

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, December 23, 2016 11:16 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Evelyn Campos, Division Director/Professional Compliance Division, Miami-Dade Aviation Department (Gift Disclosure)

INQ 16-282 Campos

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**From:** Centorino, Joseph (COE)  
**Sent:** Friday, December 23, 2016 10:34 AM  
**To:** Campos, Evelyn (Aviation) <ECampos@miami-airport.com>  
**Cc:** Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>  
**Subject:** RE: INQ 16-282 Evelyn Campos, Division Director/Professional Compliance Division, Miami-Dade Aviation Department (Gift Disclosure)

Ms. Campos:

This information does not change the opinion. It is my understanding that people donate into the pool due to a request on behalf of a particular individual. That individual may utilize the benefit up to the total amount contributed on his or her behalf and no more than that. It is a gift under Section 2-11.1€ since it is given and accepted without any consideration given in return. The recipient individual need only report the actual use by that individual of more than \$100 in value of leave time from any one individual donating on his or her behalf. This information, as I understand it, should be available to the reporting individual.

Sincerely,

*Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
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Miami, FL 33130  
Tel: (305) 579-2594  
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**From:** Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]  
**Sent:** Tuesday, December 20, 2016 2:21 PM  
**To:** Centorino, Joseph (COE) <[Joseph.Centorino@miamidade.gov](mailto:Joseph.Centorino@miamidade.gov)>

**Subject:** RE: INQ 16-282 Evelyn Campos, Division Director/Professional Compliance Division, Miami-Dade Aviation Department (Gift Disclosure)

Joe,

As it has been explained to me and from I've understood in the policy manual on Special Leave Pools, the hours donated go into a pool for a specific person but if the hours donated exceed the need for that person, the hours are retained for the next person in need. This is because the donated hours cannot be a one-hour to one-hour donation as the hourly rates of the donators will usually vary in comparison to the hourly rate of the person in need. The hours donated are converted into dollars, therefore if someone donates 3.0 hours (at \$60/hr), that's converted to \$180 in donated time. If the person requiring hours makes \$40/hr, and only needs 3 hours, only \$120 of the donated time is used and the remainder \$60 stays in the pool. If the person continues to need hours the following week they will continue to pull from the pool but if they are no longer in need, any residual time (\$) stays in the pool for someone else to use.

I sincerely hope I haven't misunderstood this process but this is what I've learned since getting this question.

**Evelyn Campos**  
**Division Director / Professional Compliance Division**  
**Miami-Dade Aviation Department**  
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**From:** Centorino, Joseph (COE) [<mailto:Joseph.Centorino@miamidade.gov>]  
**Sent:** Tuesday, December 20, 2016 1:15 PM  
**To:** Campos, Evelyn (Aviation)  
**Subject:** RE: INQ 16-282 Evelyn Campos, Division Director/Professional Compliance Division, Miami-Dade Aviation Department (Gift Disclosure)

Evelyn,

It has always been my impression that people donate to the leave pool in response to a request on behalf of a specific individual. Are you saying that if someone in my office puts out a donation request for a specific person in my office (which has happened) the hours donated by those people on behalf of that individual don't go to that individual? For someone to receive additional leave time, isn't it necessary that there be sufficient hours donate to that person to cover it?

Joe Centorino

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**From:** Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]  
**Sent:** Friday, December 16, 2016 6:07 PM  
**To:** Centorino, Joseph (COE) <[Joseph.Centorino@miamidade.gov](mailto:Joseph.Centorino@miamidade.gov)>  
**Cc:** Turay, Radia (COE) <[Radia.Turay@miamidade.gov](mailto:Radia.Turay@miamidade.gov)>; Perez, Martha D. (COE) <[perezmd@miamidade.gov](mailto:perezmd@miamidade.gov)>; Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>; Sanchez, Gerald (CAO) <[Gerald.Sanchez@miamidade.gov](mailto:Gerald.Sanchez@miamidade.gov)>; Kirtley, Eddie (CAO) <[Eddie.Kirtley@miamidade.gov](mailto:Eddie.Kirtley@miamidade.gov)>  
**Subject:** RE: INQ 16-282 Evelyn Campos, Division Director/Professional Compliance Division, Miami-Dade Aviation Department (Gift Disclosure)

Thank you. As I have inquired with Human Resources on this issue as well, they advised me that employees donating leave time are doing so into a Special Leave Pool and not to a person. When the employee in need requires leave time HR pulls hours from the Leave Pool. The receiving employee does not know who has donated time unless a records request is made and that information is made available to them. I add this additional information as HR is not advising employees to disclose this donated time as a gift. Does this additional information change your opinion?

**Evelyn Campos**  
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**From:** Centorino, Joseph (COE) [<mailto:Joseph.Centorino@miamidade.gov>]  
**Sent:** Friday, December 16, 2016 5:40 PM  
**To:** Campos, Evelyn (Aviation)  
**Cc:** Turay, Radia (COE); Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO); Kirtley, Eddie (CAO)  
**Subject:** INQ 16-282 Evelyn Campos, Division Director/Professional Compliance Division, Miami-Dade Aviation Department (Gift Disclosure)

Ms. Campos:

You have inquired concerning whether a County employee receiving donated leave time from another County employee, in connection with a Special Leave Donation Pool, has received a reportable gift under Subsection 2-11.1 (e)(4) of the County Ethics Code, where the value of the donated time, based upon the donor's position, from any one donor exceeds \$100 .

Since the transfer in question does have economic value and is transferred without adequate and lawful consideration, it is considered a gift under Section 2-11.1(e) of the Code. Therefore, where an individual transfers that gift to a County

employee and the value of the gift can be ascertained as exceeding \$100, based on the donor's position, then it should be disclosed in accordance with Subsection 2-11.1(e)(4).

Sincerely,

Joe Centorino

*Joseph M. Centorino*

Executive Director and General Counsel  
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**From:** Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]  
**Sent:** Monday, December 12, 2016 2:00 PM  
**To:** Centorino, Joseph (COE) <[Joseph.Centorino@miamidade.gov](mailto:Joseph.Centorino@miamidade.gov)>  
**Subject:** Gifts of Leave and for Charity

Good Afternoon Joe,

I have two issues for clarification by the COE.

I was recently asked about the practice of employees being solicited to donate leave time to Special Leave Donation Pools in the name of a specific employee who has exhausted of their available leave. If Employee A donates 3 hours of their leave time, valued at \$100, to Employee B who is in need of leave via the Special Leave Donation Pool, does Employee B have to report the 3 hours, and any other hours valued in excess of \$100, as a gift on the quarterly disclosure form?

Second issue relates to the solicitation of gifts for charitable purposes. As I understand it, gifts may be solicited if:

1. Used solely by the government to conduct official business or
2. To benefit non-profit organizations and only if the solicitation is by commissioners and their staffs when no compensation for the solicitation is received.

Per the recent Ethics Training, it seemed to indicate Department staff can solicit gifts for non-profit organizations (such as United Way) if they were authorized by their Department Director as it is a responsibility of their job function. This seems contradictory to item #2 above. Would you please clarify, thank you!

Regards,

**Evelyn Campos**  
**Division Director / Professional Compliance Division**  
**Miami-Dade Aviation Department**

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