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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, July 18, 2014 11:15 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** FW: Cecilia Brewer-McDuffie- Ethics Opinion (gifts) INQ 14-171

INQ 14-171

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, July 18, 2014 11:14 AM  
**To:** Brewer-McDuffie, Cecilia (WASD)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** Cecilia Brewer-McDuffie- Ethics Opinion (gifts) INQ 14-171

Dear Ms. Brewer McDuffie:

You asked if County employees may accept the gift of a meal valued at \$14.00 from Coral Gables Acupuncture (CGA) during a presentation to County employees of CGA's services. CGA is not a County vendor, lobbyist, or contractor. It advertises its acupuncture services in the MDC employee discount program. This program, which is free for advertisers, allows advertisers to promote their goods and services as part of discount programs provided to the general public and as part of their overall sales/marketing strategy.

The County Ethics Code does not prohibit County employees from accepting gifts from non-County vendors as long as there is no *quid pro quo* arrangement associated with the gift. See Miami-Dade Ethics Code at Sec. 2-11.1 (e). Furthermore, assuming that the correct value of the meal is \$14.00, it would not be a reportable gift because this amount is below the \$100.00 threshold set by the Miami-Dade Ethics Code at Section 2-11.1(e)(4).

Please do not hesitate to contact me if you have further questions.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
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**From:** Brewer-McDuffie, Cecilia (WASD)  
**Sent:** Wednesday, July 16, 2014 1:27 PM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** RE: Opinon Request

We have not scheduled this yet. My coordinator is waiting for me to give her the approval.

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, July 16, 2014 1:21 PM  
**To:** Brewer-McDuffie, Cecilia (WASD)  
**Subject:** RE: Opinon Request

Thanks. I'm working on the response. Has the even already been scheduled? If so, what is the date?

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**From:** Brewer-McDuffie, Cecilia (WASD)  
**Sent:** Wednesday, July 16, 2014 12:03 PM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** RE: Opinon Request

Additional information as requested...

The lunch they cater usually runs about \$14.00 per person. All costs are associated with the event and is covered by the Coral Gables Acupuncture and the event for our employees is free.

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, July 15, 2014 10:26 AM  
**To:** Brewer-McDuffie, Cecilia (WASD)  
**Subject:** RE: Opinon Request

Thanks- what would be the value of the lunch?

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**From:** Brewer-McDuffie, Cecilia (WASD)  
**Sent:** Tuesday, July 15, 2014 10:03 AM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** RE: Opinon Request

It is my understanding that they are simply an advertiser in the MDC employee discount program. In reviewing Groupon, I do not see any advertisement for "Coral Gables Acupuncture". I am attaching the communication that I received from my staff member, Othello Jones – Benefits Coordinator, for me to review. I assume since it is during "lunch", the provision of lunch will allow for more employees to attend, since they may be unable to take a lunch break and attend the seminar.

Let me know if you need anything else. Thank you.

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, July 15, 2014 9:52 AM  
**To:** Brewer-McDuffie, Cecilia (WASD)  
**Subject:** RE: Opinon Request

Ms. Brewer McDuffie,

Mr. Centorino asked me to respond to this inquiry. I need some additional information in order to respond. Does Coral Gables Acupuncture contract with the County by either selling or buying from the County or are they simply an advertiser in the MDC employee discount program? Do they offer this discount more generally though Groupon or other general advertising? What would be the value of the lunch that would be provided?

I look forward to hearing from you.  
Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



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**From:** Ethics (COE)  
**Sent:** Monday, July 14, 2014 12:36 PM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** FW: Opinon Request

Please respond. I suggest finding the INQ that Victoria did a year or two ago involving county employees getting lunch from a vendor. I think she said it was ok, but that involved something more directly related to their jobs. Also, we will need to note to them that under state law, for reporting individuals, they have an absolute prohibition against accepting any gift over \$100 from a lobbyist or vendor.

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**From:** Brewer-McDuffie, Cecilia (WASD)  
**Sent:** Friday, July 11, 2014 5:05 PM  
**To:** Ethics (COE)  
**Subject:** Opinon Request

This particular vendor, as indicated below, has an established relationship with the County, since they are part of the MDC employee discount program. My concern is the provision of the lunch, and whether or not this should part of the package. Please note that in the past with our Red Cross Blood Drives, they have provided giveaways such as, T-Shirts, movie ticket, or **subway sandwiches**. They have also provided **beverages and snacks** to alleviate any "light headedness" or provide sustenance after providing blood.

I just want to make sure that the "lunch" can be accepted since they have already established a relationship with MDC as noted above. Thank you for your review of this matter.

**Cecilia Brewer-McDuffie, Chief, Human Resources**  
**Human Resources & Support Services**  
**Miami-Dade Water and Sewer Department**  
3071 SW 38 Avenue, Room 130, Miami, FL 33146  
Office, 786-552-8669; Fax, 786-552-8550  
*Delivering Excellence Every Day*

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**From:** Jones, Othello L. (WASD)  
**Sent:** Friday, July 11, 2014 3:08 PM  
**To:** Brewer-McDuffie, Cecilia (WASD)  
**Subject:** FW: Lunch and Learn at MDC Water and Sewer

Hello Cecilia,

This Acupuncture Clinic is one of the vendors who is on our Discount Program.

Can I coordinate this seminar for our employees?

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**From:** Ivana Diez [<mailto:ivana@miamiacupuncture.com>]  
**Sent:** Friday, July 11, 2014 12:44 PM  
**To:** Jones, Othello L. (WASD)  
**Cc:** Steve Chasens Gmail  
**Subject:** Lunch and Learn at MDC Water and Sewer

Hello Othello! I hope this email finds you doing well.

I want to inquire about presenting a "Lunch and Learn Seminar" at the Water and Sewer department. Since we have an established presence with you and your employees (through participation in your yearly events, and through participation in the MDC employee discount program), I believe this would be a great opportunity for your employees to learn more about Acupuncture, a valuable option which is covered by their Avmed POS policy plan.

Our Lunch and Learn Seminar is a 1 hour educational event in which Dr. Chasens speaks about managing daily stress with balanced living. Here is a full list of what else the seminar includes:

- One hour PowerPoint presentation, lead by Dr. Steve Chasens, A.P.
- Q & A time with the doctor to answer your employee's health-related questions
- Complimentary delicious catered lunch, complete with beverages and desserts
- A gift bag for every attendee
- Raffles and Giveaways, including free acupuncture treatments and gift cards
- A Complimentary Consultation & Evaluation for each event attendee at our clinic
- Our administrative staff on hand to assist with coordination, set up and execution of the event

Our program, complete with the above mentioned items, is offered at *no cost*. We provide everything needed; all you need to do is call us to reserve your date.

Thank you for considering this option for your employees. I look forward to hearing from you regarding any upcoming opportunities to serve you again. Have a fantastic weekend!

Yours in good health,

Ivana Diez  
Director of Marketing  
and Strategic Development



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