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**MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST**

In re: MICHAEL BLYNN
_____ /

C 09-39

PUBLIC REPORT AND FINAL ORDER

COMPLAINANT David Leven, a private citizen, filed the above-referenced COMPLAINT on December 31, 2009, against RESPONDENT Michael Blynn, a City Council Member in the City of North Miami.

The COMPLAINT alleged that the RESPONDENT violated the City of North Miami Ethics Code at Sec. 2-310 (h) and a similar provision of the County Ethics Code at Sec. 2-11.1 (g)—*Prohibition on exploitation of official position*. The COMPLAINANT contended that, for several years, RESPONDENT Blynn used his city-issued credit card for personal business.

Pursuant to the Code of Miami-Dade County at § 2-1068, the jurisdiction of the Ethics Commission extends “to any person required to comply with the county or municipal ethics ordinances....” Both the City of North Miami and the Miami-Dade County Ethics Ordinances bar elected officials from using or attempting to use their official position to secure special privileges or exemptions for themselves or others.¹

¹ Unlike the County Ordinance at Sec. 2-11.1 (g), the City of North Miami Code at Sec. 2-310 (h) requires evidence of a corrupt intent.

On January 4, 2010, the Ethics Commission staff found the COMPLAINT to be LEGALLY SUFFICIENT. On March 18, 2010, in closed session, RESPONDENT Blynn acknowledged that he used his city-issued credit card to purchase airline tickets for his wife to accompany him on city-related trips. His position was that in order to insure that he and his wife obtained seats together, it was necessary to use a single credit card online. RESPONDENT Blynn later reimbursed the city for his wife's tickets.

On March 18, 2010, a majority of the Ethics Commissioners could not agree on a finding of PROBABLE CAUSE. Consequently, the motion to find PROBABLE CAUSE failed for lack of consensus, and the COMPLAINT was dismissed.

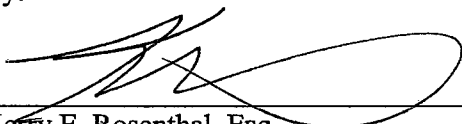
Therefore it is:

ORDERED AND ADJUDGED THAT COMPLAINT C 09-39 is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on March 18, 2010.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman

Signed on this date: March 26, 2010