
From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, April 01, 2015 3:49 PM
To: Sanchez, Rodzandra (COE)
Subject: Lucia Davis-Raiford, Director, Miami-Dade County Community Action and Human Services Department (Conflict of Interest) INQ 15-52

INQ 15-52 Davis-Raiford

From: Centorino, Joseph (COE)
Sent: Monday, March 30, 2015 4:32 PM
To: Davis-Raiford, Lucia (CAHSD)
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)
Subject: INQ - Lucia Davis-Raiford, Director, Miami-Dade County Community Action and Human Services Department (Conflict of Interest)

Ms. Davis-Raiford:

You have inquired concerning whether there would be a Conflict of Interest presented should the presiding Drug Court judge or the Director of South Florida Behavioral Health Network, Inc. (which provides funding and monitoring to the County's residential drug treatment program) sit on a selection/evaluation committee formed for the purpose of selecting a contractor to provide non-residential drug treatment services currently provided directly by the County to the Drug Court. The South Florida Behavioral Network is a private, non-profit corporation that directly provides pass through funding to the County for the County's residential, in-patient treatment program.

Inasmuch as neither the position of presiding Drug Court judge, who is a State of Florida employee, nor the Director of the South Florida Behavioral Network, Inc., a private non-profit corporation, is a County official or employee subject to the Miami-Dade Conflict of Interest and Code of Ethics. If a board or committee is not created to exist for more than one year, which I understand is the case with this selection committee then the board members who are not County employees would not technically fall under the County Ethics Code. Nonetheless, this issue does involve the expenditure of County monies in a contract with the County and general conflict of interest considerations should always apply in these situations. If either the presiding Drug Court judge or the Director of the South Florida Behavioral Health Network, Inc. should have any private financial interest in the outcome of the selection process or somehow stand to profit or be enhanced by the selection decision, I would recommend that they be disqualified from participating in the selection process. Additionally, if the South Florida Behavioral Health Network, Inc., should be an applicant for this contract from the County, then the Director or any board member or employee thereof should not be participating in the selection process. It is important to the integrity of the County's contracting process that persons involved in any phase of the County selection process be able to exercise independent judgment on County matters coming before them, and that conflicts of interest of this nature be avoided. If there are specific questions that should arise in connection with this matter, please contact me.

Sincerely,

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