

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Monday, December 11, 2017 10:45 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Johnny Farias, Electrical Masters Inc., Limitations on Doing Business with the County Ethics Opinion INQ 17-266  
**Attachments:** INQ 17-266 Farias.pdf; Johnny G. Farias applic.pdf; Electrical Masters Inc..pdf

[INQ 17-266 Farias](#)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Thursday, November 30, 2017 3:57 PM  
**To:** 'Electrical Masters' <electricalmasters@gmail.com>  
**Cc:** Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>  
**Subject:** Johnny Farias, Electrical Masters Inc., Limitations on Doing Business with the County Ethics Opinion INQ 17-266

Dear Mr. Farias:

Attached is the Limitations on Doing Business with the County Ethics opinion. Please note that it indicates that you may not enter into contracts with the Miami-Dade County Board on which you serve (Community Council 15). Miami-Dade code 2-11.1 (c) and (d). You may print a copy of the letter and submit it to the Procurement Department and also print a copy for your records.

Please do not hesitate to contact me if you have further questions.

Cordially,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)  
[www.facebook.com/MiamiDadeEthics](http://www.facebook.com/MiamiDadeEthics)

**From:** Electrical Masters [<mailto:electricalmasters@gmail.com>]  
**Sent:** Monday, November 13, 2017 4:15 PM  
**To:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
**Subject:** Re: COI Letter

Attached is the form, as you requested I need to inform you that the Community Council is an elected position  
It is for District 15 which is the Leisure City area, Naranja, Goulds and Princeton areas as well.  
I have not had any contracts from the county in this area ever and don't expect to at all especially  
that I don't want a conflict.

On Mon, Nov 13, 2017 at 3:25 PM, Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
wrote:

Mr. Farias:

Please complete the form at the link below and send it to me.

[http://ethics.miamidade.gov/library/forms/board\\_members\\_as\\_county\\_vendor\\_6-14.pdf](http://ethics.miamidade.gov/library/forms/board_members_as_county_vendor_6-14.pdf)

Cordially,

Gilma (Mimi) Diaz-Greco

Staff Attorney



Miami-Dade Commission on Ethics and Public Trust

[19 W. Flagler Street, Suite 820](#)

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Tel: [\(305\) 579-2594](tel:(305)579-2594)

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[gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)

[www.facebook.com/MiamiDadeEthics](http://www.facebook.com/MiamiDadeEthics)

**From:** Electrical Masters [mailto:[electricalmasters@gmail.com](mailto:electricalmasters@gmail.com)]  
**Sent:** Monday, November 13, 2017 2:27 PM  
**To:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
**Subject:** COI Letter

Please call me at [7862867815](tel:7862867815)

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Thank You,

Electrical Masters  
Johnny G Farias  
(786) 286-7815

NO JOB IS TOO SMALL

# MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

## COMMISSIONERS

Judge Lawrence Schwartz, CHAIR  
H. Jeffrey Cutler VICE-CHAIR  
Nelson Bellido,  
Judith Bernier  
Carol Zeiner



## EXECUTIVE STAFF

Joseph M. Centorino  
EXECUTIVE DIRECTOR  
General Counsel  
Michael P. Murawski  
ADVOCATE

Via email at: [electricalmasters@gmail.com](mailto:electricalmasters@gmail.com)

November 30, 2014

Johnny G. Farias  
Electrical Masters, Inc.  
P.O. Box Miami, FL 33169

*Please submit this letter to the Procurement Management Services Division with your County Board Members Wishing to Register as County Vendors' application. The Ethics Commission does not submit this letter on your behalf.*

Re: INQ 17-266 Limitations on Doing Business with the County

Dear Mr. Farias:

On November 13, 2017, you asked about limitations in doing business with the County through your privately owned company, Electrical Masters, Inc. ("Electrical Masters") which provides electrical services to individual and commercial clients. Electrical Master's would seek subcontracts with County Contractors pursuant to the County's Small Business Enterprise program. You also inquire about limitations on Electrical Masters seeking to contract directly with the County.

### Background

You serve on one of the six subareas of Miami-Dade Community Council District 15, Subarea 154 (Community Council 15-154) which covers the areas of Leisure City, Naranja, Goulds and Princeton. Community Councils were primarily created to make zoning and land use decisions in a setting more accessible to the community. Community Councils also serve as advisory liaisons from their communities to the Board of County Commissioners ("BCC") and County staff, relaying relevant information and recommendations on selected concerns of the council area. They make recommendations to the BCC on capital, programming and operational priorities for municipal services such as police, parks, fire and roadway maintenance in their area, as well as relaying other concerns and needs of local residents.

You advise that in order to avoid any conflicts of interest or appearances of impropriety, Electrical Masters would only seek to subcontract or to bid on County contracts in areas other than the Council 15 area and that Electrical Masters would not be involved in the permitting process for any projects in Miami-Dade County.

### Legal analysis

The County Ethics Code at Section 2-11.1 (c)(3) prohibits a County board member from entering into a direct contract with the County if the board on which he serves would "regulate, oversee, manage, set policy for, or exert quasi-judicial authority over" the contract. *See also* INQ 10-106 (Pursuant to Miami-Dade Code Section 20-11.1(c)(3), Councilmember is not prohibited from serving on Community Council #10 and simultaneously holding contracts with Miami-Dade County as long as Community Council #10 does not regulate, oversee, manage, set policy for, or exert quasi-judicial authority over the departments with which the Councilmember has contracted ).

With respect to subcontracting, the County Ethics Code would not prohibit a Board member from indirectly contracting with the County by serving as a subcontractor on an existing County contract where the board on which the member serves would not be involved in any aspect of the contract including its selection, oversight, or administration. *See* INQ 17-217 (County Ethics Code does not prohibit covered persons, through their privately owned companies, from **indirectly** contracting with the County by serving as a sub-contractor on an existing contract, as long as the contract or subcontract is not overseen or administered in any way with the department or board that the person is employed by or serves.). *See also* and INQ 11-20.

In this matter, you have agreed to certain limitations listed below:

- you will not seek to enter into any Country contracts or subcontracts in the areas covered by Council 15
- you will not appear before Council 15 on behalf of Electrical Masters or any of its clients
- you will not seek to enter into any contract or subcontracts overseen or administered by Council 15

Provided that you adhere to these limitations, the County Ethics Code permits you to enter into contracts or subcontracts with the County.

I have discussed this matter with our Executive Director who advises that other Miami-Dade Code Sections could apply in this case. Section 2-11.1(v) of the County Ethics Code prohibits a County board member from voting on a matter if he would be directly affected by the vote and he has an enumerated relationship with the entity before the board. For instance, if your company is a subcontractor of a contractor on a project outside of the Community Council 15 area, a voting conflict could occur if that contractor were to be involved separately in a project that came before your board. This conflict could occur even if your own company had no involvement in the project before your board. Further, if your company were to be involved as a subcontractor for a contractor whose projects regularly come before your board, it could create a “recurring” conflict under State law, Section 122.313(7), Florida Statutes. The existence of “recurring” conflicts might require that you resign from the Council. It is, therefore, strongly advised that, whenever a company with which your company has a contractual relationship is involved in a project before your board, you should seek an opinion from this agency concerning possible conflicts.

Section 2-11.1(m)(2) of the County Ethics Code prohibits a County board member from making presentations or seeking any benefits for herself or others from the board on which he serves. In addition, Miami-Dade Code Sec. 20-41(C) prohibits a member of a Community Council from appearing at **any** public hearings or meetings before the Board of County Commissioners or any other federal, state, or local board or tribunal, to advocate concerning any zoning application that was heard by, or that could reasonably be expected to be heard by **any** Community Council.

This opinion construes the Miami-Dade Conflict of Interest Ordinance and is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the Florida Commission on Ethics. It might be advisable for you to seek an opinion from the Florida Commission on Ethics because its provisions on conflicts of interest differ in some respects from those of the County Ordinance. If any of the facts you have presented change or if you have further questions, please feel free to contact me at 305 350-0638.

Sincerely,



Gilma Diaz-Greco  
Staff Attorney

INQ 17-266  
Page 2



## County Board Members Wishing to Register as County Vendors

Please submit the following information by mail, fax, or email to:

Gilma Diaz-Greco, Staff Attorney  
The Commission on Ethics and Public Trust  
19 West Flagler Street, Suite 820  
Miami, FL 33130

Phone: (305) 350-0638  
Fax: (305) 579-0273  
Email: [gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)

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Board Member's Name Johnny G Farias

Board Name Community Council District 15 Subarea 154

Board Member Title Councilmember

Business Name/Type of Business Electrical Masters Inc.

Board Member's Mailing Address PO Box 653223 Miami Fl. 33265-3223

Board Member's email electricalmasters@gmail.com

Do you have a **controlling financial interest** (10% or more) in a corporation, firm or entity that is seeking to contract with the County? Yes  No

If not, are you or any of your immediate family members **employed** by a County Vendor? Yes  No

Name of County Vendor \_\_\_\_\_

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The Miami-Dade County Conflict of Interest & Code of Ethics Ordinance Sec. 2-11.1 (c)(3) and (d) allows County Board Members who have a **controlling financial interest (10% or more)** in a corporation firm or entity to contract with the County in certain circumstances and if the following criteria are met: [See also Secs. 2-11.1 (m)(2),(v)]

1. I will not contract with any County agency or department subject to the regulation, oversight, management, policy-setting, or quasi-judicial authority of the board of which I am a member. See 2-11.1(c)(3) and (d).
2. I will not make a presentation or seek any benefits for myself or others from the board on which I serve. See 2-11.1(m)(2).
3. I will not vote on any matter if I will be directly affected by the vote and I have one of the enumerated relationships in Sec. 2-11.1(v) with the firm, corporation, or entity before the board.

I have read these requirements and pledge to abide by them.

Signature

Date

Nov 13, 2017



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Profit Corporation  
ELECTRICAL MASTERS, INC.

### Filing Information

<b>Document Number</b>	P96000093864
<b>FEI/EIN Number</b>	65-0719139
<b>Date Filed</b>	11/15/1996
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<b>Event Date Filed</b>	05/26/2011
<b>Event Effective Date</b>	NONE

### Principal Address

8400 SW 14TH STREET  
MIAMI, FL 33144

Changed: 10/08/2010

### Mailing Address

8400 SW 14TH STREET  
MIAMI, FL 33144

Changed: 10/08/2010

### Registered Agent Name & Address

RODRIGUEZ, OSVALDO SR.  
8400 S.W. 14TH STREET  
MIAMI, FL 33144

Name Changed: 09/30/2005

Address Changed: 10/08/2010

### Officer/Director Detail

#### **Name & Address**

Title PS

RODRIGUEZ, OSVALDO SR.  
8400 SW 14TH STREET  
MIAMI, FL 33144

**Title VP**

**RODRIGUEZ, OSVALDO JR.**  
**8400 SW 14TH STREET**  
**MIAMI, FL 33144**

**Title D/T**

**Farias, Johnny G**  
**8400 SW 14TH STREET**  
**MIAMI, FL 33144**

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2015	05/01/2015
2016	04/28/2016
2017	03/21/2017

**Document Images**

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Florida Department of State, Division of Corporations