

Meyers, Robert (COE)

JNO 06-17

From: Meyers, Robert (COE)
Sent: Thursday, February 09, 2006 11:23 AM
To: Martinez, Sheila (DBD) (305) 375-3151
Subject: RE: CSBE Advisory Board Member - Replacement...

Ms. Martinez,

Based on the information you have provided there appears to be a partial waiver of Section 2-11.1, but not a complete waiver for this Board. Having said that, there is no ethics provision that restricts the County from appointing a former employee to a board or committee.

If you have any additional questions, feel free to contact me at your convenience.

Thanks,

Robert Meyers

From: Martinez, Sheila (DBD) (305) 375-3151
Sent: Tuesday, February 07, 2006 12:16 PM
To: Hockman, Armond (DBD) (305) 375-3162; Thompson, Robert A. (COE)
Cc: Meyers, Robert (COE)
Subject: RE: CSBE Advisory Board Member - Replacement...

In order to assist in your review, please note, the ordinance number is 97-52; County Code 10-33.02. My understanding is that there is an exemption that deals with Conflicts of Interest as referenced below in red.

From the Code:

8. *Advisory board:* There is hereby created a Miami-Dade County Advisory Board for the CSBE Program. Board members shall be appointed by the Board of County Commissioners and shall consist of one (1) each of the following:
1. One (1) member from the list of recommended appointees submitted by the Allied Minority Contractor's Association, Inc.;
 2. One (1) member from the list of recommended appointees submitted by the South Florida Chapter of the Associated General Contractors of America;
 3. One (1) member from the list of recommended appointees submitted by the Association of Women Architects and Engineers;
 4. One (1) member from the list of recommended appointees submitted by the Black Business Association;
 5. One (1) member from the list of recommended appointees submitted by the Construction Association of Florida, Inc.;
 6. One (1) member from the list of recommended appointees submitted by the engineering Contractor's Association of South Florida, Inc.;
 7. One (1) member from the list of recommended appointees submitted by the Latin Builders' Association;
 8. One (1) member from the list of recommended appointees submitted by the Air Conditioning and Refrigeration Association, Inc.;
 9. One (1) member from the list of recommended appointees submitted by the Underground Contractors' Association of South Florida, Inc.;
 10. One (1) member from the list of recommended appointees submitted by the Association of Black Architects and Engineers;

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11. One (1) member from the list of recommended appointees submitted by the Contractor's Resource Center;
12. One (1) member from the list of recommended appointees submitted by the UPPAC;
13. A representative of the local bonding industry;
14. A representative of the local banking and financial industry; and
15. A certified CSBE.

The terms of each member shall be two (2) years. Members shall serve without compensation.

The advisory board is created for the purpose of providing general program oversight and assisting the Department of Business Development in tracking and monitoring the results and effectiveness of the CSBE Program. The advisory board shall not assume the Department of Business Development's administrative or other responsibilities. The advisory board may serve as liaison between program participants and the local businesscommunity, recommend additional program incentives, participate in the recruitment of prospective participant's for the CSBE program, and review and report on the program's progress. Within one (1) year after inception of the CSBE program, the advisory board shall recommend to the County Commission the maximum length of time a CSBE may participate in the program.

Sections 2-11.1(c) and (d) of the Conflict of Interest and Code of Ethics Ordinance of Miami-Dade County are waived for Advisory Board members for transactions arising from the exercise of those powers given the advisory board by this section.

From: Hockman, Armond (DBD) (305) 375-3162
Sent: Tuesday, February 07, 2006 7:05 AM
To: Thompson, Robert A. (COE)
Cc: Martinez, Sheila (DBD) (305) 375-3151
Subject: FW: CSBE Advisory Board Member - Replacement...

Dear Mr. Thompson,

As per discussed below (see below), I am trying to find out if an ex-employee of the County, previously serving as a Commission Aide, can now be appointed to the CSBE Advisory Board serving under the Latin Builders Association. Could you please review and let me know if there is any possible conflict?

Thanks so much,
Clay

From: McInnis, John (CAO)
Sent: Monday, February 06, 2006 3:44 PM
To: Hockman, Armond (DBD) (305) 375-3162
Subject: RE: CSBE Advisory Board Member - Replacement...

Armond,

There is no general prohibition. In the abstract, however, your inquiry may involve a question of conflict of interest. Ms. Leon should, therefore, contact the commission on ethics and public trust for a conflict of interest determination.

John McInnis
Assistant County Attorney
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Miami, FL 33128
jdm@miamidade.gov

305.375.5151

Secretary: Monica Broussard

2/9/2006

305.375.5743

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

From: Hockman, Armond (DBD) (305) 375-3162

Sent: Wednesday, February 01, 2006 9:24 AM

To: McInnis, John (CAO)

Cc: Martinez, Sheila (DBD) (305) 375-3151; Richards, Myrtle (DBD) (305) 375-3156

Subject: CSBE Advisory Board Member - Replacement...

Dear John McInnis,

The Community Small Business Enterprise (CSBE) Advisory Board is made up of 15 representatives and each is appointed by their respective association governed under County Ord. 97-52. However, the Latin Builders Association has requested to replace its existing board member with Christina M. Leon, who until recently (January 13, 2006) worked for the County as a Commission Aide under District 12. I just wanted to check with you to see if there are any rules preventing Ms. Leon from sitting on the CSBE Board. Please let me know as soon as you can.

Thanks so much,
Clay

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