

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Monday, August 08, 2011 12:15 PM  
**To:** 'Alex\_Reines87@yahoo.com'  
**Cc:** Hernandez, Christopher (MDPR); Singer, Miriam (DPM); Ramos, Miriam S. (COE)  
**Subject:** Employment Conflicts (INQ 11-121)  
**Attachments:** Request\_Outside\_Emp\_rev 2011.pdf; Outside\_Employment\_Statement\_rev\_2010.pdf

Mr. Reines,

As we discussed last week, you have recently been hired by Miami-Dade County Parks & Recreation Department. Your privately owned company, All Fun-N-Games Party, Inc., is registered as a County vendor. Prior to your employment with Miami-Dade County, your privately owned company did business with the Parks & Recreation Department. *This contractual relationship is not permitted under the Miami-Dade County Ethics Code.* Based on the facts you presented, additional restrictions also apply.

### OUTSIDE EMPLOYMENT:

If you wish to do business through your private company with *any* entity (not limited to the County) or if you wish to be employed by an entity *other* than the County, you must first seek permission from your supervisor to engage in outside employment. Your supervisor has complete discretion to approve or disapprove of your outside employment. Denial to engage in outside employment could be based on any number of reasons, including but not limited to the belief that your outside employment may conflict with your duties to the County. Attached is a Request for Outside Employment form that must be completed annually before you are employed or engage in self-employment outside of your County job. Also attached is a financial statement that must be filed annually. See County Code at Secs. 2-11.1 (j) & k).

### COUNTY EMPLOYEE-VENDOR CONFLICT:

If your supervisor allows you to engage in outside employment and your privately owned company has been approved as a County vendor, you may do business with the County, *but not with the County Department that employs you.* You may attempt to seek a waiver of this prohibition from the Board of County Commissioners in public session, but, as we discussed, waivers are rarely given except for extraordinary circumstances. See County Code at Secs. 2-11.1 (c) (2) & (4).

You asked if you may overcome this prohibition by selling your private company to a non-family member and becoming an employee of the company with less than a 10% financial interest in the company. This scenario would not violate the Ethics Code. However, be advised that the Ethics Commission has authority to investigate such arrangements to ensure that a valid transfer has occurred. Employees found guilty of violating the Ethics Code are subject to fines, investigative costs, restitution, and further prosecution by the State Attorney in State Court. See County Code at Sec. 2-11.1 (cc).

Please feel free to contact me if you have additional questions.

Sincerely,

**VICTORIA FRIGO, STAFF ATTORNEY**  
MIAMI-DADE COUNTY COMMISSION ON ETHICS  
DIRECT PHONE: 305 350-0601  
FAX: 305 579-0273



19 WEST FLAGLER ST., SUITE 820  
MIAMI, FL 33130

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TO:

Alexander Reines, New Parks & Recreation Employee

786 366-6686

COPIES:

Supervisor: Christopher Hernandez, Mgr III, Carandon Park

Miriam Singer, Director, Dept. of Procurement Management

Miriam Ramos, Deputy Advocate, Commission on Ethics