
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, May 12, 2015 3:18 PM
To: Sanchez, Rodzandra (COE)
Subject: Jonathan Fried, Member of Miami-Dade County Living Wage Commission Section 2-11.1(m)(2) Certain Appearances and Payment Prohibited INQ 15-82

INQ 15-82 Fried

From: Ethics (COE)
Sent: Tuesday, May 12, 2015 3:15 PM
To: Jonathan Fried; Ethics (COE)
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)
Subject: RE: INQ 15-82 Jonathan Fried, Member of Miami-Dade County Living Wage Commission Section 2-11.1(m)(2) Certain Appearances and Payment Prohibited

Mr. Fried,

The main issue here is whether your organization would receive funding that would go toward your salary through or from a board on which you sit as a member. If the Living Wage Commission is not awarding or recommending the award of a grant that would fund your salary, then you would not have a problem.

Joe Centorino

From: Jonathan Fried [<mailto:jonathan@we-count.org>]
Sent: Monday, May 11, 2015 3:20 PM
To: Ethics (COE)
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)
Subject: Re: INQ 15-82 Jonathan Fried, Member of Miami-Dade County Living Wage Commission Section 2-11.1(m)(2) Certain Appearances and Payment Prohibited

Mr. Centorino, I would like to follow up on our discussion of WeCount!'s CBO grant from the county. I do receive a small amount of salary from this grant. It has absolutely nothing to do with the Living Wage Commission, which neither advises about or has anything to do with the CBO grants.

As I read your opinion on the District 8 Impact Grant, there should be no conflict of interest, since it is the county commission, and not the Living Wage Commission, that approves the grant, and the county department that oversees the CBO grants is Grants Coordination of the Office of Management and Budget. However, you did add that "your non-profit organization, WeCount! may seek the grant from the office of Commissioner Levine Cava, provided that you receive no compensation from the grant."

I am requesting further clarification, as I don't see anything in the code you cited that would prohibit my receiving compensation, in the form of salary, from the county CBO grant. However, should you find to the contrary, I would be willing to resign from the Living Wage Commission.

Thank you,

Jonathan Fried

Executive Director

WeCount!

Office: 201 N. Krome Ave., Suites 240-260, Homestead, FL 33030

Mailing: P.O. Box 344116, Florida City, FL 33034

Phone: [\(305\) 247-2202](tel:(305)247-2202)

Mobile: [\(305\) 281-9377](tel:(305)281-9377)

email: jonathan@we-count.org

website: www.we-count.org

On Fri, May 8, 2015 at 3:59 PM, Ethics (COE) <ethics@miamidade.gov> wrote:

Mr. Fried:

You have inquired in your capacity as a member of the Miami-Dade County Living Wage Commission whether you may apply for a District 8 Impact Grant from the office of District 8 Commissioner Daniella Levine Cave, where the grant would go to WeCount!, a non-profit community-based organization in Homestead, of which you are the executive director. It is my understanding that at least a portion of the grant, if received, would be applied toward your compensation at WeCount!

As a County advisory board member you are subject to the Miami-Dade County Conflict of interest and Code of Ethics Ordinance. Section 2-11.1(m)(2) does not permit a County advisory board member to “receive compensation, directly or indirectly or in any form, for services rendered to a third party, who has applied for or is seeking some benefit from the County board or agency on which such person serves, in connection with the particular benefit by the third party.” In this situation the third party seeking the benefit is your employer, WeCount! The benefit is being sought from the office of Commissioner Levine Cava, which is the County agency in question. You are not employed or associated with that office. Therefore, the prohibition in Section 2-11.1(m)(2) would not be applicable to you since you would not be receiving compensation from a benefit to a third party applying **“to the County board or agency on which such person [you] sits.”** Accordingly, your non-profit organization, WeCount! may seek the grant from the office of Commissioner Levine Cava, provided that you receive no compensation from the grant.

Please be advised, however, that WeCount! would not be permitted under Section 2-11.1(m)(2) to seek funding from the County advisory board on which you serve, the Miami-Dade County Living Wage Commission. Such an application would implicate the provision cited above.

In any event, please be aware that you should not use your County position to gain any special competitive advantage in this or any funding application or other County decision-making situation that might benefit you personally or your employer. Such activity could be considered Exploitation of Official Position in violation of Section 2-11.1(g).

Sincerely,

Joseph M. Centorino

Executive Director and General Counsel

Miami-Dade Commission on Ethics and Public Trust

From: Jonathan Fried [mailto:jonathan@we-count.org]

Sent: Tuesday, April 28, 2015 8:58 AM

To: Ethics (COE)

Subject: Request for an opinion

I am the executive director of WeCount!, Inc., a non-profit community-based organization in Homestead.

I am also a member of the county Living Wage Commission. I was appointed by District 9 Commissioner Dennis Moss.

WeCount! intends to apply for a District 8 Impact Grant. A request for proposals was recently issued by District 8 Commissioner Daniella Levine Cava.

I am writing to get your opinion as to whether WeCount! applying for a District 8 Impact Grant would be a conflict of interest.

Thank you very much.

Sincerely,

Jonathan Fried

Executive Director

WeCount!

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