

Frigo, Victoria (COE)

From: Ramos, Miriam S. (COE)
Sent: Sunday, January 20, 2013 2:41 PM
To: Javier L. Vazquez
Cc: Centorino, Joseph (COE); Frigo, Victoria (COE)
Subject: Re: INQ 13--07

As I explained during our conversation a few minutes ago, our reading of both sections is that recusal cures the conflict, should a member of your firm appear before the MDX board on behalf of a client.

If you have any further questions, please do not hesitate to call me.

Best,

Miriam

Sent from my iPad

On Jan 20, 2013, at 12:04 PM, "Javier L. Vazquez" <JVazquez@bergersingerman.com> wrote:

> My read of the first of the 2 sections you sent me is an outright prohibition Recusal in a firm client matter before the board would not be enough.

> Call me when you have a moment

>

> Sent from my iPhone

>

> On Jan 20, 2013, at 10:08 AM, "Ramos, Miriam S. (COE)" <MSRAMOS@miamidade.gov> wrote:

>

>> Sure. Send me your number & I'll call you later today.

>>

>> Sent from my iPhone please excuse typos.

>>

>>

>> On Jan 19, 2013, at 1:53 PM, "Javier L. Vazquez" <JVazquez@bergersingerman.com> wrote:

>>

>>> Please advise if you are available for a quick question during the

>>> weekend

>>>

>>> Javier

>>>

>>> Sent from my iPhone

>>>

>>> On Jan 18, 2013, at 3:42 PM, "Ramos, Miriam S. (COE)" <MSRAMOS@miamidade.gov> wrote:

>>>

>>>> Dear Mr. Vazquez -

>>>>

>>>> As we discussed, I do not see a problem generally with you serving

>>>> on the MDX Board. I do ask that you familiarize yourself with the
>>>> following sections of the Miami-Dade Conflict of Interest Code.
>>>>
>>>> Sec. 2-11.1(m)(2), "No person included in Subsections (b)(2), (3)
>>>> and
>>>> (4) [autonomous personnel, quasi-judicial personnel and advisory
>>>> personnel] shall appear before the County board or agency on which
>>>> he or she serves, either directly or through an associate, and make
>>>> a presentation on behalf of a third person with respect to any
>>>> license, contract, certificate, ruling, decision, opinion, rate
>>>> schedule, franchise, or other benefit sought by the third person.
>>>> Nor shall such person receive compensation, directly or indirectly
>>>> or in any form, for services rendered to a third party, who has
>>>> applied for or is seeking some benefit from the County board or
>>>> agency on which such person serves, in connection with the particular benefit by the third party.
>>>> Nor shall such person appear in any court or before any
>>>> administrative tribunal as counsel or legal advisory to a third
>>>> party who seeks legal relief from the County board or agency on
>>>> which such person serves through the suit in question."

>>>>
>>>> Sec. 2-11.1(v), "No person included in the terms defined in
>>>> Subsections
>>>> (b)(3) (quasi-judicial personnel) and (b)(4) (advisory personnel)
>>>> shall vote on any matter presented to an advisory board or
>>>> quasi-judicial board on which the person sits if the board member
>>>> will be directly affected by the action of the board on which the
>>>> member serves, and the board member has any of the following
>>>> relationships with any of the persons or entities appearing before
>>>> the board: (i) officer, director, partner, of counsel, consultant,
>>>> employee, fiduciary or beneficiary; or
>>>> (ii) stockholder, bondholder, debtor or creditor."

>>>> If, during your service on the board, you ever come across a
>>>> particular scenario and are unsure as to whether you may vote,
>>>> etc., please submit a request for opinion to my office.

>>>> Sincerely,
>>>>
>>>> Miriam S. Ramos, Esq.
>>>> Deputy General Counsel
>>>>
>>>> Miami-Dade County Commission on Ethics
>>>> 19 W. Flagler Street, #820
>>>> Miami, FL 33130
>>>> 305-350-0656 direct dial
>>>> 305-579-0273 fax
>>>> www.miamidadeethics.com

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>>>> The Miami-Dade County Commission on Ethics & Public Trust is a
>>>> public agency subject to Chapter 119, Florida Statutes, concerning
>>>> public records. E-mail messages are covered under such law and
>>>> thus subject to disclosure.

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>>>> -----Original Message-----
>>>> From: Javier L. Vazquez [mailto:JVazquez@bergersingerman.com]
>>>> Sent: Friday, January 18, 2013 12:14 PM
>>>> To: Ramos, Miriam S. (COE)
>>>> Cc: Milaidy Davila
>>>> Subject: MDX Bd Nomination

>>>>

>>>> Dear Ms. Ramos:

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>>>> My name has been nominated for County Commission consideration and
>>>> appointment to the MDX board of directors. Before committing to
>>>> this engagement, in the event I am appointed, I am reaching out to
>>>> you to discuss the ethical/conflict considerations that such
>>>> participation may cause me and/or my firm. My concern is not to
>>>> expose or compromise the firm with such engagement. While I assume
>>>> there will be no such problems, It is my obligation to make sure.
>>>> Your guidance in further discussing this matter with me or direct
>>>> me to the appropriate person at ethics commission is greatly
>>>> appreciated. I look forward to hearing from you soon

>>>>

>>>> Javier L Vazquez , Esq
>>>> 305-714-4378

>>>>

>>>> Sent from my iPhone

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