



**Miami-Dade County
Commission on Ethics and Public Trust**

Evaluation and Appraisal Report (EAR) Task Force

**Downtown Main Library
October 17, 2025
10:00 a.m.**

INTRODUCTION

Background on the Ethics Commission

- The Miami-Dade County Commission on Ethics and Public Trust is a quasi-judicial independent Charter agency of Miami-Dade County, established by vote of the electorate in 1996.
- It is charged by County Ordinance with interpreting and enforcing the County Conflict of Interest and Code of Ethics Ordinances, various municipal Ethics Codes, Lobbyist Registration and Reporting Ordinances, Ethical Campaign Practices Ordinances and the Citizens' Bill of Rights.
- The Ethics Commission has three main functions:
 - Training elected officials, board members, employees and persons that transact with local government.
 - Individualized ethics guidance regarding prospective conduct.
 - Reviews past conduct for potential ethics violations in enforcement actions.

GIFTS

Miami-Dade County Ethics Code, Section 2-11.1(e)



GIFTS: DEFINITION AND EXCEPTIONS

What is a “gift” under the County Ethics Code?

The transfer of anything of economic value without adequate and lawful consideration.

What forms may a gift take?

Money, service, loan, travel, entertainment and hospitality.

What are the major exceptions?

- 1) Political contributions
- 2) Gifts from relatives or household members
- 3) Professional or civic awards
- 4) Materials of an informative or advertising nature

A public official or employee should NEVER solicit or demand a gift.



Gifts with a connection between the gifting transaction and the person's public duties are always prohibited.

GIFT DISCLOSURE

MIAMI -DADE ETHICS CODE SEC. 2-11.1(E)(4)

- County officials and employees are required to disclose any gift or series of gifts from any one person or entity having a value more than one hundred dollars (\$100).
- Gift Disclosures must be made by filing a copy of the Miami-Dade County Gift Disclosure form with the Clerk of the Board of County Commissioners.
- Due Quarterly (3/31, 6/30, 9/30, 12/31)

**MIAMI-DADE COUNTY
QUARTERLY GIFT DISCLOSURE**

LAST NAME-FIRST NAME-MIDDLE NAME:	NAME OF AGENCY:
STREET ADDRESS:	OFFICE OR POSITION HELD:
CITY:	FOR QUARTER ENDING (Check One):
ZIP:	<input type="checkbox"/> MARCH <input type="checkbox"/> JUNE
COUNTY:	<input type="checkbox"/> SEPT. <input type="checkbox"/> DEC. YEAR: 20

PART A: STATEMENT OF GIFTS. List below each gift, or series of gifts, from one person or entity in excess of \$100, accepted by you during the calendar quarter for which this statement is being filed. Describe the gift and state the monetary value of the gift, the name and address of the person making the gift, and the dates the gifts were received. If any of these facts are unknown or not applicable, state this on the form. **You are not required to file this statement for any calendar quarter during which you did not receive a reportable gift.**

DATE RECEIVED	DESCRIPTION OF GIFT	MONETARY VALUE	NAME OF PERSON MAKING THE GIFT	ADDRESS OF PERSON MAKING THE GIFT

CHECK HERE IF CONTINUED ON SEPARATE SHEET.

PART B: RECEIPT PROVIDED BY PERSON MAKING THE GIFT. If any receipt for a gift listed above was provided to you by the person making the gift, you are required to attach a copy of that receipt to this form. You may attach an explanation of any differences between the information disclosed on this form and the information on the receipt. **CHECK HERE IF A RECEIPT IS ATTACHED TO THIS FORM.**

PART C: FILING INSTRUCTIONS. The signed and notarized form must be filed no later than the last day of the calendar quarter that follows the quarter for which this form applies. For example, if a gift is received in March, it should be disclosed by the end of the next quarter, i.e., June 30. County personnel file with the Clerk of the Board of County Commissioners, 111 NW 1st St., Suite 17-10, Miami, FL 33128. Municipal personnel file with their respective municipal clerks.

PART D: OATH.

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed herein and on any attachments made by me constitutes a true, accurate, and total listing of all gifts required to be reported by Section 2-11.1 (e)(4) of the Code of Miami-Dade County.

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____, ,
by _____
(Name of Person Making Gift Disclosure)

(Signature of Notary Public, State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Signature of Person Making Gift Disclosure _____

Personally known to me *or* Produced Identification
Type of Identification Produced: _____

VOTING CONFLICTS

Miami-Dade County Ethics Code, Section 2-11.1(v)

Voting Conflicts

Miami-Dade Ethics Code, Section 2-11.1(v)

No member of an advisory board may vote on any matter presented to the advisory board on which the person sits if:

- a) the board member will be directly affected by the action of the board on which the member serves, **and**
- b) the board member has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor or creditor.



Local Standard is More Stringent Than the State's

The State voting conflict standard requires that, for a conflict to exist, there must be a “special private gain or loss.”

Fla. Stat. § 112.3143(3)(a)

The County ordinance only requires that the County official be affected by the vote. The County standard does not require a definite or measurable private gain or loss.

RQO 10-24

Best Practices For Officials:

1. Announce conflict publicly in advance.
2. Absent from the room.
3. File disclosure (State Form 8B) with Clerk of the Board within 15 days of the vote.



LOBBYING

Miami-Dade County Ethics Code, Section 2-11.1(s)

WHO IS A LOBBYIST?

Any person, firm or corporation employed, designated or retained by a principal (whether paid or not), or that contracts with a third party to perform lobbying activities on behalf of a principal seeking the passage, defeat or modification of:

- Any action, decision, or recommendation of the Mayor, County Commission, any County board or committee, or County personnel required to make a financial disclosure;
- Any action, decision, or recommendation that will foreseeably be heard or reviewed by County personnel as defined above.
- Principals who lobby on their own behalf must also register.

WHO IS NOT A LOBBYIST?

- A public officer, employee or appointee appearing in his or her official capacity as a government representative;
- Attorneys or other representatives solely appearing at quasi-judicial proceedings;
- Expert witnesses at public meetings who provide only scientific, technical, or specialized information;
- Unpaid neighborhood association representatives;
- Unpaid representatives of a non-profit community-based organization without special compensation and only when requesting a grant;
- Any person who appears representing himself or herself.

WHO CAN BE LOBBIED?

- County Mayor and County Commissioners
- County department directors and assistant or deputy directors
- Building and zoning inspectors
- Members of County advisory boards
- Any County employee with the authority to participate in procurement matters, when the communication is about the procurement matter

RESPONSIBILITIES OF COUNTY OFFICIALS AND PERSONNEL: DILIGENCE!

- County officials and personnel must be diligent in determining whether a lobbyist is registered with the Clerk of the Board before permitting that individual to lobby them about a County issue.
 - **Best Practice:** Maintain a written log.
- Commissioners and County officials and personnel may not knowingly permit themselves to be lobbied by a person who is not registered.
 - **Best Practice:** Make appropriate inquiries before allowing yourself to be lobbied and keep a record of the meeting.



CITIZENS' BILL OF RIGHTS



CITIZENS' BILL OF RIGHTS

Miami-Dade Home Rule Charter, May 1957



- Ethics Commission empowered to review, interpret and render advisory opinions regarding Citizens' Bill of Rights (Section 2-1072, Miami-Dade County Code since 1997).
- Ethics Commission given authority to enforce Citizens' Bill of Rights and impose penalties set out in Section 2-11.1(cc)(1) of Miami-Dade County Code of Ethics Ordinance (2012 Referendum).

Guarantees All Citizens:

- Prompt and convenient service from local government
- Truthful information from public servants
- Right to inspect and copy public records
- Proper notice of and opportunity to *participate in public meetings*
- Transparency in budgeting and auditing

TRUTH IN GOVERNMENT

“No county or municipal official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.”

Krantzler v. Bd. of Cnty. Comm'rs of Dade Cnty.,
354 So. 2d 126, 128 (Fla. 3d DCA 1978)

CONTACTS FOR QUESTIONS & GUIDANCE



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ON BEHALF OF THE COMMISSION ON ETHICS



Dr. Judith Bernier, Chair

Wifredo “Willy” Gort, Vice Chair

Nelson C. Bellido, Esq., Commissioner

Dava J. Tunis, Esq., Commissioner

Professor Sandy Boisrond, Esq., Commissioner

Ignacio J. Vázquez, Jr., Executive Director

Thank you for your invitation & your kind attention.