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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: **Crespo v. Sarnoff**
_____ /

C 12-41

**PUBLIC REPORT
AND
FINAL ORDER**

Al Crespo, a private citizen, filed the above-referenced complaint against City of Miami Commissioner Marc Sarnoff. The complaint alleged that respondent failed to disclose gifts of travel reimbursements related to a trip taken to Brazil in April 2012. If true, failure to disclose gifts valued at over \$100 might violate the County Ethics Code at Sec. 2-11.1 (e)(4).

The relevant facts are as follows: In anticipation of the City of Miami's involvement in a Volvo Ocean Boat Race, Commissioner Sarnoff and his wife traveled to Brazil in April 2012. For part of the time, Commissioner Sarnoff participated in official city business involving the Volvo Ocean Boat Race. At other times, he participated in functions related to supporting the Greater Miami Convention and Visitors Bureau (GMCVB), as outlined in the attached agenda.¹

Commissioner Sarnoff's travel expenses were paid in part by the Volvo Ocean Boat Race organization and the GMCVB. Relying on an opinion from the City Attorney for the City of Miami, Commissioner Sarnoff did not disclose his travel-related reimbursements paid for by these entities. Additionally, Mrs. Sarnoff's airfare expenses were paid for by the Volvo Ocean Boat Race organization, and Commissioner Sarnoff did not disclose the gift of his wife's airfare reimbursement.

¹ The GMCVB is a sales and marketing nonprofit organization whose mission is to "attract, encourage and induce all persons and organizations to visit Greater Miami and its Beaches for conventions, business and pleasure." Downloaded on 7/5/13 at <http://www.miamiandbeaches.com/header/footer/about-gmcvb/mission-statement>. The Ethics Commission acknowledged that the goals of the GMCVB, a nongovernmental entity, are somewhat similar to, but not the same as, those of the City of Miami and its agencies.

Pursuant to the Code of Miami-Dade County at Sec. 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 County Ethics Code at Sec. 2-11.1(a) extends the jurisdiction of the County Ethics Ordinance to municipal elected officials.

On November 27, 2012, the Ethics Commission found that the facts in this case supported a reasonable belief that the County Ethics Code might have been violated. On December 18, 2012, the Ethics Commission agreed to resolve the matter by issuing two Letters of Instruction—one addressed to the City Attorney for the City of Miami and the other addressed to Commissioner Sarnoff. On January 24, 2013, the Ethics Commission approved both Letters of Instruction. The one addressed to the City Attorney for the City of Miami stated that Commissioner Sarnoff should have disclosed travel-related reimbursement received from the Volvo Ocean Boat Race organization and the GMCVB because he engaged in some activities that were not related to conducting official city business. The Letter of Instruction addressed to Commissioner Sarnoff stated that he should have disclosed the gift of his wife's air travel provided by the Volvo Ocean Boat Race organization because the gift to his spouse, whose travel was unrelated to official city business, was a gift to the Commissioner himself.

Therefore it is:

ORDERED AND ADJUDGED THAT the complaint against Marc Sarnoff is concluded.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on May 21, 2013.²

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:



Charlton Copeland
Chair

Signed on this date:

8/8/2013

² This Public Report and Final Order, signed on Aug. 8, 2013, supersedes a previous Public Report and Final Order in this case filed with the Clerk of the Board on July 16, 2013.



FINAL Agenda for Commissioner Marc Sarnoff /Alyce Edrington
Visit to Brazil – April 17 to 25, 2012

Greater Miami Convention & Visitors Bureau contacts in Brazil:

Rio de Janeiro: Mr. Renato Oliveira Mobile: +55 11 8514 5134

São Paulo: Ms. Marina Barros Mobile: +55 11 8158 4117

Tuesday, April 17th – Miami

8:45 pm: Arrive Miami International Airport and check-in
11:20 pm: AA#905 to Rio de Janeiro - Record locator #NBAQGV
Roundtrip airline ticket cost \$693.90 per person + \$20 ticketing fee includes all taxes

Wednesday, April 18th – Rio de Janeiro

Arrive Rio de Janeiro/Galeão International Airport (GIG) at 8:55AM and transfer to hotel via private transfer. Renato Oliveira, GMCVB Representative will meet you outside of the Immigration area at the airport and escort you to the private transfer.

Porto Bay – Rio Internacional (Confirmation #416398)
Hotel rate: \$405 per night (tax inclusive) – rate includes breakfast
Avenida Atlântica, 1500
Copacabana Rio de Janeiro
Phone: (55-21) 2546-8000

Balance of the day at leisure with a suggested city tour and a visit to Sugar Loaf Mountain & Corcovado. The GMCVB Brazil team has secured a private tour – payment and tour times can be arranged directly with the GMCVB Representative.

Thursday, April 19th – Rio de Janeiro

8:00 am: Meet Renato Oliveira, GMCVB Representative - depart hotel for meetings
9:30 am – 10:30am: Brazilian Olympic Committee
Avenida das Américas, 899 Barra da Tijuca – Tel: +55 21 3433-5967
Noon – 2:00 pm: Lunch meeting with US Consulate – US Department of Commerce, Commercial Consul, Alan Long
Porção Rio's at Avenida Infante Dom Henrique, S/N, Aterro do Flamengo
Tel: +55 21 3461-9020
2:30 pm: Return to hotel

Balance of the afternoon and evening at leisure

Friday, April 20th – Rio de Janeiro/Itajai

8:30 am: Depart hotel for Rio de Janeiro/Galeão International Airport for GOL flight
9:30 am: Arrival at Rio de Janeiro/Galeão International Airport and check-in
10:54 am: GOL #1470 to Navegantes (*Record locator E7DS5S*)
Roundtrip airline ticket cost \$764 per person includes all taxes
12:23 pm: Arrive at Navegantes Airport

Balance of program in Itajai is being arranged through Sergio Mello's office

Saturday, April 21st – Itajai

Program in Itajai is being arranged through Sergio Mello's office

Sunday, April 22nd – Itajai/Sao Paulo

Day program in Itajai is being arranged through Sergio Mello's office

9:15 pm: Arrive at Navegantes Airport and check-in
10:40 pm: GOL #1479 to Guarulhos Sao Paulo Int'l Airport (*Record locator E7DS5S*)
11:45 pm: Arrive at Guarulhos Sao Paulo Int'l Airport

Arrive at Guarulhos Sao Paulo Int'l Airport and take private transfer arranged by GMCVB's Brazil office to hotel:

InterContinental Sao Paulo (Confirmation#67054247)
Hotel rate: \$526 (tax inclusive) – rate does not include breakfast
Alameda Santos, 1123 - Jardim Paulista
Sao Paulo
Phone: (55-11) 3179-2600

Monday, April 23rd – Sao Paulo

10:30 am: Meet Marina Barros, GMCVB Representative - Managing Director
11:00 am - Noon: São Paulo Chamber of Commerce – Meeting with VP, Roberto Luis Gonçalves & Executive Director, Sidnei Docal
Rua Boa Vista 51, Sé - Tel.: +55 11 3244-3771
1:00 pm to 2:30 pm: American Airlines including lunch with Dilson Verçosa, Country Director
Rua Dr. Fernando Coelho, 64 – 9ºAndar – Pinheiros – Tel.: +55 11 4502-2150
4:00 pm - 5:45 pm: American Chamber of Commerce - participation in the networking cocktail offered by US Brazil Business Council with several US American companies & members of the Association
Rua da Paz, 1431 - Chácara Santo Antonio – Tel.: +55 11 3324-0194
6:00 pm: Return to hotel and evening at leisure

Tuesday, April 24th – Sao Paulo

10:00 am – 2:00 pm: City tour sightseeing: Ibirapuera Park, China Town, Estação da Luz, Municipal Market & Oscar Freire
City tour offered with compliments from the Sao Paulo Tourism Office
6:30 pm: Depart hotel to Guarulhos Sao Paulo Int'l Airport
8:00 pm: Arrive Guarulhos Sao Paulo Int'l Airport and check-in
10:30 pm: AA#998 to Miami International Airport (*Record locator #NBAQGV*)

Wednesday, April 25th – Miami

6:05 am: Arrive Miami International Airport

Revised: April 16, 2012