

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, July 16, 2013 1:59 PM
To: Fiano, Theresa (OMB)
Cc: Wall, Daniel (OMB); Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Post-employment conflicts (INQ 13-176)

Ms. Fiaño,

Although the County Ethics Code generally prohibits former County employees from lobbying the County for two years following their departure from County employment, this post-employment ban does not apply to former County personnel who subsequently become employed by 501(c)(3) nonprofit organizations, governmental entities, or educational institutions. *See* the County Code at Sec. 2-11.1 (q).

Consequently, a former County employee currently employed by Dream in Green, Inc., may lobbying County personnel on behalf of Dream in Green because Dream in Green was incorporated as a Florida nonprofit corporation in 2006 and has been recognized as a tax-exempt 501(c)(3) nonprofit organization under the Internal Revenue Code.

Be advised, however, that *all* former County employees are prohibited from *ever* disclosing confidential information garnered through their official positions with the County—regardless of where they are employed subsequently. *See* the County Code at Sec. 2-11.1 (h).

If you have additional questions, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

Direct Phone: 305 350-0601
Main Number: 305 579-2594
Fax: 305 579-0273



19 West Flagler St., Suite 820
Miami, FL 33130

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Fiano, Theresa (OMB)
Sent: Tuesday, July 16, 2013 12:26 PM
To: Frigo, Victoria (COE)
Cc: Wall, Daniel (OMB)
Subject: FW: Potential Conflict of Interest
Importance: High

Hello Ms. Frigo: Can you please see my e-mail question below to our Assistant County Attorney who referred me to your office. Thanks for your assistance.

Theresa Fiaño
Office of Management and Budget
Grants Coordination

111 NW 1st Street, 19th Floor
Miami, FL 33128
(305) 375-4742
(305) 375-4454 FAX
fianot@miamidade.gov

www.miamidade.gov/OMB/home.asp

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From: Resnik, Estephanie (CAO)
Sent: Tuesday, July 16, 2013 11:50 AM
To: Fiano, Theresa (OMB)
Cc: Wall, Daniel (OMB)
Subject: RE: Potential Conflict of Interest

Hello Theresa, I believe conflict of interest questions under county code come within the purview of the Miami-Dade Ethics Commission. Here is a link to the Ethics Commission's contact info page. <http://ethics.miamidade.gov/contact.asp>

From: Fiano, Theresa (OMB)
Sent: Tuesday, July 16, 2013 11:44 AM
To: Resnik, Estephanie (CAO)
Cc: Wall, Daniel (OMB)
Subject: Potential Conflict of Interest

Hello Estephanie: Yesterday I facilitated the Pre-proposal conference for potential applicants to RFP No. 1013 Environmental Education for CBOs. Maggie Fernandez, a former County employee (Office of Sustainability) and now an employee for a local non-profit Dream in Green was in attendance and is the grant writer who will be applying for that organization. Employees from the funding department RER-DERM felt this might be a conflict of interest as she recently left county employment. I have no idea when she left or if County policy applies only to lobbying. Your opinion?

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Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, July 16, 2013 4:31 PM
To: Fiano, Theresa (OMB)
Subject: RE: Post-employment conflicts (INQ 13-176)

Ms. Fiaño,

Paid "consultants" as well as individuals "employed" by the nonprofit are exempt from the two-year lobbying prohibition.

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From: Fiano, Theresa (OMB)
Sent: Tuesday, July 16, 2013 2:05 PM
To: Frigo, Victoria (COE)
Subject: RE: Post-employment conflicts (INQ 13-176)

Ms. Frigo: Just one more question. What if Ms. Fernandez is a consultant and not an employee of the not-for-profit?

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