
INQ 16-34 Acosta

From: Centorino, Joseph (COE)
Sent: Wednesday, February 03, 2016 4:17 PM
To: 'David Acosta' <DAcosta@SwitkesLaw.com>
Cc: Robert L. Switkes <Rswitkes@SwitkesLaw.com>; Bradley Zappala <BZappala@SwitkesLaw.com>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Subject: INQ 16-34 David Acosta, Esq., Robert L. Switkes & Associates (Exploitation --Use of Official Title)

Mr. Acosta:

You have inquired whether a North Bay Village Commissioner, who has a private real estate brokerage firm, may distribute advertising flyers to prospective real estate clients with information that she is a Commissioner of North Bay Village. Please be advised that such usage of one's official title as an elected official may constitute Exploitation of Official Position under Section 2-11.1(g) of the County Code of Ethics. While usage of one's official title in a resume or in campaign literature or for identification purposes is generally allowed, use of the title for private business advertising purposes is not. In RQO 12-05, the Ethics Commission advised the Mayor of the City of North Miami that he should not use his City title as Mayor when advertising his private law services, citing Section 2-11.1(g) of the Code.

Please let me know if you have any further questions concerning this matter.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
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From: David Acosta [<mailto:DAcosta@SwitkesLaw.com>]
Sent: Friday, January 29, 2016 12:02 PM
To: Centorino, Joseph (COE) <CENTORI@miamidade.gov>
Cc: Robert L. Switkes <RSwitkes@SwitkesLaw.com>; Bradley Zappala <BZappala@SwitkesLaw.com>
Subject: Inquiry from North Bay Village Commissioner re: private business advertising

Dear Mr. Centorino:

A Commissioner from North Bay Village, Florida has requested that we ask you the following question: whether there are ethical considerations and conflicts when a Commissioner states that he/she is a City Commissioner in his/her private business advertising and marketing materials. Specifically, the Commissioner has a private real estate brokerage firm and is interested in knowing whether there would be any ethical considerations or conflicts if she were to distribute advertising flyers to prospective real estate clients with information that she is a Commissioner of North Bay Village. Please feel free to contact me to discuss.

Best regards,

David Acosta, Esq.

ROBERT L. SWITKES & ASSOCIATES, P.A.

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