



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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MEMORANDUM

TO: Maurice Jenkins,
Aviation Digital Strategy & Innovation Advisor / Chief Innovation Office
Miami Dade County Aviation Department

FROM: Etta Akoni, Assistant General Counsel
Miami Dade County Commission on Ethics and Public Trust

SUBJECT: INQ 2025-59, Section 2.11-1(e) - Gifts

DATE: June 27, 2025

CC: All COE Legal Staff

Thank you for contacting the Miami-Dade County Commission on Ethics and Public Trust (“COE”) and requesting our guidance regarding the application of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance (“County Ethics Code”) to your proposed presence in or use of the Certified Network Professionals, Inc. suite during the University of Miami football game.

Facts:

You, Maurice Jenkins, are the Digital Strategy and Innovation Advisor / Chief Innovation Officer for the Miami-Dade County Aviation Department (“Aviation”). Your job responsibilities include managing and developing innovative and strategic initiatives, improving business processes, along with integrating new technology into the Aviation department including various pilot programs.

A county vendor named Certified Network Professionals, Inc., a Florida For Profit company, has two (2) contracts with Miami-Dade County: RTQ 0015 (Established a pool of pre-qualified vendors capable of delivering/providing Lenel Software Upgrade and Support Services, preventive maintenance, installation, repairs and/or replacement of various field service equipment located throughout PortMiami and the Miami-Dade Police Department (MDPD) facilities) and Miami-Dade County Legacy Contract L-4400001195-2(2) (Airport Security Communications Maintenance Agreement). Legacy Contract L-4400001195-2(2) encompasses site operations, maintenance, and extended warranties for the Airport Security Network systems. The Airport Security Network is a fully integrated security solution that utilizes high-speed digital video, bi-directional audio, and data transmission and gateway systems to seamlessly incorporate media

services into the Miami International Airport (MIA) access control platform. The Miami-Dade County Lobbyist Reporting System reflects that Certified Network Professionals, Inc. is not currently a registered lobbyist and is not a principal for any registered lobbyist.

Although you are not the primary contract officer for contract L-4400001195-2(2), a contract awarded to Certified Network Professionals, Inc., you are part of the team involved in administering contract L-4400001195-2(2). You, Maurice Jenkins, indicate that you are friends with the proprietors, key employees, and/or officers of Certified Network Professionals, Inc. You indicate that you attend pre-game tailgate parties for the University of Miami football team with individuals from Certified Network Professionals, Inc., wherein all participants contribute food, beverages, and other party supplies. Additionally, pre-game tailgate parties typically do not require participants to purchase tickets for the game or other aspects of the University of Miami football game experience, as they generally occur in the parking lot or other outdoor, publicly accessible spaces.

You indicate that Certified Network Professionals, Inc. owns or leases a suite at Hard Rock Stadium during University of Miami football games. You also indicate that you own or lease a suite in Hard Rock Stadium for University of Miami football games. Generally speaking, a suite pass includes admission to the venue, parking, food, beverages, alcohol, and sometimes post-event extra activity access. However, you advised that if you visit the Certified Network Professionals, Inc. suite, you do not plan to eat or drink. Additionally, if you visit the Certified Network Professionals, Inc. suite, you plan to sign memorabilia, watch the football game, and meet and greet people in the Certified Network Professionals, Inc. suite. The price for access and use of a Hard Rock Stadium suite is not publicly available.

Issue:

Whether a prohibited conflict of interest could arise as a result of your presence in or use of the Certified Network Professionals, Inc. suite during the University of Miami football game.

Discussion

Section 2-11.1(e) of the County Ethics Code governs the solicitation *and acceptance* of gifts by local government officials, employees, and board members in Miami-Dade County. That section defines a “gift” as the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item, or promise, or in any other form, without adequate or lawful consideration.

Section 2-11.1(e)(3)(a) of the County Ethics Code, entitled *General prohibition on solicitation and giving of gifts*, states that:

A person described in subsection (b)(1) through (6) shall neither solicit nor demand any gift. It is also unlawful for any person or entity to offer, give or agree to give to any person included in the term defined in subsection (b)(1) through (6) or for any person included in the term defined in subsection (b)(1) through (6) to accept or agree to accept from another person or entity, any gift for or because of:

- i. An official public action taken, or to be taken, or which could be taken;

- ii. A legal duty performed or to be performed, or which could be performed;
or
- iii. A legal duty violated or to be violated, or which could be violated by any person included in the term defined in subsection (b)(1).

This section of the County Ethics Code prohibits the acceptance of donations or gifts by County staff which are tied to quid pro quo transactions defined in the section. More broadly stated, as long as the tickets are not related to the employees' work for Miami-Dade County, then there is no prohibition in the County Ethics Code from accepting admission into the suite or a suite pass. For example, in INQ 16-92 an Assistant County Attorney may accept two complimentary VIP Courtside tickets to the Miami Open Tennis Tournament from Lacoste, provided to him as a regular Lacoste customer, because there is no connection between the gift and any duty he may have or will perform in his public position. But if the value of the gift exceeded \$100, he was required to report the gift on the County's quarterly disclosure form. Additionally, in INQ 18-11, it was opined that the County Ethics Code did not prohibit Jackson Memorial Hospital employees from accepting tickets from Jackson Health Foundation to a fundraising gala event by Jackson Health Foundation, when the gala tickets were paid for by a separate organization, as long as the tickets were not provided in connection with any decision or action that may be taken by the ticket recipient. Moreover, the gift must be reported if its value exceeds \$100. Lastly, in INQ 15-214, a County Commissioner was advised that County officials are not prohibited from accepting complimentary tickets to a University of Miami football game, which were provided by the University of Miami (an entity doing business with a County agency), provided that the tickets be reported as gifts if the value exceeded \$100.

However, as stated in Section 2-11.1(a) of the County Ethics Code, the Miami-Dade Conflict of Interest and Code of Ethics Ordinance is a "minimum standard of ethical conduct and behavior" and the COE has previously advised those who seek our guidance to go above the minimum standard. In INQ 14-191, the COE advised the outgoing director of the Miami-Dade Housing Finance Authority not to accept a retirement party from groups who did business with her department while she was in office. While the Code of Ethics did not prohibit the gift, it would create an appearance of impropriety and contribute to the lessening of the public trust in the integrity of county government. Similar guidance was provided in INQ 13-315 when a County vendor, Jacobs, inquired about giving gifts to employees in the County department with which they work. Lastly, Section 112.3148 of the Florida Statutes states that "A reporting individual or procurement employee or any other person on his or her behalf is prohibited from knowingly accepting, directly or indirectly, a gift from a vendor doing business with the reporting individual's or procurement employee's agency, a political committee as defined in s. 106.011, or a lobbyist who lobbies the reporting individual's or procurement employee's agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100;"

Opinion

Based on the facts presented here and discussed above, the County Ethics Code does not prohibit your presence in or use of the Certified Network Professionals, Inc. suite during the University of Miami football games as long as there is no nexus between the gift and the decision(s) you make in County employment in relation to Certified Network Professionals, Inc. However, please note that the County Ethics Code constitutes the minimum standard of ethical conduct and behavior for county officials and employees, and your presence in or use of the Certified Network Professionals, Inc. suite during the University of Miami football games could create an appearance

of impropriety which may contribute to the lessening of the public trust in the integrity of county government As such we would advise that you not go to or use the Certified Network Professionals, Inc., or any other County's vendor's, suite during the University of Miami football games or other sporting activities while you are on the Aviation team supervising contracts held by Certified Network Professionals, Inc.

Other conflicts may apply based on directives from the Miami-Dade County Aviation Department or under state law.¹ Questions regarding possible conflicts based on Miami-Dade County Aviation Department directives should be directed to your supervisor, director, or to the Mayor's Office. For an opinion regarding Florida ethics law, please contact the Florida Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317, phone number (850) 488- 7864, <http://www.ethics.state.fl.us/>.

INQs are informal opinions provided by the legal staff after review and approval by the Executive Director and/or General Counsel. INQs deal with opinions previously addressed in public session by the Miami-Dade Commission on Ethics and Public Trust or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Ethics Commission when the subject matter is of great public importance or where there is insufficient precedent. While this is an informal opinion, covered parties that act contrary to this opinion may be subject to investigation and a formal Complaint filed with the Ethics Commission.

¹ Section 112.3148 (4) Fla. Stat. may prohibit the gift of access to the sports suite, as Certified Network Professionals, Inc. is presumably considered a vendor under the state statute and the tickets are presumably valued over \$100.