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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: HORACE FELIU /

C 10-04

PUBLIC REPORT AND FINAL DISMISSAL ORDER

COMPLAINANT, Philip Stoddard, a citizen in South Miami at the time this COMPLAINT was filed on January 6, 2010, alleged ethics violations against RESPONDENT, Horace FelIU, who at the time was Mayor of the City of South Miami.

The COMPLAINT contended that Mayor FelIU violated the City of South Miami Code at § 9-12 (a), *Prohibited campaign contributions by vendors*, when he accepted campaign contributions from three executives at Florida Power & Light Corporation (FPL). The Complainant contended that the executives were vendors in the City of South Miami.

Pursuant to the Code of Miami-Dade County, § 2-1068, the jurisdiction of the Ethics Commission extends "to any person required to comply with the ... County or municipal Code of Ethics Ordinances." The South Miami Ethics Code at § 9-12 (a) states, "No person who is a vendor to the city shall give a campaign contribution ... to the campaign committee of a candidate ... for the offices of mayor or commissioner.... This

prohibition applies to natural persons and to persons who hold a controlling financial interest in business entities.”

Because executive employees of FPL are natural persons who do not individually hold a controlling financial interest in FPL, the actions stated did not violate the City of South Miami Ethics Ordinance. Consequently, the Ethics Commission DISMISSED the COMPLAINT on February 25, 2010, due to lack of legal sufficiency.

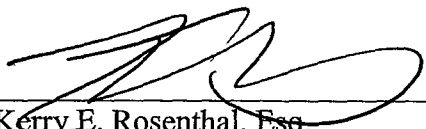
Therefore it is:

ORDERED AND ADJUDGED THAT this COMPLAINT against RESPONDENT Horace Feliu is hereby DISMISSED.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on February 25, 2010.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman

Signed on this date: 2/25/10