

Memorandum

To: Christopher Mazella
Inspector General

From: Michael P. Murawski
Ethics Commission Advocate

Date: September 29, 2010

Re: PHT's Request to DELL to provide Laptop computers for Board members

Chris:

I am in receipt of the memorandum from Peter Liu, your Contract Oversight Specialist dated September 21, 2010 regarding the above captioned matter.

Section 2-1.1(e)(2)(e) the Miami-Dade County Conflict of Interest and Code of Ethics ordinance entitled Gifts, (Exceptions) states, in pertinent part that:

(e) Gifts solicited by County [PHT] employees or departmental personnel on behalf of the County [PHT] in performance of their official duties for use solely by the County [PHT] in its official business; [shall not be considered a "gift"]

Accordingly, although it may cause "an appearance of impropriety", there is no prohibition under County ethics rules that would prohibit Mr. Martinez from soliciting DELL for computers so long as they were to be used solely by the PHT in its official business.

Cc:

Robert Meyers, Executive Director
Miami-Dade County Commission on Ethics

Patra Liu, Esq.
Inspector Generals Office

Peter Liu
Contract Oversight Specialist, OIG