



To: Miriam Ramos

From: Craig E. Leen, City Attorney for the City of Coral Gables 

RE: Legal Opinion Regarding Ethics Training For Newly Elected Officials

Date: November 12, 2014

The City of Coral Gables holds its Commission elections in April of odd-numbered years; the next Commission election is in April 2015 (the election will involve three seats on the Commission, one of which is the Mayor). My present plan is to hold a 4-hour ethics course (CLE credit available for attorneys) in the 90 days following that election in order to comply with both the County ordinance and state law. I noticed that the County ordinance indicates that the ethics course would be provided by the County Ethics Commission. Please advise whether the Ethics Commission would allow the City Attorney and City Clerk to provide the ethics course on the Commission's behalf if we have the outline/materials reviewed by you in advance. Of course, we would want Joe or another representative of the Ethics Commission to be one of the presenters at our City ethics course (as has been the tradition at the City's ethics course for board & committee members), so it could be a joint effort done in conjunction with you. Alternatively, if the Ethics Commission would prefer to provide the entire ethics course, I want to let you know that we would need the Ethics Commission to hold the event within 90 days of swearing the City Commissioners into office (the election is set for April 13th and the swearing in would be later that same week).

Parramore, Carol

From: Leen, Craig
Sent: Wednesday, November 12, 2014 12:14 PM
To: Parramore, Carol
Cc: Thornton, Bridgette; Figueroa, Yaneris
Subject: FW: More on Ethics training requirement

Please place in the opinion folder.

Craig E. Leen, City Attorney
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City, County and Local Government Law*
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Email: cleen@coralgables.com

From: Leen, Craig
Sent: Wednesday, November 12, 2014 12:14 PM
To: 'Ramos, Miriam S. (COE)'
Cc: Foeman, Walter
Subject: RE: More on Ethics training requirement

Thank you, Miriam. I look forward to involving the COE in the course. I will likely make it 4-hours to satisfy both the County and State requirements at the same time, and will likely check with the Bar to have CLE credit made available as well. Best, Craig

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From: Ramos, Miriam S. (COE) [<mailto:MSRAMOS@miamidadegov>]
Sent: Wednesday, November 12, 2014 12:04 PM
To: Leen, Craig
Subject: RE: More on Ethics training requirement

Dear Craig,

have discussed your inquiry with Joe. The County training requirement was passed in June 2013. Since the Coral Gables election was in April 2013, your current elected officials do not have to comply until 2015. A 4-hour course offered within 90 days of the April 2015 election

would satisfy both the State requirement and the County requirement. (Note: The County ordinance does not specify the length of the course; our course is typically 2 hours.)

As to the issue of who provides the course to fulfill the County requirement, Joe's position is that as long as the COE is involved in the course (i.e. approving materials, staff presenting), it may be done jointly.

If you have any further questions, please do not hesitate to contact me directly.

Best,

Miriam S. Ramos, Esq.
Deputy General Counsel



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From: Leen, Craig [<mailto:cleen@coralgables.com>]
Sent: Wednesday, November 12, 2014 11:47 AM
To: Ramos, Miriam S. (COE)
Subject: RE: More on Ethics training requirement

Good morning, Miriam. I appreciate your email and have the following inquiry in response. The City of Coral Gables holds its Commission elections in April of odd-numbered years; the next Commission election is in April 2015 (the election will involve three seats on the Commission, one of which is the Mayor). My present plan is to hold a 4-hour ethics course (CLE credit available for attorneys) in the 90 days following that election in order to comply with both the County ordinance and state law. I noticed that the County ordinance indicates that the ethics course would be provided by the County Ethics Commission. Please advise whether the Ethics Commission would allow the City Attorney and City Clerk to provide the ethics course on the Commission's behalf if we have the outline/materials reviewed by you in advance. Of course, we would want Joe or another representative of the Ethics Commission to be one of the presenters at our City ethics course (as has been the tradition at the City's ethics course for board & committee members), so it could be a joint effort done in conjunction with you. Alternatively, if the Ethics Commission would prefer to provide the entire ethics course, I want to let you know that we would need the Ethics Commission to hold the event within 90 days of swearing the City Commissioners into office (the election is set for April 13th and the swearing in would be later that same week). Please review and advise. I am copying the City Clerk, Walter Foeman, as well. Best, Craig

Craig E. Leen, City Attorney
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From: Ramos, Miriam S. (COE) [<mailto:MSRAMOS@miamidade.gov>]
Sent: Wednesday, November 12, 2014 10:44 AM
To: Leen, Craig
Subject: More on Ethics training requirement

Good morning Craig,

Upon further discussing this issue internally, we realized that the last version we had is incorrect. The most recent version of the section relating to ethics training for elected officials is included below. You will see that it extends the ethics course to elected officials & the opt-in is limited to municipal employees. Please let me know if you have any questions. Since you have provided training to the Commissioners on a yearly basis, I suspect they are already in compliance but want to make sure you have the correct information.

(bb)

Affidavit and Ethics Course. Each person who is elected to serve as a member of the Board of County Commissioners or as Mayor of Miami-Dade County shall execute an affidavit, on a form prepared by the Ethics Commission, stating that he or she has read the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance and agrees to comply with the provisions of said ordinance. Each elected official covered by the requirements of this subsection shall file the required affidavit with the Ethics Commission prior to being sworn into office. Each elected official, as defined in subsection (b)(1), shall, within ninety (90) days after being sworn into office, submit to the Clerk of the Board a certificate of completion of an ethics course offered by the Miami-Dade County Commission on Ethics and Public Trust ("Ethics Course"). Each employee of the County, as defined in subsection (b)(5) and b(6), shall within one hundred and eighty (180) days of the effective date of this ordinance or within sixty (60) days after being hired by the County, submit to the Clerk of the Board a certificate of completion of an Ethics Course offered by the Miami-Dade County Commission on Ethics and Public Trust. Employees shall be required to complete a refresher Ethics Course every two years thereafter. Each employee who has completed a refresher Ethics Course shall submit to the Clerk of the Board a certificate of completion. The Ethics Course shall include, but not be limited to, a review of the following topics: the Conflict of Interest and Code of Ethics Ordinance; the Sunshine Law; the Public Records Law and the Citizens' Bill of Rights. The requirements of this subsection (bb) relating to the Ethics Course for employees shall not be applicable to any municipality in Miami-Dade County unless said municipality has adopted an ordinance providing for the Ethics Course, and has entered into an interlocal agreement with the County authorizing the Ethics Commission to provide the Ethics Course provided for in this subsection.

Regards,

Miriam S. Ramos, Esq.
Deputy General Counsel



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