
From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, July 06, 2015 4:16 PM
To: Sanchez, Rodzandra (COE)
Subject: Brian Andrews, Brian Andrews USA, LLC d/b/a The News Directors (Sunshine Law, Lobbying) INQ 15-139

INQ 15-139 Andrews

From: Centorino, Joseph (COE)
Sent: Monday, July 06, 2015 4:11 PM
To: 'Brian C Andrews'
Cc: Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)
Subject: INQ 15-139 Brian Andrews, Brian Andrews USA, LLC d/b/a The News Directors (Sunshine Law, Lobbying)

Brian,

This will confirm your inquiry regarding the your use of social media to communicate with County Commissioners and their staffs or other elected officials in the County in the course of promoting an event on behalf of a client of your firm. The client is a developer with pending matters in the County. However, the event(s) in question do not involved any pending County issue and would not involve any communication intended to influence the vote or action of the County Commission or other elected body, but rather to inform them of an event sponsored by your client that may be of interest to the official or his or her constituents. What you are hoping to accomplish would be the further publicization of the event by the elected officials through their own social media networks.

Based on the foregoing, I do not see any Sunshine law issue provided that no information regarding a matter coming before the public board for a vote is disseminated for the purpose of creating a communication between two or more board members regarding such matter. Merely dispensing information about a public event to elected officials that may be of interest to people in their districts or social media networks would not run afoul of the Sunshine Law. Further, such communications would not involve any lobbying that would trigger the requirement of lobbyist registration under Section 2-11.1(s) of the Miami-Dade Conflict of Interest and Code of Ethics, where there is no intent via the communications to influence any action or decision by the board.

Sincerely,

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

From: Brian C Andrews [<mailto:brian@thenewsdirectors.com>]
Sent: Monday, July 06, 2015 3:39 PM
To: Centorino, Joseph (COE)
Subject: Do I need an opinion letter?

Hi Joe:

Hope all is well. We have a question about two social media use scenarios and whether they would rise to the level of needing an opinion letter from your office.

Here are the scenarios:

We have a community event we are promoting on social media for a client who has retained our services as social media strategists and public/media relations experts. This client has business before the county commission and has business pending before the commission. In the course of posting information about the client's event to Twitter and Facebook, we would like to **"tag"** a county commissioner or other elected county official, in the hopes they will **"like"** or **"retweet"** our event information. Would this be permissible?

Scenario 2:

There is a community event we want to promote for one of our media relations clients. The event is connected to an issue that will be voted on by County Commissioners. We, as PR and media outreach experts, would like to reach out to a Commissioner's staff or a Commissioner themselves, and ask if they would **"re-tweet,"** **"like,"** or **post** our event on their social media, since the event would be of interest to people living in their district. We would also like to ask the Commissioner's staff if they would mind sharing the information about the event in a news release from the Commissioner's office

Would we need an opinion letter on these 2 scenarios?

I am asking because you had explained to me in January I should be aware there is a very fine line between public relations and lobbying, when county officials are involved. Jilda Unruh, my business partner, and I are not registered lobbyists as we are simply public relations and media strategy consultants.

Thanks,

Brian

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Managing Partner

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