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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, August 01, 2014 4:09 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Evelyn Campos- Ethis Opinion( Frequent Flyer Miles-gifts) INQ 14-188

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, August 01, 2014 4:09 PM  
**To:** Campos, Evelyn (Aviation)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** Evelyn Campos- Ethis Opinion( Frequent Flyer Miles-gifts) INQ 14-188

Ms. Campos:

You have requested clarification of County Ethics Commission opinion RQO 04-165, regarding the acceptance and use of frequent flyer miles by County employees. We have discussed this matter over the past several weeks and this response will serve to summarize the Ethics Commission's position on this matter.

RQO 04-165 established that frequent flyer miles acquired as a result of travel on official County business are considered gifts under the County Ethics Code See 2-11.1(e). Pursuant to 2-11.1(e) (4), County employees are required to disclose any gift valued in excess of \$100. Consequently, County employees must disclose the cash value of frequent flyer miles received in any quarter where the cash value of the miles is greater than \$100. This means that County employees are responsible for determining the cash value of any gifts received (including frequent flyer miles) in a particular quarter in order to determine whether disclosure is required. In the case of frequent flyer miles, the cash value should be calculated quarterly using a reasonable method of valuation. Some examples of reasonable valuation methods include, but are not limited to, cash value estimates by the airlines issuing the frequent flyer miles or a reliable internet source that estimates the cash value of frequent flier miles.

If miles have not been reported because their value in any quarter has been \$100 or less, the County employee would still have to disclose the value of any trip earned from redeeming frequent flyer miles accrued as a result of County travel if they can be segregated from miles acquired from personal use. The trip would then be disclosed in the quarter in which the miles were redeemed. County employees must make a reasonable effort to segregate miles accumulated as a result of County travel from miles acquired from personal use.

We understand the potential difficulty in reporting miles accurately. However, a good faith effort to track and disclose this type of gift would go a long way in satisfying the gift disclosure requirements in Section 2-11.1(e).

Please contact us if we may be of further assistance.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust

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**From:** Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]

**Sent:** Tuesday, April 22, 2014 11:33 AM

**To:** Diaz-Greco, Gilma M. (COE)

**Cc:** Napoli, Joe (Aviation); Murray, David M. (Aviation); Del Calvo, Sara (Aviation); Eisenberg, Mindy (Aviation); Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)

**Subject:** Opinion Requested on Frequent Flyer Miles

Ms. Frigo,

As a follow up to the issue of employee travel, I have another request for clarity of an existing COE opinion (04-165) regarding Frequent Flyer miles. I have attached the COE opinion on use of frequent flyer mileage and am asking for clarification on the section reading as follows:

*However, County employees may use the frequent flyer miles subject to the following limitations: ...*

*2) The employee must disclose the trip as a gift if the miles acquired as result of county travel can be segregated from miles acquired from personal use and the cash value of frequent flyer miles received in any quarter has a cash value of one hundred dollars or more.*

1. When it states “the employee must disclose the trip as a gift...” what trip is the opinion alluding to? The trip taken on county business from where the miles were gained? Or the trip that the employee will take with the miles earned?
2. The opinion further states...“if the miles can be segregated from miles acquired from personal use and the cash value of frequent flyer miles received in any quarter has a cash value of one hundred dollars of more.” Disclosure seems to require both requirements, so to be clear, if the employee cannot segregate the miles from personal and business, reporting is not required?

Also, the cash value of miles varies, travel websites generally reflect the value to be between half of one cent up to six cents per mile. Therefore, to achieve a \$100 dollar value in FFmiles in one quarter, the traveler would have to acquire between 1,667 to 20,000 miles in that quarter, depending on how the miles are to be used. Which brings us back to #1. If the opinion is alluding to reporting the mileage earned from the county business trip, but the miles won't be used for a trip until perhaps next year, the value won't be known in the quarter the miles were earned, what then is the reporting requirement? If

the opinion is referring to miles converted into a trip and the employee cannot segregate business and personal miles, what recourse does the employee have to remain ethically compliant?

I appreciate your assistance and if you require clarification of my request, please contact me.

Sincerely,

**Evelyn Campos, Director**  
**Professional Compliance Division**  
**Miami-Dade Aviation Department**

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**From:** Frigo, Victoria (COE) [<mailto:FRIGOV@miamidade.gov>]  
**Sent:** Thursday, September 19, 2013 5:36 PM  
**To:** Campos, Evelyn (Aviation)  
**Cc:** Lee, Anne Syrcle (Aviation); Murray, David M. (Aviation); Del Calvo, Sara (Aviation); Eisenberg, Mindy (Aviation); Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** Vendor Sponsored Travel (INQ 13-227 Campos)

Ms. Campos,

Below is our opinion about travel expenses for Aviation employees as per the County Code at Sec. 2-11.1 (w):

1. Regarding provisions in Aviation contracts that require vendors to pay for Aviation employees' travel expenses for product training and annual conferences, you are correct that these expenses are permissible because the County has provided adequate consideration through the terms of the contract and the BCC has approved the contract.
2. If the Aviation Dept. or the County is a member of an organization, Aviation employees may accept travel expenses from the organization if the travel is related to that membership.

If the Aviation Dept. or the County is *not* a member of the organization, Aviation employees may possibly be allowed to accept travel expenses from the organization *as long as* the organization is *not* a vendor, contractor, service provider, bidder, or proposer.

Speakers who make presentations at events are customarily allowed to enter the event without paying a registration fee. All other rules apply, however, regarding the prohibition about accepting travel-related expenses from a vendor, contractor, service provider, bidder, or proposer.

3. Unless the prohibition is waived by the BCC or is part of a current contract, Aviation employees *cannot* accept travel-related expenses from vendors, even for good reasons such as learning about new products or new technologies that may maximize your operations.

If you have additional questions or concerns, please feel free to contact me.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

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**From:** Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]

**Sent:** Wednesday, September 11, 2013 5:08 PM

**To:** Centorino, Joseph (COE)

**Cc:** Lee, Anne Syrcle (Aviation); Murray, David M. (Aviation); Del Calvo, Sara (Aviation); Eisenberg, Mindy (Aviation)

**Subject:** Ethics Opinion on Vendor Sponsored Travel

The Aviation Department is seeking COE opinion relating to sponsor paid travel for Aviation employees. We are aware of Ordinance 04-55 requiring employees to not accept travel expenses from county contractors or vendors, unless the BCC has waived this requirement. Nonetheless, we have three different scenarios that we are submitting for your consideration and opinion to assure we are in compliance with ethics requirements:

1. The Miami-Dade Aviation Department has contracted with a firm to provide technological services to the Department. Within this agreement, a provision provides for Aviation employees to receive vendor sponsored travel for product training and annual conferences. The exact terms of this provision is stated:

*"...includes five (5) memberships to attend the Propworks Annual Conference and related training sessions. In this pricing are included two (2) MDAD memberships to attend the yearly PropWorks conference with associated airfare and lodging but excluding meals and other expenses"*

It is presumed the fee the Department pays to the vendor considers the memberships and conference attendance and therefore the Department indirectly pays for these expenses. Also, the contract was approved by the BCC, so is that considered a BCC waiver per the Ordinance? Shall our employees be allowed to accept this vendor's paid travel?

2. We also have instances where professional aviation organizations, of which we may or may not be members, will ask that our executive staff present various topics of aviation interest at their conferences or related forums. These speaking engagements are paid for by the organization. If we are a member of the organization, the Ordinance states paid travel is acceptable but if we are not members, is accepting travel expenditures non-compliant? Please clarify.
3. There may also be instances where contracted vendors will offer to pay for conferences/forums/events where their product or new products are being showcased. It is often through these forums where we are made aware of the newest technologies that maximize our operations. These travel expenditures are not considered in current agreement provisions. Would allowing our employees to accept these sponsor-paid travel packages be in non-compliance?

If you require clarification on any of the above, please do not hesitate to contact me. Thank you.

**Evelyn Campos, Director**  
**Professional Compliance Division**  
**Miami-Dade Aviation Department**

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