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## ETHICS COMMISSIONERS

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March 21, 2013

Angela Kemp  
Amazing Budget Bouncers Party Rentals, Inc.  
3271 NW 178<sup>th</sup> Street  
Miami Gardens, FL 33056

Re: INQ 13-68, Limitations on Doing Business with the County

Dear Ms. Kemp:

**Amazing Budget Bouncers Party Rentals, Inc., may enter into contracts with Miami-Dade County but not with the Miami-Dade County Corrections and Rehabilitation Department.**

This opinion is based on the following facts and legal analysis:

On March 12, 2013, you asked about limitations in doing business with the County through your privately owned company, Amazing Budget Bouncers Party Rentals, Inc. You are employed as a correctional sergeant working in the Food Service Administration Bureau at the Miami-Dade County Corrections & Rehabilitation Department. Your spouse, Frank Kemp, is employed as a correctional corporal at the Miami-Dade County Corrections & Rehabilitation Department.

### OUTSIDE EMPLOYMENT

You have provided proof that permission has been granted to you to engage in outside employment as the owner of a party rental equipment company. Similarly, Mr. Kemp works with you in the party rental equipment business, and he has been granted permission to engage in outside employment as well.

Conflicting employment is sometimes created when a County employee comes in contact with the same or similar people or entities in both her outside employment and in her County job or when she uses the same or similar resources in her outside employment as she uses in her County work. *See* the County Code at Secs. 2-11.1 (g) and (j).

### CONTRACTING WITH THE COUNTY

Having been granted permission to engage in outside employment, you may enter into a County contract through your privately owned company, Amazing Budget Bouncers Party Rentals, Inc., as long as the contract does not interfere

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***This letter does not grant you permission to engage in outside employment.*** You must obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year.

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with the full and faithful discharge of your or Mr. Kemp's duties to the County. See the County Ethics Code at Secs. 2-11.1 (c)(2) and (d).

This includes the condition that you and Mr. Kemp may not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require either of you to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance.

Finally, neither you nor Mr. Kemp may work in any County department that would enforce, oversee or administer this contract. Consequently, Amazing Budget Bouncers Party Rentals, Inc., may not enter into contracts with the Miami-Dade County Corrections and Rehabilitation Department.

#### LOBBYING

Additionally, neither you nor Mr. Kemp may lobby the County. In this case, neither of you may contact anyone within the County in an attempt to influence a decision about the contract you are seeking. See the County Ethics Code at Sec. 2-11.1 (m)(1).

This opinion construes the Miami-Dade County Ethics Code as it applies to County employee-vendors at Secs. 2-11.1 (c)(1) and (m)(1) only. It is not applicable to any conflicts under other sections of the County Code or to issues related to state or federal laws.

If any of the facts you have presented change or if you have further questions, please feel free to contact me at 305 350-0601.

Sincerely,

  
VICTORIA FRIGO  
Staff Attorney