
INQ 16-24

From: Perez, Martha D. (COE)
Sent: Friday, January 29, 2016 8:30 AM
To: Milian, Natalie (Advocacy)
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: FW: Natalie Milian, Director, Hispanic Affairs Advisory Board on behalf of Jose Diaz, Board member, Conflict of Interest- Mom and Pop Grant, INQ 16-24

From: Perez, Martha D. (COE)
Sent: Friday, January 29, 2016 8:28 AM
To: Milian, Natalie (Advocacy)
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Natalie Milian, Director, Hispanic Affairs Advisory Board, Conflict of Interest- Mom and Pop Grant, INQ 16-24

Dear Ms. Milian,

You inquire whether a member of the Miami-Dade County Hispanic Affairs Advisory Board may apply for a Mom & Pop grant with the County.

As background, Jose Diaz is a member of the Hispanic Affairs Advisory Board. He is also the owner of a small business located in Miami-Dade County, District 6, to wit: Jamz Auto Club, Inc., which is a used auto dealership and car repair shop. Mr. Diaz would like to apply for a Mom & Pop grant through the Mom & Pop Small Business Grant Program. This County program provides financial and technical assistance to all qualified for-profit small businesses that are approved for funding.

There is no conflict of interest which prohibits a board member from applying for a County grant **provided certain limitations are followed:**

- 1) He may not make a presentation or appear before the Hispanic Affairs Advisory Board seeking a grant. See §2-11.1(m)(2), County Ethics Code; INQ 12-13
- 2) He may not vote or participate in any way on matters before the Hispanic Affairs Advisory Board that would affect his business, Jamz Auto Club, Inc. See § 2-11.1(v), County Ethics Code
- 3) He may not participate in any official action, directly or indirectly, affecting Jamz Auto Club, Inc. See 2-11.1(n), County Ethics Code
- 4) He is prohibited from exploiting his official position to secure special privileges or exemptions for himself or his business. See § 2-11.1(g), County Ethics Code
- 5) He is prohibited from disclosing confidential information acquired by reason of his official County position. See § 2-11.1(h), County Ethics Code
- 6) He may not serve on a County board that would enforce, oversee or administer a grant or contract for his for-profit business. See Sec. 2-11.1 (c) and (d), County Ethics Code

Consequently, Mr. Diaz may apply for and accept a grant on behalf of Jamz Auto Club, Inc., from the County's Mom & Pop Small Business Grant Program AS LONG AS Mr. Diaz has not attempted to influence an official decision to

benefit his for-profit business in any way. Please be advised that the County Ethics Commission has interpreted this prohibition very expansively to include any communications, in any form, intended to influence any individual within the County to take an official action. See INQ 12-13, INQ 11-01, INQ 10-201

This opinion is based on the facts as presented. If any of these facts change, or if you have further questions, please contact us.

Sincerely,

Martha D. Perez

Staff Attorney

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

19 West Flagler St. Suite 820

Miami, FL 33130

(305)350-0656

PEREZMD@miamidade.gov

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From: Sanchez, Rodzandra (COE)
Sent: Thursday, January 28, 2016 11:17 AM
To: Milian, Natalie (Advocacy)
Cc: Jose Diaz; Diaz, Rene (Advocacy); Perez, Martha D. (COE)
Subject: RE: Conflict of Interest- Mom and Pop Grant

Good Morning Martha,

If you can please assist Ms. Milian with her question.

Thank YOU!

*Rodzandra Sanchez, MPA
Administrative Officer
Miami Dade Commission on Ethics and Public Trust
19 West Flagler Street
Suite 820
Miami, Florida 33130
(305) 350-0655*

From: Milian, Natalie (Advocacy)
Sent: Tuesday, January 26, 2016 5:56 PM
To: Sanchez, Rodzandra (COE)
Cc: Jose Diaz; Diaz, Rene (Advocacy)
Subject: Conflict of Interest- Mom and Pop Grant

Good afternoon Rodzandra,

Mr. Jose Diaz, who is copied in this e-mail is a board member of the Hispanic Affairs Advisory Board; he has a small business in District 6 and is currently applying for a Mom and Pop grant. The application checklist has the following requirement:

“8. If applicable, elected officials and Government Board Appointees must get written approval stating no conflict of interest from Miami-Dade County Commission on Ethics.”

Could you please assist him with this matter?

If you have any questions, please feel free to contact me.

Thank you,

Natalie Milian

Director

Miami-Dade County Hispanic Affairs Advisory Board

Office of Community Advocacy

Miami-Dade County Office of the Chair

Phone 305-375-5098; Fax 305-375-5715

111 NW 1st Street, Suite 1034

Miami, Florida 33128

From: Jose Diaz [<mailto:jdiaz042@gmail.com>]

Sent: Tuesday, January 26, 2016 5:39 PM

To: Milian, Natalie (Advocacy) <nmilian@miamidade.gov>

Subject: Re: Conflict of Interest- Mom and Pop

Hello Natalie,

Attached please find the 2015 business annual report filing with the state of Florida. On it you will find details of business name and addresses.

The name of the business is Jamz Auto Club, Inc and its activities involve used auto dealership and car repair shop.

Please let me know if you need any further information.

Thank you,

Jose Diaz

On Mon, Jan 25, 2016 at 5:24 PM, Milian, Natalie (Advocacy) <nmilian@miamidade.gov> wrote:

Good afternoon Jose,

Please send me an email with the information of your small business with regards to the conflict of interest letter that you need from the Commission on Ethics.

Thank you,

Natalie Milian

Director

Miami-Dade County Hispanic Affairs Advisory Board

Office of Community Advocacy

Miami-Dade County Office of the Chair

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