

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, June 15, 2018 10:42 AM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-145, Jannesha Johnson, Office of the Commission Auditor (2-11.1(e)(2)(c))

INQ 18-145 Johnson

From: Turay, Radia (COE)
Sent: Thursday, June 14, 2018 5:57 PM
To: Johnson, Jannesha (OCA) <Jannesha.Johnson@miamidade.gov>
Cc: Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>; Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: INQ 18-145, Jannesha Johnson, Office of the Commission Auditor (2-11.1(e)(2)(c))

Dear Ms. Johnson,

You have inquired concerning whether there would be any ethical prohibition involved if the County Office of the Commission Auditor (OCA) were to present Ms. Angelica Martinez with a small plaque honoring her for her public service to your agency. Ms. Martinez has worked for the County for over 22 years, 14 of those years were dedicated to the OCA. The OCA would like to honor her for her service by presenting her with a small plaque that costs \$44.50.

Generally, Section 2-11.1(e) of the County Ethics Ordinance governs gifts, and disclosure of gifts is addressed in Section 2-11.1(e)(4) of the ordinance. These provisions prohibit the acceptance of a gift for an official action taken by a County employee. However, Section 2-11.1(e)(2)(c) indicates that "awards for professional and civic achievement" are excepted from the definition of a gift.

Based on the facts you have provided, there appears to be no prohibition in the Section (e) of the Ethics Code that would prohibit the OCA from presenting Mr. Martinez with a plaque. The presentation of a plaque to Ms. Martinez for her service to the County falls within the exception provided in Section 2-11.1(e)(2)(c) as it would be considered an award for professional achievement.

Additionally, no gift disclosure need be made by Ms. Martinez in connection with accepting the plaque because it's not considered a gift and its value is below one hundred dollars.

Further, the decision to present a County employee with a plaque in honor of their dedicated service to the County may be viewed as serving a legitimate public purpose, and would thus not constitute an Exploitation of Official Position violation of Section 2-11.1(g) of the Code. See INQ 16-208.

This opinion is based on the facts presented. If any of these facts change, please contact us.

Sincerely,

RADIA TURAY

Staff Attorney
Miami-Dade Commission on Ethics and Public Trust

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From: Johnson, Jannesha (OCA)
Sent: Wednesday, June 13, 2018 10:41 AM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Gift -

Good Morning Radia –

I know we have a policy on gift giving here in the County. Our Executive Secretary Angelica Martinez is leaving the BOCC. She has worked in the Commission for 22 years and 14 of those years were dedicated to OCA. (Angie joined OCA with Mr. Anderson (RIP)).

Mr. Tom Davis, our Policy and Legislative Director wants to honor her with a small plaque. The cost of the plaque is \$44.50.

Are we crossing any ethical lines, please advise.

Thanks

Jannesha V. Johnson, MBA 
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