that supports an issue the elected official also supports when neither the official himself, nor any family member, is involved as an officer, director, or receives any financial benefit from the PAC. Section (e)(2)(a)of the Ethics Code exempts from the definition of a gift, "Political contributions specifically authorized by state law." Given that the elected official is soliciting a political contribution to the PAC that is authorized by state law, the exception would apply and the fundraising would not be a prohibited gift.
14-168	(g), (h), (j) RQO 12-07	Tiffani Page, Accountant 3, Finance Division, County Public Housing and Community Development (PHCD)	A County PHCD employee does not engage in conflicting outside employment with AME Church when the Church is entering into an agreement with Carrfour, a non-profit developer of low income housing (Carrfour), and Carrfour will be applying for a federally funded block grant administered by the PHCD. The County employee works in PHDC's Finance division which is not in the division that administers the block grant nor is her work in any way related to the administration or oversight of the block grant funds program. Further, her outside employment with the Church in the position of CFO/Financial Secretary for the church involves book-keeping and other accounting tasks, but she has no involvement in the decision-making with respect to the Church's agreement with Carrfour.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-169	(t)	Stan Beck, Attorney	The Cone of Silence only applies to communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist or consultant and the County's professional staff. An attorney who represents taxpayer clients before the County's Value Adjustment Board (VAB) can communicate in writing with the VAB during the time it considers applicants for an advertised position while the matter is under the Cone of Silence, given that the attorney is not involved as a bidder or proposer on the contract.
14-170	(d), (j) RQO 06-64	Bianca Caviglia, Legislative Assistant, Commissioner Juan Zapata	A legislative assistant for a County Commissioner does not have a prohibited conflict of interest when she is also serving as an Executive Director of a non-profit organization (Guitars Over Guns) that is applying for County funding through a Youth Arts Enrichment Program grant administered through the County's Cultural Affairs department, because the voting conflict provision of the Code does not apply to those on the Commissioner's staff or those who do not have a financial interest in a matter. Nevertheless, the employee should completely disengage herself from any participation or discussion on this item while it is being considered.
14-171	(e) RQO 02-46 RQO 05-110	Cecilia Brewer-Duffie, Chief, HR Support Services, Miami-Dade Water and Sewer Department	The County Ethics Code does not prohibit County employees from accepting gifts from non-County vendors as long as there is no <i>quid pro quo</i> arrangement associated with the gift. In addition, the gift need not be reported when the amount is below the \$100.00 threshold set by the Ethics Code.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-172	(e)(2)(e) RQO 05-119	Lynn Barrett, Chief Compliance Officer, Jackson Memorial Hospital	The solicitation of sponsors for a symposium sponsored by Jackson Memorial Hospital (JMH) spotlighting their robotic program at Jackson South is not prohibited since solicitations by employees on behalf of the governmental entity are specifically exempted from the definition of a gift under (e)(2)(e). Nevertheless, any solicitation to a current contractor or vendor at JMH should be handled carefully in order to avoid any implication of a <i>quid pro quo</i> or any negative consequence regarding their contract should they decline to participate. Additionally, it would be inappropriate to target JMH vendors, contractors or lobbyists in the solicitation. Further, direct telephone contact with vendors, contractors or lobbyist is discouraged due to the potential for such parties to feel they were being pressured to contribute.
14-173	(c), (d) RQO 12-06	Kenneth Harris, Structural Maintenance Tech, Public Housing & Community Development (PHCD)	A PHCD employee does not violate relevant sections of the Ethics Code with respect to contracting as a Section 8 landlord with the Housing Agency because his employment at the Public Housing and Community Development Department (PHCD) is in a separate division from the CAD, the division that oversees and administers the Section 8 programs, and firewalls have been established that isolate the work of the CAD from other PHCD divisions.
14-174	(g),(j), (c)(1),(2), (d),(m)(1) RQO 00-13	Beatriz Dominguez, Sergeant, Miami-Dade Police Department (MDPD)	A Sergeant at the Miami-Dade Police Department (MDPD) is prohibited from contracting with her own department, but may contract with the County through her privately- owned company, Does Construction Inc., as long as the contract does not interfere with the full and faithful discharge of her duties, she does not participate in determining the contract requirements or in awarding the contract, and she refrains from lobbying the County.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-175	(j) RQO 12-11	Amelia Cordova-Jimenez, A&E Consultant Selection Coordinator, Internal Services Department	An architect whose private firm is involved in pending contracts at Miami International Airport (MIA) that are overseen by the Cultural Affairs Department (CUA) is prohibited from serving on a selection committee that is also overseen by the CUA because it is likely that the architect's independence of judgment could be impaired in a situation where he is serving under his public duty in the selection process on one project, while being under the oversight of the same department in a contract he is working on through his private firm in another County department.
14-176	(c)	Ruben Washington, Superintendent, County Public Works and Waste Management Department	County employees wishing to contract with the County Housing department to become a Section 8 landlord must complete and submit an application found on the County Commission on Ethics' website.
14-177	(z)	Gerald Sanchez, Assistant County Attorney on behalf of Barbara Jordan, County Commissioner	County Commissioner Barbara Jordan is not prohibited from meeting with the Mayor of Miami Gardens while there is a pending law suit between the City and the County regarding an ordinance change that could affect the law suit because Miami Gardens is situated within her district and legislative matters are peculiarly within her scope of duties as a County Commissioner, provided that she makes no reference to the existing lawsuit or any possible settlement thereof, as well as no reference to the Resolution authorizing the County Attorney to settle the lawsuit.
14-178	<i>directed to</i> Fla. Stat. 106.113	Victoria Mendez, City Attorney, City of Miami	City of Miami commissioners are not prohibited from visiting community centers, elderly centers or other venues with the purpose of educating the public on ballot questions and answering constituent issues, provided that public funds are not used to further such efforts. Also, a staff member of a commissioner may join the official for the purpose of addressing constituent concerns given that it furthers the interest of the City of Miami and these actions are part of the commissioner and staff member's official duties.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-179	(w) RQO 05-110	Chris Crowley, Systems Support Manager, Information Technology Department	A County employee is prohibited from accepting an invitation to a County vendor's conference where registration valued at \$1695 would be complimentary due to the County's participation in the vendor's customer points program, because travel expenses include registration fees and County employees may not accept travel expenses from County vendors absent a waiver by a majority vote of the County Commission.
14-180	(d)	Stephen Shelley, Vice Mayor, City of Homestead	Homestead Vice Mayor and Councilman Shelley would not have a prohibited voting conflict of interest were he to vote on the matter of selling the City-owned bowling alley to a lobbyist and interested party who has listed the Councilman's wife as a beneficiary and secondary Personal Representative under his will, because the Councilman's wife executed an irrevocable Disclaimer of Interest in the will which has effectively negated any possibility that the Councilman might profit or be enhanced by the vote on the proposed sale.
14-181	(d)	David Wolpin, Attorney on behalf of Judy Waldman, Councilwoman, City of Homestead	Homestead Councilwoman Waldman would not have a prohibited voting conflict of interest were she to vote on the matter of selling the City-owned bowling alley to a lobbyist and interested party because there is no prohibited relationship with the interested entities or any likelihood that the Councilwoman would profit or be enhanced by the vote.
14-182	(c), (j) RQO 06-64	Cindy Dominguez, Legal Assistant, Patino & Associates, P.A.	A newly-appointed member of the Public Health Trust (PHT), does not have a prohibited conflict of interest in connection with the representation by his firm of the estate of a client, where JMH possesses a lien against a recovery in the amount of \$378,755.84, because JMH is not a party to the lawsuit and at this point has no adverse position to the PHT member or his client in the lawsuit. However, the JMH lien should not be discussed, considered or compromised in any way in connection with that representation. In the event of a final determination that did not result in the full payment of the lien, the PHT member and his firm could not be engaged in further representation of the estate in connection with that lien, either for purposes of litigation or settlement.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-183	(j) RQO 07-35	Amelia Cordova, A&E Consultant Selection Coordinator, County Internal Services Dept.(ISD)	The Dean of the College of Architecture and the Arts at Florida International University (FIU), whose job duties include fundraising, is prohibited from serving as a Competitive Selection Committee member for the Coconut Grove Playhouse, where four of the respondent firms for the project have an annual financial commitment to FIU as members of the Dean's Leadership Advisory Board at the School of Architecture and several are contributors to other projects at the School. A conflict of interest would arise given because the Dean would be placed in a position where his independence of judgment could be affected by his position at FIU and his close association with some of the applicants on the project.
14-184	(q) RQO 12-09	Kevin Kirwin, County Parks Recreation and Open Spaces Dept.	A retiring Miami-Dade Parks Recreation and Open Spaces Dept. (MDPR) employee is not prohibited from working for a County vendor so long as he refrains from engaging in activities related to lobbying the County.
14-185	(c), (g), (k), (n), (p) RQO 00-13 RQO 12-07	Alex Munoz, Director, Miami-Dade Animal Services Dept.	Animal Services Dept. (ASD) employees, who have private veterinary practices outside of their County employment, are prohibited from contracting with the Animal Services Dept. absent a waiver by the Board of County Commissioners (BCC). Further, Animal Services employees are prohibited from making referrals to private veterinary practices which provide veterinary services not performed by Animal Services and from making referrals to their own private practices or to private veterinary practices which employ them given that referral would likely impair the County employee's independence of judgment in the performance of his public duties.
14-186	(w), (e)(2)(e) RQO 05-110 RQO 02-46	Julian R. Manduley, IT Contracts & Procurement Manager, County Information Technology Dept. (ITD)	An ITD employee is not prohibited from accepting travel expenses from the Center for Internet Security to attend an annual conference of one of its divisions because the travel expenses are related to an association of which the County is a member and the travel is directly related to that membership. Because the employee is attending in performance of his official duties, the gift is not reportable under the Code.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-187	(c), (k) RQO 00-13 RQO 12-07	Kathleen R. Labrada, County Animal Services Dept.	Animal Services Dept. (ASD) employees, who have private veterinary practices outside of his County employment, are prohibited from contracting with the Animal Services Dept. absent a waiver by the Board of County Commissioners (BCC).
14-188	(e) RQO 04-165	Evelyn Campos, Dir. Compliance Division, County Aviation Dept.	County employees who acquire frequent flyer miles as a result of travel on official County business must disclose them as gifts pursuant to Sec. 2-11.1(e) if the cash value of the miles is greater than \$100.
14-189	-- Sunshine Law	Rick Silberman, Sergeant, North Miami Beach Police Dept.	Where a communication is transmitted or received by public officials or employees involving the transaction of official business, it becomes a public record, regardless of its format or whether it was created on a public or private computer.
14-190	(j) RQO 12-07	Lorena Bravo, Acting City Attorney, City of Hialeah	A City of Hialeah plans examiner employed by Hialeah's Building Dept. is not prohibited from being hired as an employee of Hialeah's Construction Management Dept. as the city's architect of record for the city's public works projects because his work as the city's architect does not interfere with his regular duties as a County employee. The employee should not review and approve the plans he submits to the Building Dept. as the city's architect of record and should not supervise anyone that will be reviewing the plans he submits.
14-191	(e) RQO 06-05	Cheree L. Gulley, Assoc. Director on behalf of Patricia Braynon, Dir., County Housing Finance Authority (HFA)	In order to avoid the appearance of impropriety, a Director of the County HFA may not accept a retirement party being sponsored by a number of private developers and firms that have previously done business with the HFA. As a "Reporting Individual or Procurement Employee" the director would be prohibited from knowingly accepting, directly or indirectly, a gift in excess of \$100 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.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-192	(a),(bb) <i>directed to</i> Fla. Stat. 112.3142 (2)(b)	Rick Yabor, Padilla & Yabor P.A. on behalf of Jose Diaz, Mayor of the City of Sweetwater	The Mayor of the City of Sweetwater is required to complete ethics courses under the County Ordinance and State law. References in the County Ordinance to County personnel are applicable to municipal personnel who serve in comparable capacities; therefore the requirement for ethics training referenced in Sec.2-11.1(bb) applies to all Mayors of municipalities within the County.
14-193	(v) RQO 06-52	Lorena Bravo, Acting City Attorney, City of Hialeah	An employee of the City of Hialeah would have a prohibited conflict of interest if appointed to serve on the City's Planning and Zoning Board (P&Z Board) because the Ethics Code at Sec. 2-11.1(v) prohibits board members who are employees of the entity bringing matters before the board from voting on matters regarding that entity. Here, the City of Hialeah may appear before the board on City planning and zoning matters, which would create recurring conflicts that would impede the City employee from voting on any matter before the P&Z board.
14-194	(c)	Daniel Chatlos, Commission Aide, Commissioner Zapata	Pursuant to Ethics Code at Section 2-11.1 (c) addressing limitations on contracting with the County, County employees, public officials and their immediate family members would be required to request an Ethic's Opinion when applying for Mom And Pop grants administered by the offices of County Commissioners.
14-195	(j),(g)	Chris Russo, City Manager, City of Sunny Isles Beach	A City Manager of Sunny Isles Beach may receive a financial benefit for work performed for Golden Strand Resort, a time share real estate project, prior to his employment as City Manager and which he disclosed publicly prior to becoming City Manager. However, while employed as City Manager, he should not be involved in any way either as a public servant or a privately-employed individual in connection with this project, because this could lead to a violation of Section 2-11.1(j) (conflicting employment), or Section 2-11.1(g) (exploitation).

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-196	(d) RQO 11-27	Rebeca Sosa, County Commissioner, District # 6	A County Commissioner who is employed by the School Board may vote on a resolution and proposed Interlocal Agreement between the Miami-Dade County School Board and the County's Animal Services Dept. (ASD) because the Commissioner's position with the School Board is not connected to the Interlocal Agreement, 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.
14-197	(e) Directed to Fla. Stat. 112.3148	Lynn Barrett, Chief Compliance officer, Jackson Health Systems (JHS)	The Ethics Code would not clearly prohibit a solicitation by JHS of "dance off" equipment from Microsoft, a County vendor, for use in a morale boosting activity for JHS employees. However, the Ethics Commission has generally discouraged all direct, targeted solicitations by county employees from county vendors or lobbyists, even where there is a governmental purpose involved, due to the possible interpretation of such solicitation as a <i>quid pro quo</i> .
14-198	(q) RQO 12-09, INQ 12- 129.	Diana Rio, President, Rio Development Resources (RDR)	A former City of Miami Beach employee is not prohibited from applying to the City's Planning Dept. to have the name of her privately owned company, RDR, added to the City's roster of companies that provide mailing label services for development review required in the City's Design Review Board (MBDRB), but Sec. 2-11.1(q) of the Ethics Code prohibits her from <b>lobbying</b> to be included in the list ( <i>i.e.</i> , influencing any County decision-makers) for 2 years following her City of Miami Beach employment.
14-199	(s)(3)(b) RQO 10-13	Dan Gelber, Attorney, Gelber Schachter & Greenberg, P.A.	Attorneys who will be supporting the placing of a referendum issue on the ballot for the construction of a new county courthouse are not lobbying pursuant to Sec. 2-11(s)(3)(b) of the Ethics Code, as long as the attorneys are speaking for themselves and expressing their own viewpoints on this matter, and are not retained by another person or entity to speak on their behalf.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-200	(d) RQO 07-39	Haydee Sera, Assistant Town Attorney, Town of Miami Lakes	Mayor Slaton of the town of Miami Lakes would be prohibited from voting on a matter concerning the Town's legal position on a law suit filed by the previous Mayor, Michael Pizzi (suspended from office by the Governor due to a Federal Bribery case and subsequently acquitted) to regain his position, because he could stand to profit or be enhanced, directly or indirectly, by whatever action is taken by the Council.
14-201	(t)	David Murray, Assistant County Attorney	During the time the Cone of Silence is in effect members of the Airport Advisory Commission at MIA, composed of airline representatives, should not communicate with a selection committee member on a selection committee formed to recommend an applicant whose function would be to act as a liaison between the Airport Advisory Commission and the County because of their interest in the position.
14-202	(j)	Richard K. Parrish II, MD, UM Health Bascom Palmer Eye Inst.	No conflict of interest would exist where a Physician seeking a position at PHT/JHS as the Medical Director/Chief Academic Officer overseeing the Graduate Medical Education (GME) residency programs for compliance with the requirements of the Accreditation Council for Graduate Medical Education Programs (ACGME), also serves as a board member advising the Board of Directors of the Center for Haitian Studies (CHS) regarding compliance of the medical functions performed by medical residents with ACGME requirements but resigns his position at CHS.
14-203	(s),(q) RQO 12-09 INQ 13-192.	Nahum Fernandez, Traffic Control Standards and Specifications Coordinator County, Dept. of Public Works and Waste Management (PWWM)	Sales representatives of manufacturers of traffic control products whose products must be certified by the County's PWWM Traffic Signals and Signs Division (TSS) in order to be included in TSS's Qualified Products List (TSSQPL) are not required to register as lobbyists when they communicate with PWWM staff regarding the certification and testing of their products for inclusion in the TSSQP. Pursuant to Sec. 2-11.1(s), individuals who are advocating for decisions that can be made at the sole discretion of an individual County employee (i.e., decisions that are not determined by a voting body) are not lobbying.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-204	(c)(2), (d), (m)(1) RQO 00-13	Joel Garcia, Computer Tech 1, County Elections Dept.	A County employee may contract with the County through his privately owned pressure cleaning company, but he may not contract with the Dept. that employs him, and he may not lobby the County for the contract.
14-205	(g) RQO 05-06	Shelly Stanczyk, Mayor, Village of Palmetto Bay	The Mayor of the Village of Palmetto Bay is not prohibited from using her official title and Village shirt while engaged in political campaigning when these are used for identification purposes and not in an attempt to gain any special privilege. However, the Mayor would be prohibited from using her title or Village identification to exert any official authority or pressure regarding voting.
14-206	(d) RQO 11-27	Rebeca Sosa, Chair County Commission, District #6	A County Commissioner employed by the School Board's Lindsey Hopkins Technical Education Center (Lindsey Hopkins) may not vote on a resolution authorizing execution of an inter-local agreement between the County Corrections Department and the School Board stipulating that Lindsey Hopkins would provide academic and career/technical education for inmates of County Corrections Department. The Commissioner should recuse herself from voting because the program is targeted for Lindsey Hopkins, the school where she is employed, and this could indirectly enhance or benefit the personnel at the school.
14-207	(e),(e)(2)(c)	Antonio Aquino, Detective, Homestead Police Dept. (HPD)	Because Section 2-11.1(e)(3) of the County Ethics Code prohibits municipal employees from soliciting any gifts, a program initiated from <b>within</b> the HPD to seek funds from private groups and entities in order to provide an award of "Officer of the Month" would constitute a prohibited gift solicitation.
14-208	(c)(2), (d), (m)(1) RQO 00-13	Marniece Dixon, Corrections Counselor	A County employee may contract with the County through her privately owned transportation services company, but she may not contract with the department that employs her and she may not lobby the County for the contract.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-209	(g) RQO 05-06	Mary Ann Mixon, Council Member, Town of Cutler Bay	A Council member of the Town of Cutler Bay is not prohibited from using a shirt issued by the town identifying her as a Council member in connection with political campaigning when the Council shirt is used for identification purposes and not as an attempt to gain any special privilege. However, the Council Member would be prohibited from using her title or Town identification to exert any official authority or pressure regarding voting.
14-210	(w) RQO 05-110	Jimmy Nares, Chief, Miami-Dade Dept. of Regulatory and Economic Resources (RER)	County employees and Public officials are prohibited from indirectly accepting a \$15,000 sponsorship from Odebrecht USA, a Miami-Dade County contractor, to fund a business development mission to Brazil. The funding would be provided through the Trade Mission Center of the Americas, a County-created and staffed 501(c)(3) organization, rather than directly to the County employees or Public Officials. However, Section 2-11.1(w) prohibits County vendors such as Odebrecht from directly or <b>indirectly</b> paying for the travel.
14-211	(w) RQO 05-110	Carlos Delgado, P.E., Miami-Dade Transit	County Transit Department employees are not prohibited from accepting travel and lodging expenses from Allison Transmission (AT) to participate in out-of-town training regarding transmissions manufactured by AT and used in County buses, because, although AT provides bus parts used in County buses, it is not directly a County contractor, vendor, service provider, bidder or proposer.
14-212	(d) RQO 06-64	Dennis Moss, Commissioner, District 9	A County Commissioner who is Executive Director of the Richmond Perrine Optimist Club, a non-profit organization that receives funding from the County, may not vote or participate in any matter that directly affects the Richmond-Perrine Optimist Club.
14-213	(j) RQO 08-29 RQO 05-140	Johnathan Sinkes, City of Miami Beach employee	A Municipal employee, who performs a personal service for his privately owned business which is customarily compensated, is engaged in outside employment even if the business is not currently generating income.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-214	(d) RQO 11-27	Rebeca Sosa, Chair, County Commission, District # 6	A County Commissioner who is employed by the School Board may vote on an agreement between the School Board and the County to provide County funding for Driver's Education Programs at 37 high schools, 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 where the school facility she is employed by is not a participant in the program.
14-215	(j) RQO 08-29	Daniel Payne, Chief of Security, Co. Internal Services Dept.	A County employee, who performs a personal service for a family business which is customarily compensated, is engaged in outside employment even if he is not actually compensated.
14-216	(c)(2), (d), (m)(1) RQO 00-13	Richard Trujillo, Sergeant, Co. Police Dept.	A County employee may contract with the County through his privately owned online retail sales company, but he may not contract with the department that employs him and he may not lobby the County for the contract.
14-217	(d)	John Shubin, Attorney, for, Javier Holtz, Council Member of Indian Creek Village.	An elected Village of Indian Creek official may not vote on a proposed ordinance involving raising the permissible height of hedges in the Village where the issue underlying the proposal arose as a result of a dispute between the elected official and one of his neighbors and the vote could benefit the elected official in connection with the dispute.
14-218	(w) RQO 05-110	Jimmy Nares, Chief, Miami-Dade Dept. of Regulatory and Economic Resources	County employees are not prohibited from accepting travel and lodging expenses from companies or organizations that are not currently or foreseeably County contractors, vendors, service providers, bidders or proposers.
14-219	(e), (e)(4) RQO 02-46 RQO 07-28	Hans Ottinot, City Attorney, City of Sunny Isles Beach	Municipal officials may accept the gift of tickets valued at approximately \$200 purchased by the City of Sunny Isles Beach to attend a fundraising dinner sponsored by a non-profit organization that is also a testimonial dinner for the outgoing Mayor of Sunny Isles Beach. Because the tickets are valued over \$100, they must be disclosed on a gift disclosure form.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-220	(j),(k)(2),(h) RQO 12-07	Evelyn Campos Director, Professional Compliance Division, County Aviation Dept. (MIA)	A County Senior Property Manager at MIA does not engage in conflicting outside employment when working on a single project developing a document outlining best practices and procedures in airport leasing for a national business consulting company that is not currently or foreseeably a County vendor or contractor.
14-221	-- <i>directed to</i> Fla. Stat. 165.043	Harold E. Mathis, Jr., Candidate, Village of El Portal	Pursuant to Section 165.043, Florida Statutes, it is a second degree misdemeanor for a candidate for elected office to reproduce a municipal seal in his campaign literature without the express permission of the governing body of the municipality. However, the candidate is not prohibited from using a photograph of himself in which the municipal seal may have been visible on an official shirt taken when he was an elected official, where the seal itself is not being reproduced and is only incidental to his appearance in the photograph.
14-222	(d) RQO 11-27	Esteban Bovo, County Commissioner Dist. # 13	A County Commissioner who is employed as a consultant to Miami Children’s Hospital (MCH), which is a provider under the County’s AvMed health plan, may vote on the County budget as a whole because the Commissioner’s position with MCH is unrelated to the hospital’s arrangement with AvMed or to any issue coming before the Commission regarding the budget; the Commissioner will not be affected in a manner distinct from the public generally by the vote; and he will not, directly or indirectly, profit or be enhanced by the vote.
14-223	(w) RQO 02-46 RQO 05-12	Lynn Barrett, Chief Compliance Officer, Jackson Health Systems (JHS)	JHS employees may accept travel expenses to attend a conference held by the Health Care Compliance Association (HCCA), because HCCA is not a County vendor, but rather an association to which JHS belongs and the travel is related to that membership.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-224	(d) Miami Code at Sec. 2-654 <i>directed to</i> Fla. Stat. 112	Wilbur Bell, County Community Council 14, for Wilbur Rowe, Chair, County Community Council 14	Mr. Bell, a Community Council member, may not vote on a matter involving the Application for Comprehensive Master Plan Land Use Change for a property listed in a trust of which Mr. Bell is the only named trustee because of his fiduciary relationship to the trust and because the vote could directly or indirectly benefit him.
14-225	-- <i>directed to</i> Sunshine Law	Robert Switkes, Village Attorney, North Bay Village	Although the Florida Sunshine Law specifies only that “reasonable” notice be provided for any given meeting, it would be difficult to justify any notice that is in a size that is less than what is legally prescribed under a separate Florida statute for the meeting in question. It is likely that such prescribed notice would be necessary to meet “reasonable” notice standard under the Sunshine Law. Consequently, the meeting should be re-noticed and held at a later time.
14-226	(s) RQO 12-09 INQ 13-192	Ric Katz, Executive Vice President, Balseira Communications	Pursuant to Sec. 2-11.1(s), individuals who are advocating for decisions that can be made at the sole discretion of an individual County employee (i.e., decisions that are not determined by a voting body) are not lobbying.
14-227	(w) RQO 99-59	Gerald E. Bryan, Section Chief, Service Planning and Scheduling Division, Co. Transit Dept.	Pursuant to the County Ethics Code at Sec. 2-11.1(w), a County Transit Department employee may not accept travel expenses (air, lodging and registration) from a County vendor to attend a conference and assist in a presentation regarding the findings of a study done by the County vendor regarding the County’s transit system, unless the provision is waived by the Board of County Commissioners.
14-228	(d), (e)(2)(e) RQO 02-46	Gerald Sanchez, Assistant County Attorney,	A County Commissioner may take a helicopter tour of an area within the Commissioner’s district provided by a governmental agency for the purpose of informing the Commissioner on agricultural issues within his district that also pertain to the work of the governmental agency. The tour is not a gift to the Commissioner because his participation is in the performance of his official duties and in furtherance of official County business.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-229	(w) RQO 05-110	Diana Floyd, General Counsel & CCO, Synagro Corp.	County employees may not accept a meal from Synagro, a County vendor, when they travel to attend a conference in New Orleans unless they obtain a waiver from the Board of County Commissioners.
14-230	(j)	Gerald Sanchez, Assistant County Attorney,	A County Commissioner is not prohibited from serving on the board of a local civic organization that is not a County vendor or contractor. However, the Commissioner may not lobby the County on behalf of the organization and should refrain from voting on any matters that might affect the commissioner's financial interests.
14-231	(s)(1)(b) RQO 04-33 RQO 04-40	Anthony Cotarelo, Deputy Director, County Public Works & Waste Management Dept. (PWWM)	Inquiries to PWWM employees that involve seeking general information about possible projects and ministerial functions such as scheduling and deadlines are not considered lobbying as long as the exchange does not include any attempt to influence an action, decision or recommendation that may ultimately go before the County Commission or another County board.
14-232	(d) RQO 06-64	Victoria Méndez, City Attorney, City of Miami	A Commissioner is not prohibited from voting at a City Commission meeting on a project, where the Commissioner's spouse is a licensed Sales Associate, with a real estate company in the City of Miami that presently has no contractual relationship with the project.
14-233	(w) RQO 05-110	Jimmy Nares, Chief, Economic Development and Int'l Trade Unit (EDIT), Co. Regulatory and Economic Resources Dept.	The County Mayor, a County Commissioner, and two County employees, are not prohibited from attending a Trade Mission to Brazil funded entirely out of revenues received through the Trade Mission Center of the Americas, Inc., a Section 501(c)(3) organization, whose revenues do not include any donated funds from any County vendor, contractor, service provider, bidder or proposer.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-234	(n), (g) RQO 11-28	Juliana H. Salas, Assist. Dir., Co. Construction Permitting and Building Code Dept. (CPBC), Co. Regulatory and Economic Resources Dept. (RER)	An Assistant Director of CPBC does not have a prohibited conflict of interest where her attorney son represents clients before an (RER) division not under the Assistant Director's supervision. If the son represents clients in matters that the Assistant Director oversees, she should be insulated from any action, direct or indirect, including supervisory oversight concerning any such decisions.
14-235	(c)(2), (d) RQO 00-13	Addiel Chacon, Vice President, Datalink Information Technologies, Inc.	An immediate family member of a County employee is allowed to enter into a contract with the County as long as his relative is not employed by the County department that will enforce, oversee, or administer the contract and the contract does not interfere with the full and faithful discharge of the relative's duties to the County.
14-236	(e)(3)&(4) <i>directed to</i> Fla. Stat. 112.3148(4)	Teri Samuels, Assistant to the Town Clerk, Office of the Town Clerk, Town of Cutler Bay	There is no cap or upper threshold under Miami-Dade County Ordinance for the acceptance of gifts. However, any gift in excess of \$100 must be reported on the Miami-Dade County Quarterly Gift Disclosure Form. For municipal officials required to file Financial Disclosure under Chapter 112, Florida Statutes, there is also a \$100 threshold for reporting of gifts.
14-238	(c)(2), (d) RQO 00-13	Luis A. Silva, President, Aluces Corp.	An immediate family member of a County employee is allowed to enter into a contract with the County as long as his relative is not employed by the County department that will enforce, oversee, or administer the contract and the contract does not interfere with the full and faithful discharge of the relative's duties to the County.
14-239	(w), (e)(4), RQO 05-110  <i>directed to</i> Fla. Stat. 112	Deborah Eastman, Town Clerk for the Town of Cutler Bay	It is ethically permissible for someone who works in the Town of Cutler Bay to accept paid travel from an out of state Clerk's Association to give a speech at a meeting of the Association because it is not a Town vendor, contractor, service provider, bidder or proposer. However, the amount paid on the person's behalf for the trip should be reported by the person as a gift.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-240	(c)(4) RQO 08-48	Barnaby Min, Assistant City Attorney, City of Miami	Complimentary entrance to an opening of a special exhibit at a local museum extended by the museum to, and accepted by, City of Miami Officials for themselves and their families would be considered a gift that would need to be disclosed pursuant to the County Ethics Code if the value of the complimentary admission(s) accepted by the individual official for himself/herself and family members is in excess of \$100.
14-241	(h), (q) RQO 12-09	Roy A. Alonso, Terminal Operations, Miami-Dade Aviation Department	The County Ethics Code does not prohibit a County employee from applying for employment with a County vendor. However, pursuant to Section 2-11.1(h), the employee may not disclose confidential information acquired as a result of his County employment, and may not use such information directly or indirectly for his personal benefit. Further, the employee should inform the department that he is applying for a position with this vendor and should seek advice from his supervisor regarding removing himself from contract disputes, negotiations, or other interactions with this vendor during the time that the application for the position with the vendor is pending.
14-242	(j) RQO 07-35	Charles Anderson, Co. Commission Auditor, Office of the Commission Auditor	A County Director of Information Systems and Telecommunications at the County Aviation Department, will not have a prohibited conflict serving on a County selection committee, where he also serves on the SITA Customer Advisory Board as part of his County duties and SITA is one of the bidders that will be considered by the selection committee, because the County Director has no financial or personal interest in SITA or the contract. However, in order to avoid an appearance of impropriety created by the Director's close interaction with SITA's current County contract and personnel through his County employment, the County is advised to reconsider appointing the Director to the selection committee.
14-243	(s)(3)(a)	Kristina Raata, General Counsel, Florida International University	Pursuant to Section 2-11.1(s)(3)(a) of the County Ethics Code, any officers, employees or appointees of FIU, a state public university, would fall under the public officer exemption of the County's lobbying ordinance and would not be required to register as County lobbyists or attend lobbyist training.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-244	(v) RQO 07-35	Robert Ruano, LEED AP, President, Ecostrata Services, Inc.	A County Planning Advisory Board (PAB) member is not prohibited from voting on proposed zoning changes to the Ludlam Trail because he would not personally benefit from the vote and he does not have a prohibited relationship with the parties appearing before the PAB board. Nevertheless, he may consider recusing himself from voting based on a possible appearance of impropriety because he shares office space with a member of “Friends of the Ludlam Trail” (FOLT), a non-profit group that opposes the proposed zoning change, and the shared office space serves as FOLT’s business address.
14-245	(g)	David Williams, Jr., Councilman, City of Miami Gardens	A City of Miami Gardens Councilman, who also serves as the uncompensated interim president of the North Dade Community Development Federal Credit Union, is not prohibited from utilizing funds from his office account to purchase a bulletin board and flyers that would be located at the credit union to promote recognition of school children in the North Dade area. Given that the purpose behind the expenditure is to promote the achievements of local students, it is an appropriate use of public resources and would not violate the County Ethics Code’s prohibition on exploitation of official position.
14-246	(j) RQO 07-35	Marta Canaves, ASLA, IIDA Graduate Faculty, College of Architecture, Florida International University (FIU)	An FIU Professor of Architecture will not have a prohibited conflict serving on a County selection committee where she has had professional relationships with some of the bidders to be considered by the selection committee, because the Professor of Architecture would not personally benefit from the vote and she does not have a prohibited relationship with the parties. However, in order to avoid an appearance of impropriety created by the Professor’s close professional relationships with some of the bidders, the County is advised to reconsider whether this person is an appropriate appointee for this selection committee.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-247	(c)(2), (d) RQO 00-13	Joanne Spencer, Police Records Specialist, Co. Corrections and Rehabilitation Dept.	A County employee may contract with the County through her privately-owned clothing company, but she may not contract with the department that employs her and she may not lobby the County for the contract.
14-248	(d) RQO 06-64	Gabriel Edmond, Commissioner, City of South Miami	A South Miami Commissioner may not vote on matters involving granting a discounted rate for the use of the City's facilities to his employer, South West High school, because a prohibited voting conflict is created where the Commissioner, directly or indirectly, could profit or be enhanced by an action of the City which would create a financial benefit for his employer.
14-249	(w) RQO 05- 110	Dori Kublin, Travel Liaison, County Corrections and Rehabilitation Dept.	County employees may not accept free registration passes from a County vendor when they travel for training unless they obtain a waiver from the Board of County Commissioners.
14-250	(j),(l) RQO 07-35	Lynn Barrett, Chief Compliance Officer, Jackson Health Systems (JHS)	A doctor employed by JHS may not also hold financial interests in a medical tourism company (which engages in matching people in other countries with available medical services in the U.S.), and an Emergency Room Urgent Care Staffing company operating in the Dominican Republic because of possible impairment of independence of judgment in the performance of official duties and the prohibition against taking official actions when personal financial interests are involved.
14-251	(e)(3)	Lynn Barrett, Chief Compliance Officer, Jackson Health Systems (JHS)	A JHS nurse is prohibited from soliciting JHS for a \$1000 contribution to purchase a table at a gala fundraiser for a nonprofit organization that also employs her. Pursuant to Section 2-11.1(e)(3), an employee may not solicit his or her County employer for a gift to a nonprofit from which he or she draws a salary.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-252	(w) RQO 99-59 RQO 05-110  Related to INQ 14-210	Jimmy Nares, Chief, Economic Development and Int'l Trade Unit (EDIT), Co. Regulatory and Economic Resources Dept.	County employees and public officials may not accept \$15,000 donated by a County vendor to the Trade Mission Center of the Americas, Inc., a Section 501(c)(3) organization, for the County employees to attend a trade mission to Brazil. Pursuant to the County Ethics Code at Section 2-11.1(w), County employees and public officials are prohibited from accepting travel expenses from County vendors either directly or <b>indirectly</b> .
14-253	(s), (2)(a), (2)(d),(7)  RQO 06-63 RQO 10-28	Martin Lipman, Vice President and General Counsel Instrumentation Laboratory	Pursuant to previous opinions of the Ethics Commission, vendors who appear before Jackson Health Systems (JHS) staff to seek approval for clinical trials or sale of products and services must register as lobbyists and complete the lobbyist ethics course. However, the Commission has also ruled that sales commission payments received by sales representatives of JHS vendors are not prohibited by the ban on lobbyist contingency fees as provided in Section 2-11.1(s)(7) of the Ethics Code.
14-254	(q)(1) RQO 12-09	Betty Ortiz-Valdes, President, America Business & Management Services LLC	A former County employee may register as a County vendor, but she is prohibited from lobbying (i.e., influencing any County decision-makers) for 2 years following County employment. Further, as a former employee she remains subject to Section 2-11.1(h) of the Ethics Code, which prohibits her from ever disclosing confidential information she has acquired through her official position with the County, or ever using such information, directly or indirectly, for her personal gain or benefit.
14-255	(e)(4) RQO 02-46	Vitoria Mendez City Attorney, City of Miami	Attendance of City elected/appointed officials at a charity gala event does not involve the performance of an official function. The recipients of the Gala tickets must disclose complimentary tickets on a gift disclosure form if their value exceeds \$100.
14-256	(e)(3) <i>directed to Fla. Stat. 112.3148</i>	Cheree L. Gulley, Esq, Executive Dir., Housing Finance Auth. (HFA)	HFA personnel may not solicit donations from a current HFA vendor toward a retirement party for the former Director of the HFA. The solicitation is for a private benefit, i.e., a gift, consisting of a contribution to a private retirement party, and not for a public purpose.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-257	(d) RQO 06-64 RQO 07-12	Edward Tobin, Commissioner City of Miami Beach	A City of Miami Beach Commissioner may not vote on or participate in an item regarding providing a waiver pursuant to Section 2-462 of the Miami Beach Code, permitting the Commissioner to apply for a position in the Miami Beach Police Department because he would stand to profit or be enhanced by the vote.
12-258	(q) RQO 12-09	Cecilia Brewer- McDuffie, HR Chief, WASD	A former County employee is prohibited from lobbying (i.e., influencing any County decision-makers) for 2 years following County employment.
14-259	(i) RQO 13-01 INQ 13-141	Walter Foeman, City Clerk, City of Coral Gables	A member of the City of Coral Gables Emergency Management Division (CGEMD), a municipal advisory board, which was an active board during 2013, is required to file financial disclosure for the year 2013 even if the CGEMD did not meet during that year.
14-260	(s)(4) RQO 04-07 RQO 13-01	Tim Gomez, Floridian Partners	Unpaid representatives of not-for-profit community-based organizations, <b>who only are seeking grant funding</b> and not lobbying on other matters at the same time, are not required to register as lobbyists. However, persons who lobby the County on matters other than grant funding as unpaid volunteers on behalf of a nonprofit organization must register as lobbyists; are not required to pay the lobbyist registration fee; must take the lobbyist ethics training course within 60 days of registering; and pay the \$100 fee for the course.
14-261	(j), (g) RQO 09-16	Arnold Palmer, Major, Miami Dade Police Dept. (MDPD)	An MDPD Major does not have a conflict of interest involving his employment at MDPD and his work for a non-profit organization where the non-profit organization would donate an emergency response program (Project Zero) to the County. It is unlikely that the Major's independence of judgment in the performance of his public duties would be impaired because he would not be involved in the implementation of the emergency response program, and has no financial interest in the project given that the program would be donated to the County.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-262	(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 regarding an Interlocal Agreement between the County and the School Board to hold movie nights at School board sites located within County Commission Districts because the Commissioner's position with the School Board is not connected to the Interlocal Agreement; 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.
14-263	(g) <i>directed to</i> Fla. Stat. 104.31	Herlina Taboada Town Clerk, Town of Medley	The town of Medley is not prohibited from using town buses to transport elderly citizens to the polls on election day, provided that no candidates are involved with the buses and there is no attempt made to advertise any candidacy or to influence anyone's vote in the use of the buses.
14-264	(w) RQO 05- 110	Juan Kuryla, Director, Seaport	The County Code of Ethics at Section 2-11.1(w) would prohibit the solicitation of a donation of a cruise from one of the cruise lines at the Port, to be given away to a County employee as part of a raffle to benefit the United Way at an upcoming Port employee holiday party because this section prohibits acceptance of any travel expenses from a country contractor, vendor, or service provider, bidder or proposer, absent a waiver by majority vote of the County Commission.
14-265	(e) C12-41 Doral City Code at Sec. 2-396	Robert Meyers, Attorney Weiss Serota & Helfman on behalf of Luigi Boria, Mayor, City of Doral	A complimentary ticket provided to a city official's spouse or family member because of that person's relationship with the city official is, in effect, a gift to that official which is subject to applicable gift limitation and reporting requirements. In this instance, the Mayor of Doral would be considered the recipient of a complimentary ticket provided to his wife. Accordingly, pursuant to Section 2-396 of the Code of Ethics contained in the Doral City Code the Mayor's wife could not accept a gift greater than \$25, where the cost of that gift is paid by a city vendor or lobbyist.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-266	(g),(n)	Freddy Balsera, CEO, Balsera Communications	The son of the County Mayor is not prohibited from lobbying the City of Miami regarding a transportation project taking place strictly in the City, where the County Mayor's son would not be interacting with County officials in his lobbying efforts for this project and the County Mayor would not play any decision-making role in this project.
14-267	(d), (g),(j), (m),(n) RQO 11-28 RQO 12-07 RQO 07-39	Jose "Pepe" Diaz, County Commissioner, District 12	A County Commissioner is not prohibited from accepting employment with West Gables Rehabilitation Hospital (WGRH), which is not directly a County vendor, and whose status as a provider under the County's workers compensation and health insurance programs is not subject to approval by the County Commission. The Commissioner's work at WGRH is not likely to impair his independence of judgment in the performance of his public duties because his employment duties and responsibilities would not require him to solicit or lobby the County or any of its departments, including Jackson Health Services (JHS), on behalf of the company. However, the Commissioner would be prohibited from voting on any matters involving WGRH, he may not appear before any County board on behalf of WGRH, and he may not use his official position to secure special privileges or exemptions for WGRH.
14-268	(c) RQO 00-13	Raul F. Rodriguez, Managing Member Luar Investments LLC, Auxiliary police officer, City of Sweetwater	An auxiliary police officer with the City of Sweetwater is not prohibited from contracting with the City through the Lil Abner Foundation, a non-profit organization for which he serves in the position of uncompensated President because neither he nor his immediate family members have a financial interest in this contract.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-269	--	Freddy Balsera, CEO, Balsera Communications	A prohibited conflict of interest would not exist for the County mayor's son to represent a train and rail manufacturer, which is not a County contractor, in front of the Metropolitan Planning Organization (MPO), a state board. The County Mayor does not sit as a member of the MPO and plays no role in its decision-making or advisory capacities and the project would involve a public/private partnership involving a rail project not with the County, but with the City of Miami.
14-270	(c), (i), (m),(v)	Jimmy Nares, Chief, Econ. Develop. & Int'l. Trade Unit (EDIT), County Dept. of Reg. & Econ. Resources (RER)	The County Ethics Code does not prohibit the appointment of a County lobbyist or vendor to a County advisory board. However, the County lobbyist is prohibited from voting on matters that involve his/her lobbyist or vendor activities with the County. Further, the lobbyist is prohibited from entering into contracts with his/her board or representing third parties in front of his/her board and he/she would be required to file financial disclosure forms on a yearly basis.
14-271	(q) RQO 04-33, RQO 04-34	Jose Smith, City Attorney, City of North Miami	A former municipal employee is not prohibited from entering into an independent contractor agreement with her former municipal employer, but she is prohibited from <b>lobbying</b> for the contract (i.e., influencing any municipal decision-makers) for 2 years following her municipal employment.
14-272	(e)(1),(4) (g)	Robert Meyers, Attorney Weiss Serota & Helfman	The Village Council of the Village of Bal Harbour is not prohibited from giving Village-owned I-Pads previously used by Village Council members in their official duties to the Council member's upon their leaving office. Awarding the used I-Pads in recognition of the service of those who have held public office, constitutes a sufficient public purpose provided that the awarding of such property is done openly by the Village Council in a public meeting and that Village procedures for the transfer of public property are followed.
14-273	(b)(6),(j),(k) RQO 04-48	Lynn Barrett, Chief Compliance Officer, Jackson Health Systems (JHS)	Pursuant to the Ethics Code at Section 2-11.1(b)(6) and previous Ethics Commission opinions, part-time employees are subject to the Ethics Code, including Sections 2-11.1(j)(prohibition on Conflicting employment) and 2-11.1(k) (prohibited outside employment).

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-274	(s)(3)(b)	Pablo Acosta, Attorney, Law Offices of Pablo Acosta, P.A.	Attorneys that are not paid or reimbursed by any party and who appear before County officials to speak as private citizens regarding the deterioration of the Miami Dade Courthouse are not required to register as lobbyists. Section 2-11.1(s)(3)(b) of the County Ethics Code exempts from lobbyist registration persons appearing in their individual capacity for the purpose of self-representation without compensation or reimbursement.
14-275	(c)(3), (m)(2), (v) RQO 06-52	Subbarayan R. Pochi Ph. D., Pres., Agni Enterprises, LLC (DBA) Head to Heals Safety Supplies	A County board member is not prohibited from contracting with the County, as long as the board on which he serves does not regulate the contract, he does not lobby the board, and he abstains from voting if a matter related to the contract were to appear before the board.
14-276	(c)(2),(d) RQO 00-13	Marilyn Davis, Keen 2 Kleen Kleaning Kompany	A County employee may contract with the County through her privately-owned janitorial company, but she may not contract with the department that employs her and she may not lobby the County for the contract.
14-277	(e) RQO 06-05	Robert Meyers, Attorney, Weiss Serota Helfman	A City of Aventura Commissioner, who is a member of the National Association of Latino Elected and Appointed Officials (NALEO), who attends an out-state-conference paid for by NALEO, is considered to have received a reportable gift from that organization.
14-278	(e)(2)(e) RQO 05-110 RQO 02-46	Hydi Webb, Acting Assistant Dir., Port Miami, Business Development & Marketing	Officials and employees of Port Miami are not prohibited from soliciting sponsorship packages from private entities in support of Port Miami's hosting of the 2015 American Association of Port Authorities (AAPA) Annual Conference (the port of Miami is a member of AAPA) because the solicitation is being made by County personnel on behalf of the County in performance of their official duties for use solely by the County in conducting its official business.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-279	(j) RQO 09-16	Charles Anderson, Office of the Commission Auditor	A selection committee member does not have a conflict to serve on a selection committee where some of the bidders considered by the committee are companies whose County projects he has previously supervised in his County employment because he has no financial, personal, or familial, relationships with these bidders that would prevent him from exercising his independent judgment in connection with his duties on the selection committee.
14-280	--	Abby Corbett, Attorney, Stearns Weaver	An Attorney who is representing a municipality before a subcommittee of the Miami-Dade County School Board is not required to register as a County lobbyist because the County Ethics Code does not cover the School Board.
14-281	(g)	Ronetta Taylor, City Clerk, City of Miami Gardens	In order to avoid exploitation of official position prohibited by Section 2-11.1(g) of the Ethics code, a municipality should not provide the use of a public park without the usual charge to a private insurance company for an event intended to promote and sell that company's health insurance products nor should the municipality actively participate in the promotion and marketing of such an event for the company.
14-282	(g)	Kyndal Campbell, Kyndal, Operations Coordinator, Co. Internal Services Dept. (ISD)	An ISD employee does not have a prohibited conflict of interest between her County employment and her husband's employment as an Appraiser Special Magistrate for the Value Adjustment Board (VAB), a state board, because her County employment does not involve interaction, oversight, or administration of any matters related to the VAB.
14-283	(m)(1) RQO 12-10	Lucia Davis-Raiford, Director, County Community Action and Human Services (CAHSD)	A County Department Director is prohibited from representing the Carrie Meek Foundation on any pending decision to be made by County personnel because the County Ethics Code at Section 2-11.1(m)(1) prohibits employees from appearing in front of any County board or agency to make a presentation seeking any benefit on behalf of a third party.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-284	(e) RQO 07-28 RQO 07-61 County Procedure #401	Christopher Sanchez Assistant to the Director, Deering Estate at Cutler	Deering Estate employees (who are County employees) may not accept gifts or tips from patrons of the Deering Estate because pursuant to the County Ethics Code and County Procedures Manual, County employees may not accept gifts or tips given with the intent to influence an official action.
14-285	(e)(1) RQO 02-46 RQO 07-28	Daniella Levine Cava, County Commissioner, District #8	Gift baskets donated by the Miami Marlins organization and turkeys donated by a private citizen who does not do business with the County, given to a County Commissioner with full discretion over their disposition, are reportable gifts if valued over \$100.
14-286	(m)(2)	Robert Yaffe, Attorney, Board Member, Miami-Dade Board of Rules and Appeals (BORA)	An attorney and member of BORA should not appear before another board within the County agency with which BORA shares a common staff.
14-287	(e) COE Public Benefit Ticket Policy and Addendum  <i>directed to City of Miami Code at Sec. 2-613</i>	Matt Haber, Assistant City Attorney, City of Miami	Under the County Ethics Commission's Public Benefit Ticket Policy and the Addendum thereto, unelected voluntary board members, who serve without pay on City boards may be the recipients of tickets provided to the City under a Public Benefits clause given in recognition of their significant assistance to the local government,. If the value of the tickets exceeds \$100, it must be disclosed. However, Section 2-613 of the City of Miami Code prohibits City officials from accepting, directly or indirectly, any gift from a person or entity to which any City purchase order or contract is or might be awarded, except where given for use and benefit of the City.
14-288	(j),(g) RQO 12-11  <i>directed to AO 7-1</i>	Michelle Sifontes, Chief, HR, Co. Public Works and Waste Mgmt.	County real estate officers are not permitted to engage in outside employment as private real estate agents because this type of outside employment is likely to impair the County employee's independence of judgment in the performance of his or her public duties

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
14-289	(e) COE Ticket Policy and Ticket Policy Addendum	Victoria Mendez, City Attorney, City of Miami	Under the County Ethics Code, complimentary tickets granted to the City of Miami under a promoter agreement must be utilized for public purposes and may only be distributed to a city official or employee attending in his or her official capacity. Tickets given to City employees or their guests directly from the promoter may be accepted as long as they are reported as gifts if their value is greater than \$100.