

**INQ SUMMARY 2020**

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-01	(j), (v) RQO 12-01 <i>directed to Art. III, Sec. 3, PHT Bylaws</i>	Eugene Shy, Assistant County Attorney, JHS/PHT	While conflict of interest standards and appearance of impropriety considerations are essential to the review process of any prospective appointment to a PHT committee or sub-committee, the heightened conflict of interest contained in the PHT Bylaws designed to address actual and perceived conflicts of interest in the appointment or service of Trustees to the PHT Board, does not apply to situations where a former PHT board member is seeking appointment as a Member-at-Large to a PHT sub-committee which serves in an advisory capacity and does not assume any of the powers and duties exercised by the PHT governing board.
20-02	(t)	Erin Hendrix, Partner, LSN Partners	The Cone of Silence goes into effect at the time an RFP, RFQ, or bid is first announced, and is lifted when the Mayor files a written recommendation to the County Commission. However, as the Board of County Commissioners deferred the contract award to a committee and the committee, in turn, directed the administration to obtain “best and final” offers from the recommended vendor and another proposer, the Cone of Silence is re-imposed until the final award recommendation effectively ending the competitive process, is resubmitted to the Board of County Commissioners.
20-03	(j), (k), (g)  RQO 16-02 RQO 09-16 RQO 08-45 RQO 04-173 RQO 99-40	Arturo L. Ruiz, Director of Administration, City of Hialeah Gardens	The Director of Administration for the City of Hialeah Gardens does not engage in conflicting outside employment by working as a marketing and sales consultant for CFI, a private company which is not a City vendor but is owned by the Hialeah Gardens City Attorney, Charles Citrin, because the Director of Administration has no involvement, authority, or oversight over the City Attorney or the City Attorney’s contract with Hialeah Gardens and the City Attorney does not have any oversight over the Director, nor his staff; the Director’s duties are not closely related to the duties he will perform in his outside employment; and all the work he will perform for CFI would occur outside of his City employment hours.

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20-04	(e)	Carlos Gimenez, Mayor, Miami-Dade County	The County Ethics Code does not prohibit the Mayor from accepting two Superbowl game tickets from Stephen Ross because Mr. Ross is not a County vendor, lobbyist or service provider; and there is no evidence or suggestion that the offer or acceptance of the gift is part of a quid pro quo transaction. However, given that the value of the gift exceeds the \$100 threshold, it is recommended that the Mayor make a public disclosure of the gifted tickets, even though an argument can be made that disclosure may not be required under Section 2-11.(e)(4).
20-05	(s)	Katelyn Gilligan, Project Manager, First Watch Solutions, Inc.	Lobbyist registration requirements apply to all persons who are employed or retained for the purpose of lobbying, regardless of whether the person ultimately lobbies. Further, an individual who registers to lobby, pays the registration fee, lobbies (or chooses not to lobby) and then files a notice of withdrawal prior to the expiration of the 60-day period during which he or she was to complete the ethics course, is not required to take the lobbyist ethics course.
20-06	(s) RQO 18-05 RQO 08-41	Alicia Anderson, Director of Contracts, TELCOR	An existing JHS vendor does not have to register as a lobbyist, where the existing contract includes terms that provide for the agreement's automatic renewal, without any attempt by the vendor to influence, advocate or renegotiate the contractual terms.
20-07	(t) RQO 01-17 directed to Sunshine Law, Fla. Stat §286.011 AGO 99-53	David J. Carter, Vice President, Atkins	Section 2-11.1(t)(1)(c)(i) of the County Ethics Code exempts oral communications during publicly noticed pre-bid conferences/meetings from the Cone of Silence prohibitions. These meetings are however subject to the Sunshine law. Pursuant to the Sunshine law requirements, any person who chooses to attend a duly noticed pre-bid conference may do so, as the meeting is "open to the public."
20-08	(c), (d), (g), (m)(1), (n)	Yokonon M. Baugh, Fire Rescue Dispatcher, Miami-Dade County Fire Rescue Department (MDFR)	A County employee may accept a Mom & Pop grant for his privately-owned company as long as his department is not involved in any way in processing or administering the grant, and the employee does not lobby for the grant.

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20-09	(c), (d), (g), (m)(1), (n)	Tammie Jones, Bus Operator, Miami-Dade Department of Transportation and Public Works (DTPW)	A County employee may accept a Mom & Pop grant for her privately-owned company as long as her department is not involved in any way in processing or administering the grant, and the employee does not lobby for the grant.
20-10	(s) RQO 18-05	Tammy Dumas, Sr. Analyst, FedEx	FedEx employees who participate in negotiations with Jackson Health Systems (JHS) regarding a bid waiver contract, are required to register as lobbyists, if the contract requires review or approval by the Public Health Trust (PHT), JHS-PHT Chief Executive Officer, or a JHS-PHT board or committee.
20-11	(d) RQO 15-04	Lorenzo Cobiella, Deputy Town Attorney, on behalf of Miami Lakes Council member Luis Collazo	A Town of Miami-Lakes Councilmember may vote on an item that will provide an across the board pay increase for all Town employees, where the Councilmember's spouse is a Town employee, because the Councilmember will not personally or professionally be enhanced by the item under consideration since the item will not confer any special or unique benefit to his spouse. Rather, whatever benefit his spouse receives will be consistent with the benefits received by the entire class of the Town employees.
20-12	(m) <i>directed to</i> City of South Miami Code § 8-A(1)	Thomas F. Pepe, City Attorney, City of South Miami	An appointed member of the City of South Miami (SM) Historic Preservation Board (HPB) who has recused himself from voting on his personal application to the HPB to make renovations to his private home designated as a historic property, may nevertheless appear before the board on which he serves to present his application. While both County Ethics Code Sec.(m)(2), and SM Ethics Code Sec. 8-A(1) prohibit board members from appearing before the board on which they serve to represent third parties, neither these codes, nor the HPB's enabling ordinance, nor another SM Code, prohibit a board member from appearing in his or her individual capacity to present an application before their board.

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20-13	(c)(4)	Julio Marroquin, Ibis Roofing, Inc.	An individual seeking to register as a County vendor, whose spouse is employed by the School Board, is not required to obtain an ethics opinion from the Ethics Commission because the Ethics Commission has no jurisdiction over School Board employees.
20-14	(c), (d), (n), (g), (j), (m)(1)	Jessica Salum, Physical Therapist 1, Jackson Health Systems/Public Health Trust	A JHS employee may contract with the County through her privately-owned company, as long as the contract does not interfere with the full and faithful discharge of her duties at JHS; and she may not lobby the County for the contract.
20-15	(c), (d), (n), (g), (m)(1)	Maria Elena Villegas, President, Ecocare Building Solutions	The spouse of a County employee may contract with the County through her privately-owned company, but he may not contract with the Miami-Dade Police Department that employs her spouse; her spouse, the County employee, may not lobby the County for the contract; he may have no involvement in determining the contract requirements; and shall not be involved in the contract in any way.
20-16	(v), (n)	Justin Espagnol, A/E Consultant Selection Coordinator, Miami-Dade County Internal Services Department	A member of the selection committee for a County Transportation and Public Works project, whose husband serves as Vice-President of AECOM, a respondent to this solicitation, should be removed from this selection committee, pursuant to Section (n) of the Ethics Code, which prohibits County employees from participating in any official action directly or indirectly affecting a business in which she or any member of her immediate family has a financial interest. Further, even though not specifically prohibited by the Ethics Code, it is recommended that a second member of the selection committee for the same project, whose brother works for Atkins North America, a respondent to this project, should not serve on this selection committee, because he has indicated that the fact that his brother works for Atkins may impair his independence of judgment when evaluating the proposals submitted by the respondents.

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20-17	(q) RQO 00-145 RQO 06-54 RQO 11-24 RQO 12-09	Manuel O. Garcia, Assistant Director, Miami-Dade County Department of Transportation and Public Works (DTPW)	Under the two-year rule, a former County employee, may work for a firm that does business with the County. However, the employee is prohibited from lobbying the County for a two-year period following his separation from the County. Additionally, pursuant to Section 2-11.1(h), the former County employee may not disclose confidential information acquired as a result of his County employment and may not use such information directly or indirectly for his personal benefit.
20-18	(d), (g) RQO 15-04	Oscar de la Rosa, Council member, City of Hialeah	A City of Hialeah Councilmember, who has his own law firm, may not represent clients on matters involving the City of Hialeah because it may impair his independence of judgment in the performance of his public duties and he would have a voting conflict in the matters. Additionally, if a client of his law firm appears before the City Commission and is being represented by another firm the Councilmember may not vote because his official actions may directly or indirectly affect the client's relationship with the elected official's law firm; he may not vote if his firm is collaborating or partnering with any other firm to represent a client with a matter before the City Commission, even if another attorney from the collaborating firm is appearing before and lobbying the City Commission on behalf of the client, because the elected official may be considered an "of counsel" of the collaborating law firm, which is among the relationships specifically referenced in Section (d) of the Ethics Code; and he may not vote if a firm for which he serves as "of counsel" is appearing before the City Commission, on a matter that is unrelated to the matter that he is collaborating with the law firm. Nevertheless, his law firm's collaboration with other firms on matters outside of and not involving the City of Hialeah would not create a recurring conflict of interest, even if the collaborating firm represents clients in Hialeah or in matters that involve the City.

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20-19	(v), (x)	Phillip G. Edwards, Senior Research Analyst, Office of the Commission Auditor (OCA)	A member of the selection committee for a County Department of Transportation and Public Works project, does not have a voting conflict even though her former employer, EAC Consulting Inc., is a sub-consultant for a respondent to the project because her employment with the company ended over 16 years ago and she has no current employment or other relationship with her former employer or fellow employees.
20-20	(e), (j), (k)	Maria Nardi, Director, Miami-Dade Parks, Recreation and Open Spaces (PROS)	The Communications and Media Relations Director for Zoo Miami does not engage in conflicting outside employment by working as a brand ambassador for Perry Ellis International (PEI), which is not a County vendor, because his outside employment would not impair his independence of judgment in the performance of his public duties. However, he may not use any County time or resources, including his title as Zoo Goodwill Ambassador, in furtherance of his outside employment. Further, he may solicit and accept a donation from PEI, for use solely by the County in conducting its official business, provided it is done without any expectation of action by the County in return (i.e., no quid pro quo) and no County employee will derive any financial benefit from the gift/donation.
20-21	(c), (d), (g), (m)(1), (n)	Johnson Louis, Budget Analyst 1, Miami-Dade Board of County Commissioners (BCC) Budget Auditor's Office	A County employee who works for the Board of County Commissioners (BCC) Budget Auditor's Office may not accept a Mom & Pop grant for his privately-owned company because the County department that employs him has access to the BCC's financial systems and oversight responsibilities over County operations and fiscal management which include the Mom and Pop Grant; and the employee's County job duties provide him access to all financial systems which the County department that employs him oversees, including matters related to the Mom & Pop Grant.

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20-22	(c), (d), (g), (m)(1), (n)	Sheeniqua Pouncy, Finance Specialist, JHS	A County employee may accept a Mom & Pop grant for her privately-owned company as long as her department is not involved in any way in processing or administering the grant, and the employee does not lobby for the grant.
20-23	(d) RQO 15-04	Julianna Strout, Commissioner, North Bay Village (NBV)	A NBV Commissioner may vote on an upcoming item to resolve pending litigation against the Village, where the Plaintiff in the litigation is a political supporter and a campaign donor of the Commissioner's, because the Commissioner does not have any of the enumerated relationships with the Plaintiff that would create an automatic or contingent prohibited voting conflict; and making contributions to an elected official's political campaign does not create a reasonable possibility that the elected official would directly or indirectly profit or be enhanced by voting on the item.
20-24	(w)	Alex Munoz, Director, Miami-Dade Animal Services Department; and Ariel Arttime, Police Chief, Miami-Dade Police Department (MDPD)	County department directors may not accept from Orange Bowl Committee, Inc. (OBC), a County contractor, funds to cover travel, attendance, room and board expenses related to their attendance of the National Championship game in New Orleans, as a preparation primer for the Orange Bowl and National Championship games that will take place next year in Miami-Dade County. If attendance at the game serves a public purpose, the officials may apply for a waiver of this prohibition from the County Commission. Alternatively, they may request that the County pay for the travel expenses or reimburse OBC if it originally funded the travel.
20-25	(t)	Rebecca Varley, Hydrogeologist 3, Miami-Dade RER	During the time the Cone of Silence is in effect, bidders are not prohibited from communicating with the Dept. of Regulatory and Economic Resources (RER) because RER does not determine the award of the project and the bid documents themselves require approval of RER as a condition.

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20-26	(c)	Brian Andrews, Board Member, Miami-Dade LGBTQ Advisory Board	A County board member may accept a Mom & Pop grant for his company, The News Directors, Inc., as long as the board on which he serves is not involved in processing or administering the grant and the board member does not lobby for the grant.
20-27	(c)	Sylvia Ros, Committee Member, Cultural Affairs Council	A committee member of the Cultural Affairs Council may accept a Mom & Pop grant for her company, Sylvia Ros Photography, LLC, as long as the council on which she serves is not involved in processing or administering the grant and the committee member does not lobby for the grant.
20-28	(j), (k), (g) RQO 16-02 RQO 00-10	Joel Perez, General Superintendent , Miami-Dade Department of Transportation and Public Works (DTPW)	A County employee does not have a conflict of interest involving his employment at the County and his work as a bus driver for LSF, a County vendor, because his outside employment would not impair his independence of judgment in the performance of his public duties as the employee has no contact or authority over the selection, oversight, or administration of the County's contract with the vendor; he will not be supervised by the same individuals in both his County employment and his outside employment; and he will not have contact or interaction with the same people or entities in his outside employment as he does in his County position.
20-29	(j), (k), (g) RQO 16-02 RQO 00-10	Erik Gonzalez, Technical Services Planner Scheduler, Miami-Dade Aviation Department (MDAD)	A County employee does not have a conflict of interest involving his employment at the County and his work as a MEP/Designer for PJV Engineering, Inc., a County vendor, because his outside employment would not impair his independence of judgment in the performance of his public duties as the employee has no contact or authority over the selection, oversight, or administration of the County's contract with the vendor.



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20-30	(t), (s)	Maria Lieviano Cruz, Director of Corporate Development, Florida East Coast Industries (FECI)	The Cone of Silence would not prohibit FECI's communication with County administrators regarding the successful completion of the NW 107 <sup>th</sup> Avenue roadway project because FECI is not a prospective bidder, lobbyist of a bidder, proposer or consultant to this solicitation; neither FECI, nor its parent company or subsidiaries have an interest in any of the proposers or the subcontractors of the proposers of this project; and FECI will not advocate for the selection of any specific firm for the award of the project. However, FECI's representatives who intend to engage with the County on this matter should comply with the County's lobbyist registration requirements as proscribed in section 2- 11.1(s) of the County Ethics Code.
20-31	(j), (k), (g) RQO 16-02 RQO 00-10	Yoamel Zequiera, Service Manager, Fleet Management Division, Miami-Dade Internal Services Department (ISD)	A County employee does not have a conflict of interest involving his employment at the County and his work as a parts consultant for Lorenzo Enterprises Corp. DBA Lorenzo Ford, a County vendor, because his outside employment would not impair his independence of judgment in the performance of his public duties as the employee has no contact or authority over the selection, oversight, or administration of the County's contract with the vendor; and he would not be supervised by the same individuals in both his County employment and his outside employment, as Lorenzo Ford currently does not have any contract with ISD.
20-32	(c), (e)	Gregory Logue, Chief, Miami-Dade Fire Rescue	Section 2-11.1 (c)(2) of the Ethics Code which prohibits County employees from transacting business with the department that employs him or her will prohibit the County's Fire Chief from selling the textbook he published, entitled Hazmat Medic Handbook, to the County. However, he may gift/donate a copy of the book to the County, provided that the gift/donation will be given with no anticipation of an exchange of benefits as a result of the gift.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-33	(s) RQO 18-05 RQO 08-41	Dustin C. Eaton, Associate General Counsel, Emerson Electric Co.	An amendment or modification of an existing contract, where the vendor communicates with County personnel to negotiate substantive terms of the contract, would require registration as a lobbyist if the contract requires review or approval by the Board of County Commissioners, Mayor, or a County board or committee.
20-34	(q) RQO 99-41 RQO 04-48	Thomas Pepe, City Attorney, City of South Miami	The post-employment restrictions found in Section 2-11.1(q) of the County Ethics Code, do not apply to the Executive Director of the South Miami Community Redevelopment Agency (SMCRA) because he is not directly employed by the City of South Miami, rather, he is an independent director, whose appointment was made and approved by the SMCRA, who answers to the SMCRA and whose salary, albeit administered by the City, is derived from the SMCRA's budget.
20-35	(c)(4)	Janina Abreu, Teacher, Miami-Dade County Public Schools	An individual seeking to register as a County vendor, who is employed by the School Board, is not required to obtain an opinion from the Ethics Commission because neither the individual nor any immediate family member of the individual is employed by Miami-Dade County, and the Ethics Commission has no jurisdiction over School Board employees.
20-36	(e) RQO 02-70 RQO 05-119	Fabian Escobar, Senior Engineer, Miami-Dade County ITD	Microsoft's award of any "bounty" to the County through the Microsoft Bug Bounty Program, would not violate the Ethics Code provided, there is no <i>quid pro quo</i> arrangement intended to influence an official action and the "bounty" is used by the County in performing its official business.

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20-37	(d)	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on an item that authorizes various County departments, primarily Miami-Dade County Corrections and Rehabilitation, to exercise additional contract authority that will allow for the continued purchase of milk and dairy products from the School Board because her employment is with a government entity; any possible or potential benefit to the Commissioner personally or professionally, is at best, very remote; and she will not profit or be enhanced by the vote.
20-38	(c)(4)	Gary Goldfarb, Owner, Island Sales & Development Group, LLC	An individual who is not a Miami-Dade County elected official, board member, employee, or an immediate family member of the aforementioned categories of County personnel, is not required to obtain an ethics opinion from the Ethics Commission in order to qualify to transact business with the County.
20-39	(v), (x)	Phillip G. Edwards, Esq., Senior Research Analyst, Office of the Commission Auditor (OCA)	Two prospective members of a selection committee for a County Transportation and Public Works project, may serve on the committee even though their former employers responded to the solicitation, because their employment with their former employers ended amicably, over two years ago; and the two individuals have no current employment or financial relationship with any of the respondent firms. Further, even though not specifically prohibited by the Ethics Code, it is recommended that a third prospective member of the selection committee for the same project, should not serve on this selection committee, because he maintains a close social relationship with the owner of one of the responding firms to this solicitation.

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20-40	(v), (x)	Amado Gonzalez, A/E Consultant Selection Coordinator, Miami-Dade Internal Services	A prospective member of a selection committee for a County Internal Services Department project does not have a prohibited conflict of interest even though his former employer, AECOM, responded to the solicitation, because his employment with his former employer ended amicably, over two years ago; and he has no current employment or financial relationship with any of the respondent firms. However, it is recommended that ISD should consider withdrawing him from the selection committee due to the possible appearance of impropriety created by his close social/professional relationship with a current employee of AECOM, Scott Tao, who was identified by AECOM as a key member of their team, and was also identified as one of the individuals that would make a presentation before the selection committee.
20-41	(n)	Adele Valencia, Director of the Department of Code Compliance, City of Miami	Request for opinion withdrawn.
20-42	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Imran Ali, Chief of Staff, The Children's Trust (TCT)	It is recommended that a board member of The Children's Trust Board (TCT), who also serves of the Vice Chair of the Early Learning Coalition (ELC), should refrain from voting or participating in ELC funding matters because she has an automatic conflict of interest as Vice-Chair/officer of ELC; ELC's funding does not meet the "minor allocation" exception in RQO 19-04; and, recusal is in accordance with COE opinions as well as the heightened appearance of impropriety standard in TCT Policy and Bylaws.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-43	(g), (j), (k), (h) RQO 04-173	Daniel Drury, Firefighter/Emergency Medical Technician, Miami-Dade Fire Rescue Department	A County Firefighter/Emergency Medical Technician, does not have a conflict of interest involving his employment at the County and his work as the Chief of the Tavernier Volunteer Fire Department (TVFD), because his current duty assignment with the County involves administrative duties instead of firefighter or EMT duties; it does not involve oversight or management of firefighters, EMT's, or other MDR operations; it does not involve selection, oversight, or administration of any County vendors; the work takes place in Monroe County with no interaction between TVFD and MDR; and his role as TVFD Fire Chief in Monroe County would not overlap or compete with services provided by MDR.
20-44	(c), (d), (g), (m)(1)	Shannon Thomas, GRL Investment Group, LLC	The spouse of a County employee may contract with Miami Dade County, but she may not contract with the Miami-Dade County Office of the Mayor that employs her spouse; the County employee spouse may not lobby the County for the contract; he may have no involvement in determining the contract requirements; and none of his job responsibilities shall require him to be involved in the contract in any way. Further, given her familial relationship with a County employee that works directly for Deputy Mayor Kemp, who in turn, is tasked with oversight of several County departments, it is recommended that the County employee spouse be removed from any direct or indirect oversight of those departments under Deputy Mayor Kemp's supervision that his spouse intends to contract with, in order to avoid any appearance of impropriety.
20-45	(s) RQO 06-46 RQO 06-63 RQO 10-28	Arturo Rodriguez, Diabetes Sales Specialist, Syneos Lifescan	A vendor who approaches a UM doctor regarding the purchase of products or services, must register as a lobbyist, if the products/services would be used in JHS facilities; and the purchase of the products/services foreseeably would be reviewed by the PHT Board of Trustees of a PHT board or committee.

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20-46	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	The board members of The Children's Trust (TCT) who are either employees, officers or members of governmental entities and/or non-profit entities which, along with TCT, form a partnership with University of Miami's IDEAS Consortium, may participate and vote on a Resolution of TCT authorizing the renewal for the lease of software services with IDEAS, because they would not profit or be enhanced by this vote; nor would a special benefit come to any of them as a result of their vote on this item.
20-47	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	<p>A board member of The Children's Trust (TCT), who is also a Miami-Dade County Commissioner, may participate and vote on a Resolution of TCT authorizing match funding with Miami Dade County's Department of Cultural Affairs (DOCA), to support non-profit organizations that provide cultural arts programs for children and families in Miami-Dade County, because she would not profit or be enhanced by the vote, nor would a special benefit come to her as a result of her vote on this item.</p> <p>A second board member of TCT, who is Miami-Dade County Mayor's appointee to The Children's Trust board, may participate and vote on the same resolution because he does not have a prohibited enumerated relationship with Miami-Dade County; he would not be affected by this vote in a manner distinct from the public; and he would not profit or be enhanced by the vote.</p>

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20-48	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	<p>A board member of The Children's Trust (TCT), who is also a Miami-Dade County Commissioner, may participate and vote on a Resolution of TCT authorizing funding with Miami-Dade Public Library System (MDPLS) to support academic tutoring and initiatives, because she would not profit or be enhanced by the vote, nor would a special benefit come to her as a result of her vote on this item.</p> <p>A second board member of TCT, who is Miami-Dade County Mayor's appointee to The Children's Trust Board, may participate and vote on the same resolution because he does not have a prohibited enumerated relationship with Miami-Dade County; he will not be affected by this vote in a manner distinct from the public; and he will not profit or be enhanced by the vote.</p>
20-49	(d), (g) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	<p>A board member of The Children's Trust (TCT), whose cousin is the owner of a marketing firm, does not have a voting conflict of interest <i>per se</i>, on a Children's Trust Resolution authorizing funding to his cousin's firm. However, in order to avoid a perceived exploitation of official position or an appearance of impropriety, it is recommended that the TCT board member refrain from voting or participating on the item.</p>
20-50	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	<p>It is recommended that a board member of The Children's Trust Board (TCT), who also serves as the Vice Chair of the Early Learning Coalition (ELC), should refrain from voting or participating in ELC funding matters because she has an automatic conflict of interest as Vice-Chair/officer of ELC; ELC's funding does not meet the "minor allocation" exception in RQO 19-04; and, recusal is in accordance with COE opinions as well as the heightened appearance of impropriety standard in TCT Policy and Bylaws.</p>

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20-51	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Borhorques, COO, The Children's Trust (TCT)	It is recommended that a board member of The Children's Trust Board (TCT), who also serves as the Vice Chair of the Early Learning Coalition (ELC), should refrain from voting or participating in ELC funding matters because she has an automatic conflict of interest as Vice-Chair/officer of ELC; ELC's funding does not meet the "minor allocation" exception in RQO 19-04; and, recusal is in accordance with COE opinions as well as the heightened appearance of impropriety standard in TCT Policy and Bylaws.
20-52	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust	The board members of The Children's Trust (TCT) who are either employees, officers or members of governmental entities and/or non-profit entities which, along with TCT, form a partnership with Miami Homes For All, Inc. (MHFA), may participate and vote on a Resolution of TCT authorizing the renewal of funding to MHFA, which supports partnerships to end youth homelessness in Miami-Dade County, because they would not profit or be enhanced by the vote, nor would a special benefit come to any of them as a result of their vote on this item.
20-53	(d) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust	Three board members of The Children's Trust, may not vote or participate on a Resolution authorizing a contract renewal with The United Way for match funding for the Community Based Care Alliance (CBC Alliance), because they have an automatic conflict of interest as they each have an enumerated relationship with The United Way and/or the CBC Alliance.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-54	(d)	Rebeca Sosa, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on an item authorizing an agreement between Miami-Dade County Public School's (MDCPS) Lindsey Hopkins Technical College and the County, relating to MDCPS providing educational programs for inmates housed in County corrections facilities, because her employment is with a government entity; her position would not be affected by the vote; and she would not profit or be enhanced by the vote.
20-55	(e) RQO 06-05	Elizabeth Regalado, Executive Director, Domestic Violence Oversight Board, Office of Community Advocacy	The County Ethics Code does not prohibit the Domestic Violence Oversight Board (DVOB) from establishing a trust fund to educate and promote awareness of domestic violence because it serves a public purpose. However, direct solicitation or targeting of donors who are current County vendors or potential vendors seeking to do business with the County should be avoided so as to prevent any perception that a requested donation could affect a decision by the County to contract with the vendor.
20-56	(v), (x)	Phillip G. Edwards, Esq., Senior Research Analyst, Office of the Commission Auditor (OCA)	Two members of the selection committee for a County Department of Transportation and Public Works project, do not have a voting conflict even though their former employers are respondents on this project, because their respective employment with the respondents ended over two years ago; and they have no current financial or other relationship with their former employers or fellow employees.
20-57	(v), (x)	Beth Goldsmith, Non-Voting Chairperson, Miami-Dade Internal Services Department (ISD)	A member of the selection committee for a County Department of Transportation and Public Works project, does not have a voting conflict even though her former employer, Jacobs Engineering (JE), is a member of the responding team on this project, because her employment with JE ended over two years ago; and she has no current financial or other relationship with her former employer or fellow employees.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-58	(p)	Gabriel Delgado, P.E., Project Manager, Miami-Dade Department of Transportation and Public Works	While the Ethics Code does not address the issue of County employees providing letters of reference for a County Contractor, in connection with the contractor's efforts to obtain work outside of County government, these letters should avoid express advocacy which could be construed as lobbying and there should not be any payment or other incentive for providing the reference. Other factors to be considered are the circumstances under which the reference will be utilized, the possibility that the contractor will have further business in the County, and whether the supervisor of the person providing the reference has given approval.
20-59	(s)	Alex Palenzuela, Esq.	An attorney, may appear on behalf of a client at a meeting with County staff to mitigate/reduce a Miami-Dade County code enforcement fine, without registering as a lobbyist, because the decision would be made at the staff level without review or consideration by the Mayor, Board of County Commissioners, or a County board or committee.
20-60	(v), (n)	Jorge Vital, Non-Voting Chairperson, Internal Services Department	A member of the selection committee for a County Department of Transportation and Public Works project, does not have a voting conflict, even though her spouse previously worked for a respondent to this project, because her spouse no longer works for the respondent; and they have no current financial or other relationship with her spouse's former employer or fellow former employees.
20-61	(g) RQO 05-06	Sonless Martin, Commission Aide, Office of Miami-Dade Commissioner Xavier Suarez, District #7	A County employee may engage in the political process by running for election for the Miami-Dade Republican Party Executive Committee, as a District 20 Committeeman pursuant to state law. However, the County employee may not use County time or resources in the campaign and is prohibited from using his County position or title to exert any official authority or pressure to affect the outcome of the election.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-62	(d), (g) RQO 19-04 <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	It is recommended that a board member of The Children's Trust Board (TCT), who also provides <i>in-kind services</i> and serves as one of FIU's representatives to TCT's Book Club Advisory Committee, should refrain from voting or participating on a Resolution authorizing contract renewals with two entities that support and maintain TCT's book club, in accordance with COE opinions as well as the heightened appearance of impropriety standard in TCT Policy and Bylaws.
20-63	(q), (s) RQO 12-09 RQO 13-07	Steven John Alexander, Former City Manager, City of South Miami	Under the two-year rule, the former City Manager for South Miami, may work for a firm that does business with the City of South Miami. However, he is prohibited from lobbying the municipality for a two-year period following his separation from the City. Additionally, pursuant to Section 2-11.1(h), he may not disclose confidential information acquired as a result of his City employment and may not use such information directly or indirectly for his personal benefit.
20-64	(g) RQO 05-06 Memorandum "Limitations on Political Activities of County and Municipal Officers and Employees" (October 2019)	Randy Grice, Legislative Aide to the City of Opa-Locka Mayor and Commission	A municipal employee may engage in the political process by running for election for the Miami-Dade Democratic Party Executive Committee, as a District 4 Committeeman pursuant to state law. However, he may not use City time or resources in the campaign, and he is prohibited from using his City position or title to exert any official authority or pressure to affect the outcome of the election.
20-65	(c)	Nichole Arguelles, President, Alli Solutions LLC	An individual seeking to register as a County vendor, whose mother is employed by the School Board, is not required to obtain an ethics opinion from the Ethics Commission because the Ethics Commission has no jurisdiction over School Board employees.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-66	(v), (x)	Brian Webster, Non-Voting Chairperson, Miami-Dade Internal Services Department	Two members of the selection committee for a County Department of Transportation and Public Works project, do not have a voting conflict even though their former employers are respondents on this project, because their respective employment with the respondents ended over two years ago; and they have no current financial or other relationship with their former employers or former fellow employees.
20-67	(d)	Rebeca Sosa, Vice-Chairwoman, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on an item which seeks to modify GOB funding of a recreational facility in North Miami to allow for relocation at Cagni North Park, a site that is subject to a joint use agreement between the School Board and the City of North Miami, because her employment is with a government entity; and she will not profit or be enhanced by the vote.
20-68	(d) RQO 19-04	Dan Samaria, Commissioner, Village of Biscayne Park	A City Commissioner, who has filed a civil action against his municipality, its former Mayor, Manager, and City Attorney, may participate and vote on the selection of a new Village Attorney because he does not have an enumerated relationship with the candidates for Village Attorney; and he would not be impacted by the selection of the Village Attorney, as the Village is retaining outside counsel to represent it in the civil action that the Commissioner filed. The City Commissioner may also participate and vote on the selection of a new Village Manager because the former Village Manager is not an applicant for the position, nor are there any applicants for the position that have any connection to the former Manager. Further, the City Commissioner may participate and vote on the annual Village budget, however, it is recommended that if there is a portion of the budget that is specifically designated to fund damages against the Village or to fund costs of litigation, the Commissioner should not vote on that portion of the budget because of the civil action that he has filed against the Village that would be or could be funded out of that allotment.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-69	(t)	Robert Fernandez, Esq., Counsel, Equivant, and Eric Zichella, Principal, P3 Management	The Cone of Silence goes into effect at the time an RFP, RFQ, or bid is advertised and is lifted when the Mayor files a written recommendation to the County Commission. However, while we recognize that the Cone of Silence terminates when the Mayor submits his recommendation to the BCC for the rejection of all proposals, in this instance, RFP 01208- the County's solicitation for a comprehensive Court Case Management System, was replaced by the advertisement of RFP 0162, which had the same project purpose and contained the same terms and conditions as the former RFP. Such replacement continued the competitive nature of the procurement, thus, extending the Cone of Silence restrictions to all potential proposers in both RFPs.
20-70	(s)(7)	David Alvarez Castaneda, Vice President, CPM North America	The County Ethics Code ban on contingency fee arrangements prohibits a lobbyist from receiving a percentage of the value of the contract awarded to his client when the lobbyist's payment is based on whether the RFP is awarded.
20-71	(e)	Arleen Gomez, Executive Assistant to Department Director, Miami-Dade County Information Technology Department	It is permissible for County employees to accept prizes won in a drawing as a result of their participation in a technology skills development campaign administered by Pluralsight, a County vendor, because the drawing is open to all of Pluralsight's customers, not just County employees; the prizes do not include any travel or travel-related expenses; and the prizes would be won by chance and not obtained through the performance of an official duty. However, if the value of the prize won exceeds the \$100 threshold, the recipient-County employee- must file a gift disclosure pursuant to Section 2-11.1(e)(4) of the County Ethics Code.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-72	(d) RQO 15-04 RQO 10-20 <i>directed to</i> Fla. Stat. § 286.012	Fortuna Smukler, Commissioner, City of North Miami Beach	A City Commissioner, whose spouse participates in collective activities in opposition to an item before the City Commission regarding the development agreement relating to the Intracostal Mall (“ICMD”), may vote and participate on the item because her spouse will not be uniquely impacted by the consideration and vote on the item, and there would be no possible enhancement, direct or indirect to the Commissioner. Further, the Commissioner may participate and vote on the item, even though her residence is in close proximity to ICMD because she is one of approximately 5000 residents or more of the Eastern Shores community, and she will not be uniquely impacted as a result of the ICMD by increased vehicular traffic in neighborhood streets or ingress and egress. However, as the upcoming vote will take place as part of a quasi-judicial proceeding, the Commissioner may abstain from voting under § 286.012, Fla. Stat., if she believes it necessary to ensure a fair proceeding free from potential bias or prejudice.
20-73	(v) RQO 07-49	Subrata Basu, Board Member, Miami-Dade Land Acquisition Selection Committee, and Board Member and Secretary, Tropical Audubon Society	A board member of the Miami-Dade Land Acquisition Selection Committee (LASC), who is also a volunteer Director and Secretary of the Tropical Audubon Society (TAS), may participate and vote on three applications submitted by TAS to LASC where TAS owns one of the subject parcels and is serving as an applicant for two other parcels in its environmental advocacy role. He may vote because although he holds an enumerated position with TAS he would not be directly affected by the vote on the parcel owned by TAS, nor by the vote on the other 2 parcels that TAS has submitted as an advocate applicant; he will not appear before the LASC on behalf of TAS; and he would not use his official position to gain special privileges or exemptions for TAS.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-74	(v)	Amy Creekmur, Board Member, Miami-Dade Land Acquisition Selection Committee and Events and Volunteer Coordinator, Tropical Audubon Society	A board member of the Miami-Dade Land Acquisition Selection committee (LASC), who is also an employee of the Tropical Audubon Society (TAS), is prohibited from voting, participating, or appearing before LASC, to make a presentation on behalf of TAS regarding an application submitted by TAS to LASC regarding a land parcel identified as the "Brother Milledge Parcel". This is because she participated in the preparation of the application to LASC and proceeds from the possible acquisition of this land by the County may be used as part of TAS general funds and would therefore likely create a direct benefit for her as a TAS employee. However, she may participate and vote on two other applications submitted by TAS to LASC in its environmental advocacy role regarding the land parcels identified as the "Richmond Pineland Complex", because she was not involved in any way in the preparation of any of those applications submitted by TAS to LASC; she would not appear before LASC to represent TAS; she would not benefit as a TAS employee.
20-75	(b)(4), (v), (n) RQO 09-42	Victoria Mendez, Esq. City Attorney, City of Miami	Members of the Miami 21 Ad Hoc Task Force created by the City of Miami Commission for the purpose of providing recommendations to the City Commission, Mayor, and City Manager on possible changes or measures to be taken relative to the Miami 21 Code, are not advisory board members as defined in Section 2-11.1(b)(4) of the County Ethics Code, because the Task Force was intended by Resolution to be in existence for approximately six (6) months. Therefore, the Task Force members are not subject to the voting conflict of interest restrictions contained in Section 2-11.1(v) of the County Ethics Code or the financial interest restrictions contained in Section 2-11.1(n) of the Ethics Code.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-76	(v)	Manny Sarria, Non-Voting Chairperson, Miami-Dade County Homeless Trust	A prospective member of the selection committee for the Homeless Trust's RFA for the 2020 NOFA Collaborative Application, may serve on the committee even though he previously served as a member of the Camillus House Foundation Board (CHFb), Camillus House, Inc. is a respondent to this solicitation, because his service on CHFb ended over ten years ago; and he does not have any business, or other relationship with any of the respondents to this solicitation.
20-77	(b)(13), (d) RQO 12-03	Victoria Mendez, City Attorney, City of Miami	An attorney hired as outside counsel by the City of Miami to represent the City in a lawsuit against Miami-Dade County related to the City's request that the County designate additional early voting sites, is not subject to the County Ethics Code unless designated as such pursuant to the Ethics Code at Sec 2-11.1(b)(13). Further, a City Commissioner who is represented by the same attorney in a lawsuit against a City Charter Officer, may vote on an item before the City Commission that would waive dual representation conflicts and allow for the attorney's retainer as outside counsel for the City's lawsuit against the County, because there is no evidence presented that the Commissioner's vote might provide the Commissioner with some benefit or advantage.
20-78	RQO 17-02	Pablo Valin, Senior A/E Coordinator, Miami-Dade Internal Services Department	It is recommended that ISD include in its revised Notice to Professional Consultants, Section 1.16, which addresses organizational conflicts of interest, language reflecting the procedures set forth in the Amended Letter of Instruction to RQO 17-02, which delineates the COE's limited procedural role in the handling of organizational conflicts of interest.



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-79	(v), (x)	Coleen Christie, Non-Voting Chairperson, Miami-Dade Internal Services Department	A County employee may serve as a technical advisor to the selection committee for Miami-Dade Internal Services Department Request for Proposals for Property Insurance Broker Services, even though her former employer is a respondent to this solicitation, because her employment with the respondent ended over two years ago; and she have no current financial or other relationship with her former employer.
20-80	(v)	Jorge Vital, Non-Voting Chairperson, Miami-Dade Internal Services Department (ISD)	A member of the selection committee for a County Department of Transportation and Public Works project, does not have a voting conflict, even though he was the recipient of a scholarship from a respondent to this solicitation while he was a student at FIU, because he does not have any financial interest in the entity; and being a recipient of a scholarship over twenty-five years ago while a student at FIU, would not create an appearance of impropriety or in any way detract from the County conducting a fair and objective evaluation of this solicitation.
20-81	(j), (k), (h), (g), (n)	Hilda Castillo, PHR, Chief, Human Resources, Miami-Dade County Finance Department (FIN)	After review and meetings, it is recommended that the County Finance Department include in its Outside Employment Policy for the Miami-Dade Tax Collector's Office, the Sections of the County Ethics Code determined to be most relevant for the division, and the new Outside Employment disclosure and request procedure launched in 2019. Further, it is recommended that the policy be reviewed by the County HR Department and the County Attorney's Office to ensure that the policy meets with employment law requirements.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-82	(d) RQO 15-04	Robert Meyers, Esq., Weiss Serota Helfman	A City Councilman, who is also employed by Farm Share, may vote on an item involving a Bert Harris claim against the City of Homestead regarding a parcel of land owned by a trust, when a person with an interest in the trust is married to a Farm Share consultant, because he does not have any of the enumerated employment, financial, or legal relationships, contained in Section 2-11.1(d) of the Ethics Code, with any persons or entities that may be affected by the Council's action; and the Councilman will not personally, professionally, or financially be enhanced by the vote.
20-83	(d) RQO 15-04	Robert Meyers, Esq. Weiss Serota Helfman	A City Councilwoman, whose spouse is employed by the United States Airforce and is assigned to the Homestead Air Force Reserve Base (HARB), may vote on an item involving a Bert Harris claim against the City of Homestead regarding a parcel of land owned by a trust, when HARB may be impacted by the vote, because the Councilwoman will not personally or professionally be enhanced by the item under consideration since the item will not confer any special or unique benefit to her spouse who is one of over 1000 employees of the US Airforce assigned to the HARB.
20-84	(v), (x)	Coleen Christie, Non-Voting Chairperson, Miami-Dade Internal Services Department	A County employee may serve as a technical advisor to the selection committee for Miami-Dade Internal Services Department Request for Proposals for Property Insurance Broker Services, even though two of his former employers are respondents to this solicitation, because his employment with the respondents ended over two years ago; and he has no current financial or other relationship with his former employer or former fellow employees.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-85	(v), (g), (h), (n), (m)(2) RQO 07-39	Joseph Litowich, Member, North Miami Beach Planning & Zoning Board	A member of the North Miami Beach Planning and Zoning Board (NMB-PZAB), who is also the owner of a roofing company, does not have a conflict that would prohibit him from entering into a business transaction with an individual that previously appeared before the board on which he serves, because his prospective client does not currently have any matter before the NMB-PZAB. However, we recommend that he seek an opinion from the COE, in the event a situation arises where his personal or financial interests may be affected by the board's action and his relationship with an applicant/client falls into one of the prohibited relationships contained in Section 2-11 (v) of the Code.
20-86	(v) RQO 07-49	Kevin Whelan, Ph.D, Board Member, Miami-Dade Land Acquisition Selection Committee	A board member of the Miami-Dade Land Acquisition Selection Committee (LASC), who is also employed by the National Park Service (NPS), may participate and vote on an application submitted by local citizen and environmental groups regarding the acquisition of land identified as the Cutler Bay Parcel. He may vote because his employer, NPS, will not be appearing before the board; he does not have any enumerated relationship with any of the parties appearing before the board, and there are no facts presented that the matters coming before the LASC would directly affect him.
20-87	(d) RQO 12-03 RQO 15-04	William Tudor, Commissioner, Village of Biscayne Park	A Village Commissioner, who is also employed by the United States Securities and Exchange Commission (SEC), may vote on the selection of Village Attorney, when one of the applicants, John Herin, is employed by a law firm, Fox Rothschild LLP, involved in litigation involving the SEC. He may vote because he does not have any of the enumerated employment, financial, or legal relationships, contained in Section 2-11.1(d) of the Ethics Code, with any persons or entities that may be affected by the Commission's action; and it is at best, a remote or speculative possibility that a vote in support or opposition to the selection of John Herin or the Fox Rothschild law firm as the Village Attorney, may impact

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
			his standing with the SEC as one of over 4,200 employees, in a section uninvolved in the litigation.
20-88	(j), (k), (h), (g), (n)  RQO 05-95 RQO 04-173 RQO 99-40	Marie Blaise, Home Care Aide, Miami-Dade Community Action and Human Services Department (CAHSD)	A County employee does not engage in conflicting outside employment by working as a nurse with Regents Park at Aventura, Inc., a nursing home, because her County job duties and the duties of her proposed outside employment are not closely related; her County job duties do not include providing nursing services nor interaction, administration or oversight of any nursing homes; and her outside employment would occur outside of her County hours of employment.
20-89	(g)	Esteban Bovo, Jr., Miami-Dade Commissioner, District #13	A County Commissioner who serves as the Chairman of the Miami-Dade County 2020 Taskforce, and is a Mayoral candidate, does not violate Section (g) of the Ethics Code, when County resources for 2020 Census education and outreach efforts reference his name, title, image, and his role as the Board of County Commissioner's liaison to the community for this initiative, as long as the materials remain faithful to the taskforce's public purpose, which is to encourage local participation in the 2020 Census.
20-90	(t)	John R. Herin, Jr., Fox Rothschild LLP	Where the Village of Biscayne Park has elected to contract for its legal services and is soliciting bids from potential service providers of legal services, the solicitation falls within the Ethics Code's Cone of Silence. As such, the restrictions against oral communications during the time between the bid advertisement and the final award recommendation effectively ending the competitive process, apply to Village officials and personnel, subject to the various exceptions contained within the Ethics Code.
20-91	(g)  <i>directed to Section</i>	Claudia Miro, Marketing Specialist,	A County employee is not prohibited from running for municipal office provided she meets the qualification requirements. However, the County employee may not

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
	1.05(c), Miami-Dade County Charter	Miami-Dade County Library	use County time or resources in the campaign and is prohibited from using her County position or title to exert any official authority or pressure to affect the outcome of the election.
20-92	(d), (g)  RQO 19-06 RQO 19-04 RQO 15-04  <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	A board member of The Children's Trust (TCT), who is also a Miami-Dade County Commissioner, may participate and vote on a Resolution of TCT authorizing match funding with Miami Dade County's Department of Community Action and Human Services Department (CAHSD), to leverage federal funding for high-quality early care and education slots for infants and toddlers through the Early Head Start-Child Care Partnership grant because she would not profit or be enhanced by the vote; nor would a special benefit come to her as a result of her vote on this item.
20-93	(d), (g)  RQO 19-06 RQO 19-04 RQO 15-04  <i>directed to</i> Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust (TCT)	A board member of The Children's Trust (TCT), who is also a Miami-Dade County Commissioner, may participate and vote on a Resolution of TCT authorizing a retroactive contract with the Public Health Trust of Miami-Dade County, d/b/a Jackson Health System, to implement Miami's Injury Free Coalition for Kids, which aims to reduce unintentional child and youth injuries through multi-lingual, interactive services, because she would not profit or be enhanced by the vote; nor would a special benefit come to her as a result of her vote on this item.
20-94	(s)	Raquel A. Rodriguez, Esq., Buchanan Ingersoll & Rooney, PC	Lung Bioengineering, Inc.(LBI) representatives are not lobbying when they meet with Jackson Health System staff for a "meet & greet" to discuss their lung perfusion services predicate to the possible submission of an unsolicited proposal as long as no solicitation regarding similar activities are foreseeably pending at JHS.
20-95	(g)	Kassandra Timothe,	A municipal employee is not prohibited from running for municipal office provided she meets the qualification

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
	RQO 05-06	Public Information Officer, City of North Miami	requirements. However, the municipal employee may not use City time or resources in the campaign and is prohibited from using her City position or title to exert any official authority or pressure to affect the outcome of the election.
20-96	(d) RQO 12-03	Michael Joseph, Esq., Commissioner, City of North Miami Beach	A City Commissioner, who was previously represented by Stephen Hunter Johnson of the Lydecker Diaz firm, does not have a voting conflict, pursuant to Section 2-11.1 (d) of the Ethics Code, that would prohibit his consideration and vote on legislative or quasi-judicial matters where persons or parties may be represented by Mr. Johnson or Lydecker Diaz because there is no evidence presented that the Commissioner's vote on these matters might provide him with some benefit or advantage.
20-97	(d) RQO 12-03	Jordan Leonard, Councilman, Town of Bay Harbor Islands	A Councilman, who was previously represented by Joseph Geller of the Greenspoon Marder firm, does not have a voting conflict, pursuant to Section 2-11.1 (d) of the Ethics Code, that would prohibit his consideration and vote on the appointment of a Town Attorney for Bay Harbor Islands, where Mr. Geller is seeking appointment because there is no evidence presented that the Councilman's vote on the appointment of a Town attorney might provide him with some benefit or advantage, and with the understanding that the Ethics Code provides the minimum standard of conduct for local officials and does not address "appearance of impropriety" issues.
20-98	(s)(1)(b), (q), (b)(10), (m)(2)  <i>directed to</i> City of Miami Code §§ 2-612 and 2-653	Lynn B. Lewis, Former member, City of Miami Historic and Environmental Protection Board	Pursuant to Section 2-612 of the City of Miami Code, a former City board member may represent a third party before the City of Miami Commission and/or the City of Miami's Planning and Zoning Board but she may not lobby or attempt to influence any official decision or official action before the City's Historic Environmental Protection Board (HEP Board) on which she served, for a period of two years following her separation from the board.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-99	(v) RQO 11-11	Julie Whiteside, Non-Voting Chairperson, Miami-Dade Internal Services Department (ISD)	A member of the selection committee for a County Department of Transportation and Public Works project, does not have a voting conflict, even though his former employer is a respondent to this solicitation, because his employment with the respondent ended over two years ago; and he has no current financial or other relationship with his former employer or former fellow employees. However, a second member of the selection committee, has a conflict of interest under the Ethics Code because his spouse works for a proposed subcontractor on the project, so his participation on this selection committee could be perceived as exploitation.
20-100	(t) <i>directed to</i> Fla. Stat. Sec. 286.0113(2)	Beth Goldsmith, Chief Negotiator, Miami-Dade Internal Services Department (ISD)	An oral presentation by bidders to a selection committee in a competitive selection, wherein bidders and members of the committee participate by videoconference or technological means, does not violate Section 2-11.1(t) of the County Ethics Code, relating to the Cone of Silence, as long as the meeting is duly noticed as a public meeting.
20-101	(c), (d), (n)	Clara Diaz, Bridge Operator, Miami-Dade Department of Transportation and Public Works	The daughter of a County employee may contract with the County through a corporation for which her County employee parent is listed as President for incorporation purposes, but she may not contract with the Miami-Dade Department of Transportation and Public Works that employs her parent; her mother, the County employee, may not lobby the County for the contract; she may have no involvement in determining the contract requirements; and shall not be involved in the contract in any way.

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
20-102	(j), (k), (g), (h) RQO 00-10 RQO 04-168 RQO 16-02 <i>directed to</i> AO 7-1	Julia Villamizar, Juvenile Assessment Counselor, Juvenile Services Department	A County Juvenile Services Department employee does not have a conflict of interest regarding her employment at the County and her outside employment as a facilitator with The Children’s Trust Youth Advisory Committee, because her outside employment would not impair her independence of judgment in the performance of her County duties.
20-103	(d) RQO 12-03 RQO 15-04	Oliver G. Gilbert III, Mayor, City of Miami Gardens	The Mayor of Miami Gardens may vote on an item that will modify a restriction, changing a self-storage facility floor plan to allow for office space, even though he would like the County to consider leasing or renting the space for his District 1 Commission office, because he does not have any of the enumerated employment, financial, or legal relationships contained in Section 2-11.1(d) of the Ethics Code, with the applicant or any persons or entities that may be affected by the Council’s action; he will not be the lessor or renter of the office space in the self-storage facility and may only be the occupant of the space as the District 1 County Commissioner along with County employee staff; and the space will provide constituent services, which will not result in a measurable financial profit, or some personal, professional or social enhancement to the Mayor that will create a prohibited voting conflict.
20-104	(g), (m)(1) RQO 99-23 RQO 12-13	Victoria Mendez, Esq., City Attorney, City of Miami	Section 2-11.1(m)(1) of the Ethics Code would permit a City of Miami Commissioner to appear before a City of Miami board/committee, including the Commission on which he sits, on a personal matter not pertaining to a third party or other distinct legal entity. Further, a City



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
	<i>directed to</i> AGO 96-35		Commissioner may express his or her own views on a matter of general concern from the dais <i>and</i> as a presenter before any other City board without violating Section 2-11.1(m)(1) of the Ethics Code. However, as a matter of public policy, the Ethics Commission cautions against the Commissioner appearing before a City board to express his or her personal support or opposition to an item of public importance because such an appearance may negate the independence of the City board when the Commissioner plays a role in helping formulate a board recommendation; it may also undermine the impartiality of these City boards which have been created to provide independent advice to the City Commission; and may implicate the exploitative conduct addressed in Section (g) of the Ethics Code.
20-105	(g)	Valeria Vicente, Esq., Nabors, Giblin & Nickerson, P.A	The Vice Mayor of the Village of Biscayne Park, who is also a candidate for reelection, is not prohibited from sending constituents a flyer, which includes the Vice Mayor's municipally purchased business card, as part of outreach efforts to promote a Village event and encourage participation, as long as the messaging in the flyer remains faithful to its public purpose.
20-106	(d) RQO 19-04 <i>directed to</i> The Children's Trust Conflict of Interest and Code of Ethics § III (D)	Vivianne Bohorques, COO, The Children's Trust	It is recommended that a board member of The Children's Trust Board (TCT), who is an employee of FIU - Center for Children and Families (FIU-CCF), should refrain from voting or participating on a Resolution that would provide funding to FIU-CCF, in accordance with COE opinions as well as the heightened appearance of impropriety standard in TCT Policy and Bylaws.
20-107	(d) RQO 19-04	Vivianne Bohorques, COO, The	It is recommended that a board member of The Children's Trust Board (TCT), who also serves as the Executive Director of the Sundari Foundation, should

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
	<p><i>directed to</i> The Children's Trust Conflict of Interest and Code of Ethics § III (D)</p>	Children's Trust	<p>refrain from voting or participating on a Resolution that authorizes funding to twenty-two providers, including the Sundari Foundation for innovative services, because she has an automatic conflict of interest as Executive Director/officer of the Sundari Foundation; and, recusal is in accordance with COE opinions as well as the heightened appearance of impropriety standard in TCT Policy and Bylaws.</p> <p>Two other board member of The Children's Trust (TCT), who also have enumerated relationships with entities that may receive funding through this Resolution, may participate and vote on this Resolution, because they would not profit or be enhanced by the vote, nor would a special benefit come to them as a result of their vote on this item.</p>
20-108	<p>(d) RQO 19-04 <i>directed to</i> The Children's Trust Conflict of Interest and Code of Ethics § III (D)</p>	Vivianne Bohorques, COO, The Children's Trust	<p>A board member of The Children's Trust (TCT), who is an employee of FIU - Center for Children and Families (FIU-CCF), may participate and vote on a Resolution of TCT authorizing funding to seventeen providers, including the FIU Board of Trustees College of Engineering and Computing (FIU-CEC) to deliver high-quality summer camp services, because he does not have an enumerated relationship with FIU-CEC, one of the entities receiving funding through this Resolution; he would not profit or be enhanced by the vote, nor would a special benefit come to him as a result of his vote on this item.</p>
20-109	<p>(d) RQO 19-04 <i>directed to</i> The Children's Trust Conflict of Interest and</p>	Vivianne Bohorques, COO, The Children's Trust	<p>The board members of The Children's Trust (TCT) who are either employees, officers or members of governmental entities and/or non-profit entities which, along with TCT, form a partnership with University of Miami's IDEAS Consortium, may participate and vote on a Resolution of TCT authorizing a data collaboration and sharing agreement with IDEAS, because they would not profit or be enhanced by this vote; nor would a</p>

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
	Code of Ethics § III (D)		special benefit come to any of them as a result of their vote on this item.
20-110	(d)	Rebeca Sosa, Vice-Chairwoman, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on an item which seeks to direct the County Mayor or his designee to incentivize influenza vaccinations and urge the Florida Legislature, Governor and Department of Health to take measures to ensure sufficient countywide supply of influenza vaccines for the 2020-2021 season and further urge the School Board to assist and support the County's ongoing response to the COVID-19 pandemic, because her employment is with a government entity; her position will not be affected by the vote; and she will not profit or be enhanced by the vote.
20-111	(d), (g) <i>directed to</i> Sunshine Law, Fla. Stat. 286.011 AGO 89-06	Lizelh Ayala, Candidate for Medley Town Council	While there are no legal prohibitions against a father and daughter serving simultaneously on the same Town Council, such service should be undertaken with the utmost caution so as not to damage the public trust.
20-112	(v), (x)	Amado Gonzalez, Non-Voting Chairperson, Miami-Dade Internal Services Department (ISD)	A member of the selection committee for a County Aviation Department project, does not have a voting conflict, even though his former employer has responded to the solicitation, because his employment with one of the responding firms ended over two years ago; and he has no current financial or other relationship with his former employer or former fellow employees.
20-113	(e) RQO 02-70 RQO 05-119	Humberto J. Quintela, Chief of Safety, Miami-Dade Fire Rescue	MSA's award of the O2X Human Performance Eat Sweat Thrive Workshop to Miami-Dade Fire Rescue (MDFR) personnel, would not violate the Ethics Code provided, there is no <i>quid pro quo</i> arrangement intended to influence an official action; and the award/workshop is used by MDFR in the performance of its official

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
		Department (MDFR)	business and not for the private gain or financial benefit of any MDFR employee.
20-114	(d)	Rebeca Sosa, Vice-Chairwoman, Miami-Dade County Commissioner, District #6	A County Commissioner employed by the School Board may vote on a Resolution approving a grant agreement with Miami-Dade County School Board, to provide an amount not to exceed \$15,000,000.00 in funds from the CARES Act for Coronavirus 2019/COVID-19 pandemic response expenses related to the reopening of schools in Miami-Dade, and authorizing the Mayor to execute the Agreement to effectuate the purpose of the Resolution, because her employment is with a government entity; her position will not be affected by the vote; and she will not profit or be enhanced by the vote.
20-115	(v)	Amado Gonzalez, Non-Voting Chairperson, Miami-Dade Internal Services Department (ISD)	Two prospective members of a selection committee for a Miami-Dade Aviation Department project, do not have a prohibited conflict of interest under the County Ethics Code because they will not be directly affected by the vote and they do not currently have any of the enumerated relationships with any entity affected by the vote. However, it is recommended that ISD should consider withdrawing them from the selection committee due to the possible appearance of impropriety created by their close social/professional relationship with current employees of the respondent firms, Mr. Alfredo Balsera and Ms. Elisa Dimitroupolous, both of whom are identified in the proposals submitted as serving in various defined roles should this contract be awarded to the respondent team that their employer is a part of, and in the case of Ms. Dimitroupolous- would also appear and present before the selection committee.
20-116	(j), (k), (g), (h) RQO 00-10 RQO 04-168 RQO 12-07 RQO 16-02	Woobentrof Dieudonne, Network Manager 2, Miami-Dade Information Technology	A County employee does not have a conflict of interest regarding his employment at the County and his outside employment as a consultant for Automated Port Services, Inc., because his outside employment would not impair his independence of judgment in the performance of his County duties.

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	<i>directed to</i> AO 7-1	Department (ITD)	
20-117	(c), (d)	Wilfrido Pevida, President, Pevida Highway Designer's PLLC	The County Ethics Code would not prohibit a company from seeking County Small Business Enterprise certification, in order for the company to contract with Miami-Dade Expressway Authority (MDX), an agency of the State of Florida. However, the company is prohibited from transacting business with the County, pursuant to Section (c)(2) and (d) of the Ethics Code, because the owner of the company's spouse is employed as a Department Director at the County.
20-118	(c)	Chad Tingle, Crown Street Films, LLC	An individual seeking to register as a County vendor, whose spouse is employed by the School Board, is not required to obtain an ethics opinion from the Ethics Commission because the Ethics Commission has no jurisdiction over School Board employees.
20-119	(j), (e) RQO 17-03	Isidoro Lopez, Research Analyst, Office of the Commission Auditor	A County employee does not have a conflict of interest between his County employment and his uncompensated service as the South Florida Chapter President of the American Society for Public Administration (ASPA), a 501(c)(3) organization, because of the academic and professional nature of the nonprofit society; he will not utilize any County resources in his service as South Florida Chapter President of ASPA; and all the work he performs for ASPA would occur outside of his County employment hours. Further, the County employee may solicit and/or accept a gift on behalf of ASPA, as long as the gift received is not in exchange for any official action he might take, or decline to take, as a County employee; the donations will be utilized solely by ASPA; and the County employee will not receive any benefit as a result of the solicitation.
20-120	(j), (k), (g), (h) RQO 00-10 RQO 16-02	Paul Vreones, Landside Operations Equipment Specialist,	A County employee does not have a conflict of interest involving his employment at the County and his work as a tow truck operator for Excalibur Towing Services, a County vendor, because his outside employment would not impair his independence of judgment in the

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
	<i>directed to</i> AO 7-1	Miami-Dade Aviation Department (MDAD)	performance of his public duties as the employee has no contact or authority over the selection, oversight, or administration of the County’s contract with the vendor; he will not be supervised by the same individuals in both his County employment and his outside employment; and he will not have contact or interaction with the same people or entities in his outside employment as he does in his County position.
20-121	(e)	Daniella Levine Cava, Miami-Dade County Commissioner, District #8	The Mayor-elect of Miami-Dade County and her staff are not prohibited from soliciting contributions for Mayoral swearing-in events, as long as there is a swearing-in as required by law and the discussion of plans and goals related to governance, then the events will constitute a public purpose and solicitations of donations will be exceptions to the prohibitions section of the Ethics Code gifts provision. However, in an abundance of caution and in order to avoid any appearance of impropriety, if there is any doubt that a swearing-in event may be construed as a purely or primarily celebratory post-election event, then neither the Mayor-elect nor her staff should solicit any donations.
20-122	(b), (v), (n) RQO 09-42	Daniella Levine Cava, Miami-Dade County Commissioner, District #8	Members of an ad-hoc Mayoral advisory or transition committee tasked with assisting the Mayor-elect and her staff in fact-finding or providing advice on policy or legislation will not be subject to the County Ethics Code if the committee’s existence will be for a limited duration of less than one year.
20-123	(d) RQO15-04 RQO 19-04	Oliver Gilbert, Miami-Dade County Commissioner-Elect, District #1	A County Commissioner-Elect who is Executive Director of the St. Thomas University Center for Pandemic, Disaster, and Quarantine Research (“PDQ”), which receives CARES Act funding from the County, may not vote or participate in any Board of County Commission matter that directly affects PDQ.

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20-124	(c), (g), (n)	Miriam Colla-Myers, Board member, Miami-Dade Small Business Enterprises Goods and Services Board	A County board member is not prohibited from applying for County Small Business Enterprise (SBE) Certification or from contracting with the County as a County certified SBE in the Architecture & Engineering (A&E) category, because the board on which she serves is not involved in any way in the SBE certification process and has no advisory or other authority over A&E services or contracts that her company provides.
20-125	(s) RQO 10-19 RQO11-26 RQO 11-26 RQO 13-04	Liana Rivera	An individual appearing before a City board or Commission in his or her individual capacity for the purpose of self-representation on a joint zoning application with his or her neighbors, and without compensation or reimbursement from another person or entity, to express support of or opposition to an item, is not required to register as a lobbyist.
20-126	(s), (q)	Esteban Bovo, Former Miami-Dade County Commissioner	A County Commissioner, upon completion of his term of office, may not lobby or attempt to influence any official decision in the County for two years following his separation from the County, including advocating for decisions that may be made at the sole discretion of any County official or employee. He would not be prohibited from working for a County vendor or becoming a County vendor himself but would be prohibited from lobbying on behalf of an employer or himself for two years after his County employment ends.
20-127	(v), (x)	Rita Silva, Non-Voting Chairperson, Miami-Dade Internal Services Department	A member of the selection committee for a County Department of Transportation and Public Works project, does not have a voting conflict, even though his former employer is a respondent to this solicitation, because his employment with the respondent ended over two years ago; and he has no current financial or other relationship with his former employer or former fellow employees.
20-128	(c), (d), (f) RQO 15-06	Joanna Cervonne, Chief of Staff to the Mayor,	The Chief of Staff to the Mayor, upon her marriage to Russell Benford, the Vice President of Governmental Affairs at Royal Caribbean Cruises, Ltd. (RCG), should not be involved directly or indirectly in any decision that

INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
		Miami-Dade County	could affect RCG. Employees that report to her are likewise prohibited from overseeing or administering contracts involving the company. Further, in abundance of caution, and to avoid an appearance of impropriety, it is recommended that she should also recuse herself from involvement in any matter that involves cruise line operators at PortMiami.
20-130	(i) RQO 05-66 RQO 10-25	Melissa Adames, Director, Miami-Dade Clerk of the Board	Non-voting <i>ex-officio</i> board members, non-voting board members, and persons designated by board members to attend meetings on their behalf who perform no board functions whatsoever are not required to file financial disclosure statements. However, board members, <i>ex-officio</i> board members, or persons designated by board members to attend meetings on their behalf who perform any board duties including, but not limited to, signing proposals, submitting reports, and/or executing agreements are required to file financial disclosure statements.
20-131	(e) RQO 02-70 RQO 06-05	Kionne McGhee, Miami-Dade County Commissioner, District #9	A County Commissioner may use his elected position to solicit charitable donations in the form of “gift cards” from individuals and private businesses to aid elderly residents where the selected recipients will be identified by County Parks and Recreation staff and distribution will be handled by County Parks staff along with the Commissioner and members of his District Staff, as long as the donations serve a County purpose and neither the Commissioner nor his staff would personally benefit from the donations. Further, the Commissioner should avoid any appearance that contributions would influence official decisions that could benefit the contributors.
20-132	(c), (d), (f) RQO 15-06	Juan Kuryla, Director, Miami-Dade Sea Port (PortMiami)	The County’s Sea Port Director, whose spouse is employed by FPL in the External Affairs and Economic Development section, should recuse himself from involvement in any County matter that involves FPL in which his spouse is involved, whether or not it involves the Sea Port. Additionally, if he encounters a decision that would affect FPL’s financial interests, he should



INQ #	County Code at Sec. 2-11.1 Precedent, or other as noted	Requester	Holding
			<p>recuse himself from that decision and delegate that decision making authority to another individual at the Sea Port even if his spouse is not engaged. Further, employees that report to him are likewise prohibited from overseeing or administering contracts involving FPL, which at this time is limited to the 1999 FPL Substation Perpetual Easement.</p>
20-133	<p>(j), (k), (g), (h)</p> <p>RQO 00-10 RQO 04-168 RQO 16-02</p> <p><i>directed to</i> AO 7-1</p>	<p>Fernando Mojena-Amaya, Senior Systems Analyst Programmer, Miami-Dade Information Technology Department (ITD)</p>	<p>A County employee does not have a conflict of interest involving his employment at the County and his work as owner of his privately-owned company, Cubeware, because his outside employment would not impair his independence of judgment in the performance of his County duties and would not conflict with his County employment hours.</p>
20-134	<p>(e)</p> <p>RQO 02-70 RQO 06-05</p>	<p>Kionne McGhee, Miami-Dade County Commissioner, District #9</p>	<p>A County Commissioner may solicit donations from individuals and private businesses for gift cards to be awarded in a holiday decoration contest, as long as the Commissioner and his staff use a panel comprised of persons from the community and an otherwise transparent process for selection and distribution of the donated gift cards; and neither the Commissioner nor his staff would personally benefit from the donations. Further, the Commissioner should avoid any appearance that contributions would influence official decisions that could benefit the contributors.</p>
20-135	<p>(e)</p> <p>RQO 02-70 RQO 06-05</p>	<p>Daniella Levine Cava, Mayor, Miami-Dade County</p>	<p>The County Mayor may solicit charitable donations from nonprofits to fund an initiative to solicit community input on critical issues, partner with community groups and subject matter experts, and generate action plans that will inform the Administration's early policy and action agenda, because the initiative will serve a clear public purpose; neither the Mayor nor any member of her staff will</p>

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			<p>derive a financial benefit from the solicitation or award of the donated funds; the donations will be received, maintained, and disbursed by the Miami Foundation; and while the Mayor and her staff will be involved in the initiative and will consult with the Miami Foundation throughout the project, the selection of community groups and subject matter experts will be managed by the Miami Foundation.</p>
20-136	(v), (x)	<p>Jorge Vital, Non-Voting Chairperson Internal Services Department</p>	<p>A prospective member of the selection committee, for a County Department of Transportation and Public Works project, does not have a voting conflict that would prevent her from serving on the committee, even though she has supervisory oversight and authority over County contracts involving some of the responding firms, because she has no current prohibited relationship with any of the entities, and she would not be personally or directly affected by the procurement decision. A second member of the selection committee for the same project does not have a voting conflict, even though her former employer is a respondent to this solicitation, because her employment with the respondent ended over six years ago; and she has no current financial or other relationship with her former employer or former fellow employees.</p>

