



Via First Class Mail
and
email at mclellan@pegroup.com

March 8, 2010

ETHICS COMMISSIONERS

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Dawn E. Addy, VICE CHAIRPERSON
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Judge Seymour Gelber
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MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

Gregory S. McLellan
2171 Bay Court
Weston, FL 33326

**Re: INQ 10-50; No conflicts prevent payment for your services with the
County Search & Rescue Team**

Dear Mr. McLellan:

In correspondence to our office on March 5, 2010, you asked if any ethics conflicts prevent you from receiving payment for your disaster relief services in Haiti following the January 2010 earthquake.

As a structural engineer, you respond to natural and man-made disasters by working, when called, with the Miami-Dade County Fire Rescue "Urban Search & Rescue" Team. Funds for your services are provided by FEMA, but payment is administered by the Miami-Dade County Fire Rescue Department.

Your wife, Carmen McLellan, is employed by the Miami-Dade County Police Department as an investigative specialist.

It is the opinion of the Ethics Commission staff that no ethics conflicts exist, based on the facts you have presented, as long as any contract you have with the Fire Rescue Department does not interfere with the full and faithful discharge of your wife's duties to the County. This includes the condition that Carmen McLellan not participate in determining the contract requirements or in awarding the contract. Additionally, none of Carmen McLellan's job responsibilities and job descriptions may require her to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination, or forbearance. Finally, Carmen McLellan may not work in any County department that will enforce, oversee, or administer the contract. In other words, as long as Carmen McLellan is employed by the Police Department, you may not enter into any contracts with the Police Department.

If any of the facts you have presented change, or if you have further questions, please do not hesitate to contact me at 305 350-0601.

Sincerely,

VICTORIA FRIGO
Staff Attorney

copies: Gina Drakes (MDFR) at ggong@miamidade.gov
Carmen McLellan (MPD) at Q309128@miamidade.gov