

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, October 23, 2018 8:55 AM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-234, Lisa Klopp, Resilience Assistant, Office of Resilience, Miami-Dade County Regulatory & Economic Resources Department (gifts)

INQ 18-234 Klopp

From: Turay, Radia (COE)
Sent: Monday, October 22, 2018 4:42 PM
To: Klopp, Lisa (RER) <Lisa.Klopp@miamidade.gov>
Cc: Hefty, Nichole (RER) <Nichole.Hefty@miamidade.gov>; Arrojo, Jose (COE) <Jose.Arrojo@miamidade.gov>
Subject: INQ 18-234, Lisa Klopp, Resilience Assistant, Office of Resilience, Miami-Dade County Regulatory & Economic Resources Department (gifts)

Dear Ms. Klopp,

This is in response to your inquiry concerning whether the County may accept a donation from KIND Snacks Company in connection with the 10th Annual Southeast Florida Regional Climate Leadership Summit.

Background

- Miami-Dade County will host the 10th Annual Southeast Florida Regional Climate Leadership Summit on October 24-25, 2018, at the Miami Beach Convention Center.
- The Summit will feature keynote speakers; panels with local, state, and federal government officials, business and nonprofit leaders, and other experts discussing plans to ensure the region not only survives, but thrives, in the face of sea level rise and other climate impacts.
- The County is expecting over 750 participants.
- The KIND Snacks Company, which is not a County vendor, contacted the venue and offered to distribute KIND bars at the Summit at no charge.
- You have inquired as to whether it is acceptable for the County to accept this donation from the KIND Snacks Company.

Analysis

The Ethics Commission has found in previous opinions that the Ethics Code does not prohibit the County from accepting donations for a specific County project or activity as long as *no quid pro quo* exists as a condition of the donation, and the donation is used for an official purpose and not for the personal gain of County employees. *See* RQO 02-70, INQ 07-69, and INQ 15-25.

Consequently, it appears that the County may accept the proffered donation, as long as KIND Snacks Company is making the donation without any expectation of favorable action from the County in return for the donation; the donation is given to the County as an entity, for its use in the performance of its official functions; and the donation does not involve a personal benefit to any County official or employee involved with interacting with the donor regarding the donated items. *See* INQ 17-231 and INQ 18-31.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any prohibited conduct under state law. Also, this opinion is based only on the facts provided by the party requesting the opinion.

INQs of this type are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. Covered parties that act contrary to an ethics opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal complaint filed with the Commission on Ethics and Public Trust.

Thank you again for seeking guidance from the Commission on Ethics. Please do not hesitate to contact me should you require any additional assistance.

Sincerely,

RADIA TURAY

Staff Attorney
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 350-0601
Fax: (305) 579-0273
Ethics.miamidade.gov

From: Klopp, Lisa (RER)
Sent: Monday, October 22, 2018 4:14 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Cc: Hefty, Nichole (RER) <Nichole.Hefty@miamidade.gov>
Subject: FW: Request for Opinion re: Vendor Providing Free Items
Importance: High

Hello Radia,

Apologies for the late reply. FAMIS was down most of the day. I have checked FAMIS and found that KIND is not registered as a county vendor. We await your reply.

FAML9600 V5.1		MIAMI-DADE COUNTY 5.1 ONLINE FAMIS SYSTEM								
LINK TO:		VENDOR NAME INQUIRY								
VENDOR TYPE :		VENDOR								
MAIL CODE :		RM REMIT TO								
S	VENDOR NAME	H	D	R	C	VENDOR	SFX	TYPE	MC	CITY
	KINDELL SANDY III	A	A			592267488	01	V	RM	MIAMI
	KINDER BABES PRE SCHOOL &	A	I			201449932	01	V	RM	MIAMI
	KINDER BABEZ ACADEMY	A	A	I		650678960	01	V	RM	MIAMI
	KINDER ENTERPRISES CORP	I	I			TEM275858	01	V	RM	WESTON,
	KINDER ENTERPRISES CORP	I	I			TEM277263	01	V	RM	WESTON
	KINDER ENTERPRISES CORP	I	I			TEM387217	01	V	RM	WESTON

Thank you,

Lisa K. Klopp, Resilience Assistant
Office of Resilience
Miami-Dade County Regulatory & Economic Resources Department
111 NW 1st Street, 12th Floor
Miami, FL 33128
Ph: (305) 375-5593
<http://resilient305.com/>
www.miamidade.gov
<http://www.miamidade.gov/green/>

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From: Klopp, Lisa (RER)
Sent: Wednesday, October 17, 2018 5:30 PM
To: Ethics (COE) <ethics@miamidade.gov>
Cc: Hefty, Nichole (RER) <Nichole.Hefty@miamidade.gov>
Subject: Request for Opinion re: Vendor Providing Free Items
Importance: High

Good evening,

Miami-Dade County, the City of Miami Beach, and the partners of the Southeast Florida Regional Climate Change Compact (Broward, Palm Beach and Monroe counties) are hosting the 10th Annual Climate Leadership Summit October 24th and 25th at the Miami Beach Convention Center. KIND Snacks Company (<https://www.kindsnacks.com/>) contacted the MB Convention Center inquiring if they can distribute KIND bars at the Summit at no charge. Please advise if this will be considered inappropriate.

Sincerely,

Lisa K. Klopp, Resilience Assistant
Office of Resilience
Miami-Dade County Regulatory & Economic Resources Department
111 NW 1st Street, 12th Floor
Miami, FL 33128
Ph: (305) 375-5593
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From: Hefty, Nichole (RER)
Sent: Wednesday, October 17, 2018 4:43 PM
To: Martin, Joy <Joy_Martin@comcastspectacor.com>; Maureen Luna <maureen@eventlogisticsinc.com>
Cc: Lauren Pateau <laurenateau@gmail.com>; Castillo, Karina (RER) <Karina.Castillo@miamidade.gov>; Klopp, Lisa (RER) <Lisa.Klopp@miamidade.gov>
Subject: RE: 10/25 Lunch Break

The KIND bar offer sounds great, but we just need to do some due diligence here at the County to make sure that wouldn't be perceived as "endorsement", so we have to check before I say yes. Lisa is going to help us with that and hopefully that won't take too long.

Thank you!

Nichole L. Hefty, CSM
Deputy Resilience Officer, Office of Resilience
Miami-Dade Dept. of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128
Ph: (305) 375-5593
<http://www.miamidade.gov/green/>
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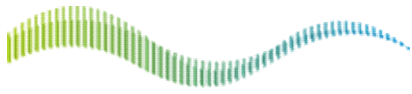
From: Martin, Joy [mailto:Joy_Martin@comcastspectacor.com]
Sent: Wednesday, October 17, 2018 3:54 PM
To: Hefty, Nichole (RER) <Nichole.Hefty@miamidade.gov>; Maureen Luna <maureen@eventlogisticsinc.com>
Cc: Lauren Pateau <laurenateau@gmail.com>; Castillo, Karina (RER) <Karina.Castillo@miamidade.gov>
Subject: RE: 10/25 Lunch Break

Hi Nichole-

KIND that produces protein bars would like to give them out at your event. Are you handing out any gift bags they might be included in? This is a request from our Marketing Manager

All my best,

JOY MARTIN
Senior Event Manager
Miami Beach Convention Center
Spectra Venue Management
O: 786.276.2624 M: 786.412.6892
Joy_Martin@MiamiBeachConvention.com
MiamiBeachConvention.com
SpectraExperiences.com



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