

MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST



In Re: Carlos Gimenez

C 20-31-08

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PUBLIC REPORT AND FINAL ORDER

Complainant Rick Yabor filed this complaint against Carlos Gimenez (Gimenez), Mayor of Miami-Dade County, alleging that Gimenez exploited his official position, in violation of Section 2-11.1(g) of the County Ethics Code, “by permitting Commissioner Higgins the use of public assets and funds to further her campaign...”

Gimenez does not oversee, manage or otherwise control the use of a commissioner’s public resources or initiatives. Moreover, for this complaint to withstand legal sufficiency, it must include sufficient facts attributing Gimenez with an abuse or misuse of his official position. The complaint is void of facts indicating Gimenez directed County staff to include Higgins’ campaign literature in the County bags distributed by the surge teams to County sites.

The alleged presence of campaign literature in a County-sponsored bag, *without more*, is insufficient to show exploitation by Gimenez.

On September 9, 2020, the Ethics Commission dismissed the complaint dismissed the complaint for lack of legal sufficiency.


Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C20-31-08 against Respondent Carlos Gimenez is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session at the virtual meeting held on September 9, 2020.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:



Nelson C. Bellido, Esq.

Chair

Signed on

10/7/2020