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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, November 25, 2014 3:43 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Hydi Webb, Acting Assistant Director, Business Development & Marketing, PortMiami  
INQ 14-278  
**Attachments:** Final Board Item signed by all parties.pdf

INQ 14-278

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**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, November 25, 2014 3:18 PM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** FW: INQ - Hydi Webb, Acting Assistant Director, Business Development & Marketing, PortMiami

The reference to Section 2-11.1(3) should be changed to 2-11.1(e)(3)

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**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, November 25, 2014 1:57 PM  
**To:** Webb, Hydi (Seaport)  
**Cc:** Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)  
**Subject:** INQ - Hydi Webb, Acting Assistant Director, Business Development & Marketing, PortMiami

Ms. Webb:

You have inquired regarding whether officials or employees of PortMiami may be involved in soliciting sponsorship packages from private entities in support of PortMiami's hosting of the 2015 American Association of Port Authorities (AAPA) Annual Conference. This is an annual conference of the AAPA, of which PortMiami is a member, and the local sponsorship of this event by your agency has been endorsed by the Board of County Commissioners per the attached resolution. The funds raised from the solicitation would go toward offsetting conference expenses which would otherwise be borne by the host agency.

Based on the foregoing, it appears to me that there is a clear public purpose attached to this solicitation, which is being made to support an event that will be produced by a County agency with the explicit support and endorsement of the County's governing body. As such, Section 2-11.1(e)(2)(e) of the Miami-Dade County Conflict of Interest and Code of Ethics would apply. This provision of the Gift section of the ordinance excepts "Gifts solicited by County employees or departmental personnel on behalf of the County in performance of their official duties for use solely by the County in conducting its official business," from the definition of a gift in Section 2-11.1(e)(1). Therefore, the general prohibition in Section 2-11.1(3) of the ordinance against the solicitation of gifts by County personnel would not apply to this solicitation. Additionally, although the Commission on Ethics has no jurisdiction to officially interpret or enforce Florida State Law, it also appears to fall within the exemptions in Sections 112.3148(3) and Section 112.3148(4), Florida Statutes, from the prohibitions against soliciting gifts from agency vendors or lobbyists, or accepting gifts in excess of \$100 from such vendors or lobbyists, since any gift received from the solicitation is not intended to personally benefit any individual official or employee and would be accepted instead on behalf of Miami-Dade County or PortMiami. I also assume, for the purposes of this inquiry, that none of the funds received from this solicitation would go toward travel or to expenses related to travel by any County official or employee so as to implicate the prohibition against acceptance of travel expenses from County vendors, contractors, service providers, bidders or proposers, contained in Section 2-11.1(w) of the Code.

Accordingly, it is my opinion the Port may engage in this solicitation for the purpose of raising funds to offset expenses incurred in connection with its sponsorship of the 2015 AAPA Annual Conference. As an additional caveat, however, it has been the practice of this agency to discourage direct, targeted solicitations of County vendors and lobbyists for any special cause, even when such solicitations are not prohibited, to avoid an appearance of impropriety where the County or one of its agencies may appear to be applying pressure to one of its vendors or contractors to accede to a request for a contribution to an event in exchange for its continued business relationship with the County. It is suggested that any solicitation that is made to the business community be done in a general fashion as part of an overall fundraising campaign and not be specifically targeted to a group of private individuals or entities engaged in County business.

Please contact me should you have any further questions in regard to this issue.

Sincerely,

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

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**From:** Webb, Hydi (Seaport)  
**Sent:** Monday, November 24, 2014 10:45 AM  
**To:** Centorino, Joseph (COE)  
**Subject:** AAPA Conference

Hi Joe –

I hope you are doing well. I would like to get your guidance on an event the Port will be hosting next year, please...

PortMiami will be hosting the 2015 American Association of Port Authorities (“AAPA”) Annual Conference in October 2015. This past July, we took an item to the BCC to: (1) execute a Standard Meetings Contract with the InterContinental Hotel Miami and (2) Recognizing the Host Port Responsibilities. This item is attached.

We are in the planning stages of the conference and need to start putting together sponsorship packages to raise money to offset conference expenses. The question is: is the port allowed to solicit sponsorships or do we need to have an independent party do this on our behalf?

At your convenience, please let me know a time we can speak to discuss in more detail.

As always, thank you.

Hydi

**PORTMIAMI**  
Hydi Webb

Acting Assistant Director, Business Development & Marketing

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