



FATED OW
4/21/06

April 21, 2006

Dear Mr. Perez,

In September of 2005 you asked whether there was a conflict of interest under the Miami-Dade Conflict of Interest and Code of Ethics Ordinance, if you, as employee of the Miami-Dade Corrections and Rehabilitation Department, sought a state grant for a guardian group home in which you are a 50% owner. You state that your group home will provide services to individuals who are in the Mentally Retarded Defendant Program. I advised you verbally that your fifty percent ownership of a group home applying for state funding would not violate the Code of Ethics Ordinance.

Recently, you asked my office for written confirmation of this finding. Therefore, the purpose of this letter is to supply you with correspondence that the abovementioned facts do not create a conflict of interest for you as a Miami-Dade County employee. You may apply for state funding and you may personally appear on behalf of this organization because such an appearance would not constitute an appearance before a County board or committee.

Finally, if you will be earning income from this group home, you must receive permission from the Corrections Department, as this activity would amount to outside employment, which requires County approval. Moreover, your share of the income that is generated would have to be reported as well. If you are not drawing a salary or receiving income from the group home, then the outside employment provisions do not apply.

If you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers
Executive Director

ETHICS COMMISSIONERS

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Robert H. Newman, Vice.Chairman
Gail A. Dotson
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Miami-Dade County Commission on Ethics and Public Trust

Fax

To: LOUIS PEREZ From: Prachelle Cerdano
Fax: 305 234 2039 Pages: 2
Phone: _____ Date: 4-20-06
Re: INQ 05-177 CC: _____

Urgent For Review Please Comment Please Reply Please Recycle

PLEASE SEE THE ATTACHED FOR YOUR REQUEST.

I WILL NOTIFY MR. MOYERAS THAT YOU ARE REQUESTING HIS RESPONSE TO BE FORMALLY WRITTEN UP, AND FAXED TO YOU AS SOON AS REASONABLY POSSIBLE. PLEASE CONTACT THE OFFICE IF YOU NEED ADDITIONAL ASSISTANCE.

PC

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Meyers, Robert (COE)

JNO 05-177

From: Meyers, Robert (COE)
Sent: Tuesday, November 01, 2005 9:52 AM
To: Meyers, Robert (COE)
Subject: Inquiry

Louis Perez faxed me a letter dated September 9, 2005 asking whether there is a conflict for him to seek a grant from the state for a guardian group home in which he is a 50% owner. Mr. Perez indicated that upon release from a program for mentally retarded persons, some may have the option of living in the group home. Mr. Perez works as an employee with the Miami-Dade Corrections and Rehabilitation Department. I advised Mr. Perez that his agency may apply for state funding and he may personally appear on behalf of this organization because he is not appearing before a County board or committee.

Robert Meyers
November 1, 2005

LOUIS S. PEREZ
11835 S.W.92 AVE.
MIAMI, FL. 33176
HM.# 305-255-3731
FAX.# 305-234-2039

09/10/05

ETHICS COMMISSIONERS.
THE MIAMI-DADE COUNTY
COMMISSION ON ETHICS AND
PUBLIC TRUST,
19 WEST FLAGLER ST. SUITE 207
MIAMI, FL 33130

RE: ADVISORY OPINION

(305) 300-4206 (cell)

BACKGROUND: I AM GAINFULLY EMPLOYED FULLTIME WITH THE MIAMI-DADE COUNTY, DEPARTMENT OF CORRECTIONS AND REHABILITATION AS A CORRECTIONAL OFFICER II.

I AM 50% OWNER OF A GUARDIAN GROUP HOME, INC.; A COMMUNITY-BASED RESIDENTIAL HABILITATION HOME, LICENSED BY THE AGENCY FOR PERSONS WITH DISABILITIES (APD), UNDER THE STATE OF FLORIDA.

NARRATIVE: I AM SEEKING AN ADVISORY OPINION AS TO WHETHER A GUARDIAN GROUP HOME, INC CAN RESPOND TO A REQUEST BY THE AGENCY FOR PERSONS WITH DISABILITIES (APD) TO PROVIDE HABILITATION SERVICES TO INDIVIDUALS OF THE MENTALLY RETARDED DEFENDANT PROGRAM.

PLEASE ALSO PROVIDE A RESPONSE TO THE ABOVE LISTED FAX NUMBER.

Yours truly,



Louis S. Perez

upon release of the
mentally retarded program