

Walker, Ardyth (COE)

From: King-Allen, Irelene (CED) (305) 375-3434
Sent: Wednesday, March 02, 2005 1:14 PM
To: Walker, Ardyth (COE)
Cc: Finnie, Bryan (CED) (305) 375-3848; Hernandez, Jose A. (CED) (305) 375-3417
Subject: RE: Financial Disclosure

Thanks Ms. Walker for the expeditious response. I would like to provide you with some clarification in case you are not aware. I supervise the Buyer's position and that is the primary reason I am required to file. The Accountant 3 is the Fiscal Unit's supervisor and is responsible for maintaining the departmental budget under the leadership of the Administrative Services Division Director. Aside from this Division Director performing budget/fiscal related duties, other Division Directors are sometimes utilized as the Department Director's designee in his absence and in the absence of the Deputy Director. This is why those individuals are required by the Department to file.

I just wrote this for the record and your files. OCED is taking advantage of the stipulation that allows "a County department to create internal policies requiring that additional personnel such as division directors be required to file financial disclosure". Thanks again.



king-allen.inq from
Ardyth Wal...

3/2/05

-----Original Message-----

From: Walker, Ardyth (COE)
Sent: Wednesday, March 02, 2005 11:15 AM
To: King-Allen, Irelene (CED) (305) 375-3434
Subject: Financial Disclosure

Please call me if you have any further questions. << File: king-allen.inq.doc >>

Memo

To: Irelene King-Allen
Departmental Personnel Representative
Office of Community and Economic Development

From: Ardyth Walker
Staff General Counsel

Date: March 1, 2005

Re: INQUIRY 05-23

I received your request for an opinion regarding which employees in your department are required to file financial disclosure. In your request, you included a personnel list from the Office of Community and Economic Development. You indicated that the following persons should be required to file financial disclosure under state law and Section 2-11.1(i) of the Code of Miami-Dade County: the Department Director; the Deputy Director; Division Directors; Accountant 3; Sr. Human Resources Manager; Buyer and Assistant to the Director.

The Conflict of Interest and Code of Ethics ordinance provides that the following departmental personnel are required to file financial disclosure: Heads or Directors of County Departments and their assistant or deputy department heads. State law further provides that purchasing agents having the authority to make any purchase exceeding \$15,000 for any political subdivision of the state or any entity thereof including any person whose signature is required for such a purchase. Further, a county department may create internal policies requiring that additional personnel such as division directors may be required to file financial disclosure.

The persons listed in your memo as required to file financial disclosure fall within the categories listed in the state statute and the Conflict of Interest and Code of Ethics ordinance. The persons listed as not required to file do not fall within the categories enumerated in the Conflict of Interest and Code of Ethics ordinance. However, I cannot determine if the other employees fall within the definition of procurement

agent under state statute without reviewing their job descriptions. Under state law, a procurement agent is anyone having authority to commit public funds of 15, 000 or more. The persons listed as not having to file are exempt unless they fall within this category.

If you have additional questions, please call me at (306) 350-0616.