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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Thursday, November 19, 2015 9:38 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Raquel Regalado, School Board Member and Candidate for Mayor of Miami-Dade County (Gifts) INQ 15-264

INQ 15-264 Regalado

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**From:** Michael Montiel [mailto:mmontiel@smgqlaw.com]  
**Sent:** Wednesday, November 18, 2015 5:03 PM  
**To:** Ethics (COE)  
**Cc:** Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)  
**Subject:** RE: 15-264 Raquel Regalado, School Board Member and Candidate for Mayor of Miami-Dade County (Gifts)

Joe,

Thank you for your prompt response, I really appreciate it!

Michael

**MICHAEL A. MONTIEL, ESQ.**



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**From:** Ethics (COE) [mailto:ethics@miamidade.gov]  
**Sent:** Wednesday, November 18, 2015 4:58 PM  
**To:** Michael Montiel  
**Cc:** Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)  
**Subject:** 15-264 Raquel Regalado, School Board Member and Candidate for Mayor of Miami-Dade County (Gifts)

Mr. Montiel:

I have reviewed your request for an opinion concerning the radio program hosted by your client, Raquel Regalado, on La Poderosa regarding whether there may be a reportable gift or campaign contribution to her as well as related issues in connection with her arrangement at that station.

While I often speak informally with many people regarding ethics issues, we are limited to providing written opinions only to those who fall within our jurisdiction, which is limited to interpreting and enforcing County and Municipal ethics codes, the County Ethical Campaign Practices Ordinance and Citizens' Bill of Rights. As a School Board member, Ms. Regalado is not within our jurisdiction, since she is not a County or municipal official and not subject to the County Ethics Code in Section 2-11.1 of the County Code. She is subject to the State of Florida Code of Ethics for Public Officers and Employees in Chapter 112, Florida Statutes, which falls within the jurisdiction of the State of Florida Commission on Ethics. Requests for advisory opinions concerning the gift provisions of that chapter should be directed to that agency.

As a candidate for Mayor of Miami-Dade County, Ms. Regalado is subject to the mandatory provisions of the Ethical Campaign Practices Ordinance in Section 2-11.1.1 of the County Code. However, those provisions do not cover campaign finance issues, which fall within Chapter 106, Florida Statutes. The enforcement authority for Chapter 106 is the Florida Elections Commission, which does not provide advisory opinions. Requests for opinions under Chapter 106 may be forwarded to the Division of Elections in the office of the Secretary of State for the State of Florida.

I hope that this clarifies the situation regarding the proper jurisdiction of these matters. Please feel free to call me if you wish to discuss this any further.

Sincerely,

Joe Centorino

*Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
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Miami, FL 33130  
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**From:** Michael Montiel [<mailto:mmontiel@smgglaw.com>]

**Sent:** Wednesday, November 18, 2015 12:38 PM

**To:** Ethics (COE) <[ethics@miamidade.gov](mailto:ethics@miamidade.gov)>

**Subject:** Regalado: Advisory Opinion Request

Good afternoon,

Please see the attached request for an Advisory Opinion on behalf of Raquel Regalado. Please confirm receipt of this email, as I have received error messages when previously attempting to send this email. Thank you!

Michael

**MICHAEL A. MONTIEL, ESQ.**



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