



Via First Class Mail
and
email at rafa123@bellsouth.net

March 6, 2013

ETHICS COMMISSIONERS

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ADVOCATE

MIRIAM S. RAMOS
DEPUTY GENERAL COUNSEL

Rafael A. Rodriguez, President
Milestone Services, Inc.
5340 SW 153 Court
Miami, FL 33185

Re: **REVISED** INQ 13-51, Mom & Pop Grant

Dear Mr. Rodriguez:

You asked if the County Ethics Code would prevent your privately owned company, Milestone Services, Inc., from accepting a Mom & Pop Grant provided through Commissioner Juan C. Zapata's District 11 Office in light of your contract to serve as a Hearing Examiner with the Miami-Dade County Clerk of the Courts.

Briefly, your company is not prohibited from accepting a grant under the County Ethics Code because your contract with the Clerk of the Courts has not been designated by the Mayor as one that must comport with the County Ethics Code. See the County Code at Sec. 2-11.1 (b)(13).

The advice provided to you earlier is recommended, but it is not compulsory. This means that since the Clerk of the Courts Department is not involved in any way in processing or administering the grant, there is little likelihood of an appearance of impropriety for you to apply for and/or accept the grant. Similarly, in light of your contractual relationship with the County, it is not mandatory but would be prudent for you to avoid making a presentation or appearing before any County department or board, including Commissioner Zapata, his staff or anyone or any entity he has designated to process or administer the grant.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics Ordinance only and is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me if I can be of further assistance.

Sincerely,


VICTORIA FRIGO
Senior Staff Attorney

Copy: Leroy Jones, Executive Director
Neighbors & Neighbors Association, Inc.
180 NW 62nd St.
Miami, FL 33150
Fax 305 756-6008