
INQ 16-51 Kuryla

From: Centorino, Joseph (COE)
Sent: Friday, February 19, 2016 5:13 PM
To: Kuryla, Juan (Seaport) <JUK@miamidade.gov>
Cc: Sanchez, Gerald (CAO) <gks@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Subject: INQ 16-51 Juan Kuryla, Director, PortMiami (Gifts) (Corrected Version)

Juan,
Below is the corrected version of the opinion I provided. The previous version inadvertently stated in the second paragraph that a gift from a relative is “not exempted” from the definition of a gift under the County Code. The corrected version below indicates that such a gift is “exempted.” I apologize for the error. Thanks for pointing it out.
Joe

From: Centorino, Joseph (COE)
Sent: Friday, February 19, 2016 4:15 PM
To: Kuryla, Juan (Seaport) <JUK@miamidade.gov>
Cc: Sanchez, Gerald (CAO) <gks@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Subject: INQ 16-51 Juan Kuryla, Director, PortMiami (Gifts)

Mr. Kuryla:

You have inquired in your capacity as Port Director concerning any ethical issues raised by your acceptance of a ticket from your wife, an FPL employee, to attend the Miami-Dade County League of Cities (MDCLC) Gala function. Your wife is a former County employee who has recently been hired by FPL to serve as its Manager for External Affairs. In that capacity she will be managing FPL’s large marketing campaign to promote a rate hike for the company. Such a rate hike would be considered under the authority of the State of Florida Public Service Commission, not Miami-Dade County. FPL is a service provider for the County, but your wife will not be involved in any lobbying activity at the County and you have no authority in your County position over whatever contract or agreements exist between the County and FPL and do not generally interact with FPL regarding issues in your department. FPL is a sponsor for the MDCLC Gala and has paid for a table at the event. Your wife, in her private capacity as an FPL employee, has been provided with two tickets to attend the Gala, each of which is valued in excess of \$100. You plan to accompany her to the event.

I have indicated to you that inasmuch as the tickets were provided to your wife based on her position with FPL and were not intended as a personal gift to you, the receipt of a ticket from your wife is a gift from your wife, not from FPL and has no connection to your position as Port Director. Pursuant to Section 2-11.1(e)(2)(b), a gift from a relative or member of one’s household is exempted from the definition of a gift under the County Ethics Ordinance. There is no prohibition for you to accept a gift from your spouse, nor is there any requirement that the gift be disclosed under the County ordinance.

Regarding future matters, I have advised you that, inasmuch as FPL is a County service provider, you should not accept any travel or travel-related expenses from FPL through your wife because Section 2-11.1(w) prohibits acceptance of such

expenses “directly or indirectly” from any County contractor, vendor, service provider, bidder or proposer. I have also suggested that you avoid direct dealings with FPL in your capacity as Port Director due to her position with FPL.

Please feel free to contact me should you have any other issues of concern.

Sincerely,

Joe Centorino

Joseph M. Centorino

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