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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Monday, October 27, 2014 3:57 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Cheree Gulley, Executive Director Miami-Dade Housing Finance Authority (Gifts) INQ 14-256

INQ 14-256

-----Original Message-----

From: Centorino, Joseph (COE)  
Sent: Monday, October 27, 2014 3:02 PM  
To: Gulley, Cheree (HFA)  
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)  
Subject: INQ - Cheree Gulley, Executive Director Miami-Dade Housing Finance Authority (Gifts)

Ms. Gulley:

-----Original Message-----

From: Gulley, Cheree (HFA)  
Sent: Friday, October 24, 2014 11:47 AM  
To: Centorino, Joseph (COE)  
Subject: Braynon's Retirement

Ms. Gulley,

You have inquired regarding whether members or employees of the Miami-Dade Housing Finance Authority may solicit for tickets to a retirement party for Patricia Braynon, former Director of the Housing Finance Authority. The cost of the tickets are \$40 to \$50. You have indicated that current contractors of the Housing Finance Authority and lobbyists may be among those solicited.

In my opinion, members of the Housing Finance Authority should not be involved in this solicitation in connection with their public positions. As a County Board its members and employees are subject to Section 2-11.1(e)((3) which prohibits the solicitation of any gift. Further, if they are reporting individuals under State Law, they would also be subject to Section 112.3148, which prohibits solicitation of gifts from vendors, lobbyists or political committees. In addition, Section 2-11.1(g) of the County Ethics Code would prohibit exploitation of one's public position to obtain a special benefit not otherwise permitted under law.

The problem here, is that this solicitation is for a private benefit, i.e, a gift, consisting of a contribution to a private retirement party, and not for a public purpose or a charitable purpose. Both of the latter types of solicitations would be permitted under both County ordinance and State law. However, use of one's official authority or one's public position to solicit for a private benefit is inherently problematic, but even more so when agency vendors or lobbyists may be targeted in the solicitation.

Certainly, those employees wishing to participate, as well as lobbyists or vendors wishing to attend, may do so. However, the solicitation should be handled through a private email account send on the private time of the sender, and should not bear the imprimatur or approval of the Housing Finance Authority and should not

emanate from a public source, or give any indication that it is the Housing Finance Authority, its members or employees, who are conducting the solicitation. I would also recommend that the sender not be a current member or employee of the Authority.

Sincerely,

Joseph M. Centorino  
Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust

Good Morning,

Per your conversation with Don Horn, I am writing to provide additional information regarding a retirement party we are planning for Patricia Braynon, former Director of the Housing Finance Authority.

The retirement party is being planned for Sunday, November 16, 2014. The event will be a ticketed affair. Attendees will be asked to pay for tickets ranging from \$40 - \$50 per person.

Patricia had served as the President of the Miami- Dade Affordable Housing Foundation, Inc. since its creation in 1999. A 501(c)(3), the Foundation was created to assist low and moderate income families in attaining homeownership opportunities.

In an effort to defray costs, the Foundation would like to underwrite a portion of the fees associated with the retirement event. The amount would vary depending on the number of tickets sold and the overall attendance of the event.

Per Mr. Horn's request, please advise if this is permissible.

Thanks.

Sent from my iPhone  
Cheree L. Gulley, Esq.  
Executive Director  
Housing Finance Authority