



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

19 West Flagler Street, Suite 820 · Miami, Florida 33130
Phone: (305) 579-2594 · Facsimile: (305) 579-0273
Website: ethics.miamidade.gov

MEMORANDUM

TO: Salvador Rodriguez, 311 Call Center Specialist, Miami-Dade Communications Department

FROM: Gilma Diaz-Greco, Staff Attorney
Commission on Ethics

SUBJECT: INQ 19-112

DATE: 10-30-19

CC: All COE Legal Staff; Office of the Miami-Dade Commission Chair, Esteban L. Bovo, District 13; Victoria Goss, Training Coordinator, Neighbors and Neighbors Association

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding County employees applying for Mom and Pop Grants which are funded by Miami-Dade County.

Facts:

You are employed by the Miami-Dade County Communications Department (COM) as a 311 Call Center Specialist. You would like to apply for a Mom and Pop Grant for your privately-owned company, Maids On Call, Inc. ("MOCI"). Mom and Pop Grants are funded by Miami-Dade County. Neighbors and Neighbors Association, a not-for-profit organization, administers and makes recommendations regarding the Mom and Pop Grant applications; funds are distributed by the Commission offices of the 13 County Districts to businesses that meet the requirements of the grants. MOCI is applying for a Mom and Pop Grant funded through Miami-Dade Commission Chair, Esteban L. Bovo's District 13 Office.

Issue:

Whether the County Ethics Code would prevent your privately-owned company, MOCI, from accepting a Mom & Pop Grant.

Discussion and Opinion

Your inquiry involves several sections of the County Ethics Code which are analyzed below:

A. Outside Employment

Work conducted for MOCI, your privately-owned business, constitutes outside employment. The County Ethics Code prohibits County employees from engaging in conflicting outside employment. Conflicting employment is sometimes created when a County employee comes in contact with the same or similar people or entities in both his outside employment and in his County job or when he uses the same or similar resources in his outside employment as he uses in his County work. Also note that you may not use County time or resources in the performance of your outside employment. *See* County Ethics Code §§ 2-11.1 (g) and (j), Miami-Dade Code 2-11, and Administrative order 7-1.

Please note that this letter does not grant you permission to engage in outside employment. You must obtain permission to engage in outside employment yearly from your department Director. Given that you are a full-time employee, you **must also** file the related outside employment financial disclosure form, the Outside Employment Statement yearly.

B. Mom and Pop Grant

Once you have been granted permission to engage in outside employment, your company, MOCI may *accept the Mom and Pop Grant*, as long as the COM Department which employs you, is not involved in any way in processing or administering the grant. This includes the condition that you may not participate in determining or awarding the grant. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the grant in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. *See* County Ethics Code §§ 2-11.1 (c) and (n).

C. Lobbying

Additionally, you may not lobby the County. In this case, it means that you may not contact anyone within the County in an attempt to influence a decision about MOCI's application for a Mom and Pop Grant. *See* County Ethics Code §2-11.1 (m)(1).

D. Exploitation of Official Position

Finally, the County Ethics Code prohibits County employees from exploitation of their official position. This means that you may not use your County position to secure **special privileges or exemptions** with respect to participating in any grant program to which your company is applying. *See* County Ethics Code § 2-11.1(g).

This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, October 30, 2019 3:25 PM
To: Rodriguez, Salvador (COM)
Cc: Arrojo, Jose (COE); District 13; Victoria Goss; Murawski, Michael P. (COE); Perez, Martha D. (COE); Turay, Radia (COE); Sanchez, Rodzandra (COE); mabelle.anderson@miamidade.gov
Subject: INQ 19-112, Salvador Rodriguez, 311 Call Center Specialist, Miami-Dade Communications Dept. (Mom and Pop Grant- Limitation on transacting Business with the County)
Attachments: INQ 19-112 Rodriguez.pdf; Rodriguez Mom & Pop Op. applic..pdf; Maids on Call Inc. Fl. Sunbiz.pdf; Rodriguez, Salvador bluebook.pdf

Dear Mr. Rodriguez:

Thank-you for contacting the Miami-Dade Commission on Ethics and Public Trust, and seeking our guidance in connection with your applying for a County Mom and Pop Grant. Please find attached our opinion regarding this matter and supporting documentation.

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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Request for Opinion from Commission on Ethics Acquiring Financial Interest

I, Salvador Rodriguez, the owner or president of
(Owner or President Name)

Maidson call inc, whose business address is
(Business Name)

7455 NW 169 Ln Hialeah FL 33015
(Business Address, City, State, Zip)

786-419-5746 Salvador@Hotmail.com
(Phone #) (Email)

Include a short description of the type of business operating Home and
OFFICE Cleaning

Are you currently an employee or board member of any Miami Dade County Board?
Yes No

If yes, what Department or Board? Communication

If yes, are you seeking to contract with Miami Dade County? Yes No:

I am being considered for funding through the Mom and Pop Small Business Grant Program and request the clearance from the Commission on Ethics. Please review my request and forward to Neighbors And Neighbors Association, Inc. to the attention of Leroy Jones, Executive Director, 5120 NW 24th Ave Miami, FL 33142 or fax (305) 756-6008. Thank you in advance for your attention to this very important matter.

Chairman, Esteban L. Bovo Jr.
1490 West 68th Street Suite 101
Hialeah, FL 33014

This page must be completed.



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

Detail by Entity Name

Florida Profit Corporation
MAIDS ON CALL INC

Filing Information

| | |
|-----------------------------|--------------|
| Document Number | P13000021760 |
| FEI/EIN Number | 46-2242422 |
| Date Filed | 03/07/2013 |
| Effective Date | 03/01/2013 |
| State | FL |
| Status | ACTIVE |
| Last Event | AMENDMENT |
| Event Date Filed | 09/25/2017 |
| Event Effective Date | NONE |

Principal Address

7455 nw 169 ln
HIALEAH, FL 33015

Changed: 03/24/2018

Mailing Address

7455 nw 169 ln
HIALEAH, FL 33015

Changed: 03/24/2018

Registered Agent Name & Address

RODRIGUEZ, SALVADOR
7455 nw 169 ln
HIALEAH, FL 33015

Address Changed: 03/24/2018

Officer/Director Detail

Name & Address

Title P

RODRIGUEZ, SALVADOR
7455 nw 169 ln
HIALEAH, FL 33015

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Last Name

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| SALVADOR | RODRIGUEZ | 311 CALL CENTER SPEC | 203 | Salvador.Rodriguez@miamidade.gov | (305) 468-5967 |