

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, September 20, 2017 10:56 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Gerald Sanchez, Esq., Assistant County Attorney, Miami-Dade County (Gifts) INQ 17-231

INQ 17-231 Sanchez

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**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, September 19, 2017 8:05 PM  
**To:** Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>  
**Cc:** Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>  
**Subject:** INQ 17-231 Gerald Sanchez, Esq., Assistant County Attorney, Miami-Dade County (Gifts)

Gerald,

This is in response to your inquiry concerning whether the County may accept a gift from a private company that has offered to donate 5,000 portable housing units to the County in relief of those who have been displaced from their homes as a result of Hurricane Irma. I have advised you that I find nothing objectionable to the County's acceptance of this proffered donation, assuming that the donated units are for purely public purposes and given to the County as an entity for its use in the performance of its official functions. Section 2-11.1(e)(2) of the Miami-Dade County Ordinance specifically exempts such donations from definition of a "gift" under that section, provided that they do not involve a personal benefit to any County official or employee involved interacting with the donor regarding the donated units. Additionally, Section 112.3148, Florida Statutes, has a similar exclusion for gifts accepted on behalf of a governmental entity, even where such gifts are made by lobbyists or local government vendors.

It is assumed that, under these circumstances, the donated housing units are being provided purely as a community benefit and not connected in any way to any contemplated or possible official action by County officials that may affect the donor. Such contributions would be prohibited under Section 2-11.1(e)(3) of the Ethics Ordinance.

*Joseph M. Centorino*

Executive Director and General Counsel  
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  
[ethics.miamidade.gov](http://ethics.miamidade.gov)

