

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, March 30, 2017 11:11 AM
To: Sanchez, Rodzandra (COE)
Cc: Bofill, Carmen (Elections)
Subject: Carmen Bofill, Financial Disclosure Clerk 3, Miami-Dade Elections Department (Financial Disclosure) INQ 17-77- re- numbered as 17-101

Re-numbered as 17-101

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, March 16, 2017 2:18 PM
To: Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>
Subject: FW: Carmen Bofill, Financial Disclosure Clerk 3, Miami-Dade Elections Department (Financial Disclosure) INQ 17-77

INQ 17-77

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, March 16, 2017 2:15 PM
To: Bofill, Carmen (Elections) <CBOFILL@miamidade.gov>
Cc: Williams, Selena P. (DTPW) <Selena.Williams@miamidade.gov>
Subject: Carmen Bofill, Financial Disclosure Clerk 3, Miami-Dade Elections Department (Financial Disclosure) INQ 17-77

Dear Ms. Bofill:

You have inquired whether members of the Miami-Dade Taxi Advisory Board ("TAB") would file a State Form 6 or whether they would file the local form, the Source of Income form.

The TAB serves as an **advisory board** to the Board of County Commissioners on matters relating the local transportation for hire (taxi) industry. It is comprised of County Employees and local industry representatives. We understand that the TAB members have generally filed the local financial disclosure form the Source of income. However, a question arose whether they should file State Form 6.

Generally, those who file State Form 6 are elected constitutional officers as defined by state law as well as expressway authorities, bridge authorities, and regional transportation authority boards created by state statutes (Chapters 348 and 343, Florida Statutes). Although the County Ethics Commission cannot provide final opinions on matters relating to state financial disclosure statutes, we note that the Taxi Advisory Board is created pursuant to Miami-Dade ordinance 31-84(a)(9) (*see also* R-599-12 and R-632-14) as an advisory board to County officials on matters regarding the local taxi industry and therefore does appear to fall within the expressway authority designation or regional transportation authority boards that are regulated by Chapters 348 or 343. The Florida Commission on Ethics could be consulted to provide any final determination on matters relating to State forms 1 and 6.

Thus, members of the TBA would ordinarily file the local source of income form unless another position they hold subjects them to the state financial disclosure statutes. For example, County employees that serve on this board would file a State Form 1 if, in their County positons, they have final authority over expenditures of more than \$20,000. See § 112.3145(1)(a) Fla. Stat. (2016). Similarly, the other board members would file a State Form 1, if **other** duties they perform would make them subject to Florida Statute 112.3145 (for example service on another board that is covered by the state statute, serving as an elected official, etc.); otherwise, they would file the local Source of Income form.

Please contact me if you have any further questions.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
gdiazgr@miamidade.gov
www.facebook.com/MiamiDadeEthics

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, March 13, 2017 2:21 PM
To: Bofill, Carmen (Elections) <CBOFILL@miamidade.gov>
Subject: RE: Message

Carmen:

As we discussed, I am doing some research on this matter and will respond in writing as soon as research is completed.

Best,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, March 10, 2017 10:09 AM
To: Bofill, Carmen (Elections) <CBOFILL@miamidade.gov>
Subject: Re: Message

Carmen:

I am at COE Cuba Conference . I'll be back at the office on Monday - will research and get back to you -

Sent from my iPhone

On Mar 10, 2017, at 9:45 AM, Ceden, Rachelle (COE) <Rachelle.Cedeno@miamidade.gov> wrote:

Mimi,

Carmen Bofill – Elections
305-499-8413
RE: Do Taxi Advisory Board Members file SOI or Form 6?
Call her Monday

Rachelle Cedeña
Miami-Dade Commission on Ethics and Public Trust
19 West Flagler Street, Suite 820
Miami, Florida 33130
305-579-2594
305-579-0273
cedeno@miamidade.gov