

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, January 09, 2017 4:00 PM
To: Sanchez, Rodzandra (COE)
Subject: Enid W. Demps, Community Council #15 (Limitations on Contracting with the County)
INQ 17-06

INQ 17-06 Demps

From: Turay, Radia (COE)
Sent: Monday, January 09, 2017 3:59 PM
To: Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>
Cc: Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: RE: INQ 17-06 Enid W. Demps, Community Council #15 (Limitations on Contracting with the County)

Please note the change in INQ #.

From: Enid Demps [<mailto:enidwash@bellsouth.net>]
Sent: Friday, January 06, 2017 4:58 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Re: INQ 17-07 Enid W. Demps, Community Council #15 (Limitations on Contracting with the County)

Thanks so much !!!!

Enid W. Demps

On Friday, January 6, 2017 4:06 PM, "Turay, Radia (COE)" <Radia.Turay@miamidade.gov> wrote:

Hello Ms. Demps,

The INQ number is 17-07.

Thanks,
Radia.

From: Turay, Radia (COE)
Sent: Friday, January 06, 2017 4:04 PM
To: 'Enid Demps' <enidwash@bellsouth.net>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: INQ 17-01 Enid W. Demps, Community Council #15 (Limitations on Contracting with the County)

Dear Ms. Demps,

You have inquired regarding whether a conflict of interest exists under the County Ethics Code where you are a Miami-Dade Community Councilwoman and the Executive Director for a non-profit that is applying for grant funding from the Miami-Dade Office of Management and Budget.

[Background](#)

- You are a Council woman for Miami-Dade Community Council 15.
- You also serve as the Executive Director of The Greater Goulds Optimist Club (“Optimist Club”), a non-profit organization.
- You receive compensation for the work that you do for the Optimist Club.
- Your husband also serves as a board member for the Optimist Club.
- The Optimist Club is applying for grant funding through the District 8 Nonprofit Academy: Capacity Building Request for Proposal (RFP)
- The Community Council on which you serve does not oversee, administer, or manage the grant that Optimist Club is applying for.
- The RFP specifically states that “elected officials and Government Board Appointees must get written approval stating no conflict of interest from the Miami-Dade Commission on Ethics.”

Legal Analysis

The County Ethics Code at Sec. 2-11.1(c)(3) prohibits a Community Council member from entering into a contract with the County if the board/council on which she serves would oversee the contract. Further, Sec. 2-11.1(m)(2) prohibits a County Community Council member from making presentations or seeking any benefits for herself or others from the board/council on which she serves. Sec.2-11.1(v) is also relevant because it prohibits a County Community Council member from voting on a matter if she would be directly affected by the vote **and** has the following relationship with any persons or entities appearing before the council on which he or she serves: officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary, stockholder, bondholder, debtor or creditor.

Based on the facts you presented, you would not have a prohibited conflict of interest because the Community Council on which you serve would not be involved in any aspect of the grant funding/RFP that the Greater Goulds Optimist Club will be applying for. This opinion construes the Miami-Dade Conflict of Interest Ordinance only and is not applicable to any conflict under state law.

If any of the facts you have presented change or if you have further questions, please do not hesitate to contact us.

Sincerely,

RADIA TURAY

Staff Attorney
 Miami-Dade Commission on Ethics and Public Trust
 19 W. Flagler Street, Suite 820
 Miami, FL 33130
 Tel: (305) 350-0601
 Fax: (305) 579-0273
 Ethics.miamidade.gov

From: Enid Demps [<mailto:enidwash@bellsouth.net>]
Sent: Wednesday, January 04, 2017 4:28 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Re: Conflict of Interest

786-333-4137

Thanks,
Enid W. Demps

On Tuesday, January 3, 2017 3:58 PM, "Turay, Radia (COE)" <Radia.Turay@miamidade.gov> wrote:

Hello Ms. Demps,

My name is Radia Turay. I am a staff attorney at Miami-Dade COE. I will be responding to this inquiry. I need a little more information. Please provide a telephone number at which I can reach you so I can better assist you.

Best regards,
Radia.

From: Enid Demps [<mailto:enidwash@bellsouth.net>]
Sent: Monday, January 02, 2017 12:08 PM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Conflict of Interest

GM,

I am Requesting an approval stating no conflict of interest from the Miami-Dade County Commission on Ethics.

I am a Councilwoman for Community Council 15.

My employer, The Greater Goulds Optimist Club is applying for a grant - District 8 Nonprofit Academy:Capacity Building Request for Proposal. The Greater Goulds Optimist Club receives grant funding from Miami-Dade OMB-GC.

The RFP requires a written approval from the Commission on Ethics regarding "no conflict of Interest".

I have attached a copy of the page from the RFP requesting this information. And I have also attached your form "County Board Members Wishing to Register as County Vendors". However, I am NOT registering as a County Vendor, the attachment is only to show my information as a Community Council 15 Board Member.

Thanks,
Enid W. Demps