
Subject: INQ 15-111 Monica Vignes-Pitan Selection Commikttee member, Homeless Trust
Voting Conflict (v)

From: Centorino, Joseph (COE)
Sent: Tuesday, June 09, 2015 1:55 PM
To: Sarria, Manuel (HT)
Cc: Diaz-Greco, Gilma M. (COE)
Subject: INQ Monica Vignes-Pitan Selection Commikttee member, Homeless Trust Voting Conflict (v)

Mr. Sarria,

You have inquired on behalf of Monica Vignes-Pitan, a member of a selection committee at the Homeless Trust, regarding whether she may have a voting conflict of interest on a pending RFP. One of the respondents has been connected to her employer, Legal Services, as both a client and a defendant in a legal matter brought by the agency. It is my understanding that Ms. Vignes-Pitan has not been involved personally in any legal matter involving the respondent. Based on what you have provided, I will also assume, for the purpose of this inquiry, that the outcome of the RFP will not have any direct effect on her, either at Legal Services or otherwise.

Voting Conflicts of interest for advisory board members, which include Ms. Vignes-Pitan, fall under Section 2-11.1(v) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance. For an advisory board member to have a voting conflict of interest, the member must be directly affected by the action of the board on which she serves and also have one of the following relationships with the person or entity appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor or creditor. It appears that, under the first prong of this analysis, Ms. Vignes-Pitan is not directly affected by the issue, even if, in the broadest interpretation of the second prong, her employer may have had an attorney/client relationship with the respondent. I do not believe that there is a voting conflict of interest created by these circumstances that would legally prohibit Ms. Vignes-Pitan from voting or participating in this matter under the Miami-Dade County Code.

However, based upon what information you have provided, there may be an issue of legal ethics involved in this matter. This agency does not have jurisdiction over such issues, which fall within the purview of the Florida Bar. If Ms. Vignes-Pitan is concerned that she may have such an issue, then she should speak with someone at the Florida Bar concerning it. Further, if Ms. Vignes-Pitan feels that her knowledge of the respondent's activities gained through her employer's interaction with it would prevent her from fairly and objectively exercising independent judgment in the matter, she should consider voluntarily recusing herself from the committee.

Sincerely,

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust

From: Sarria, Manuel (HT)
Sent: Tuesday, June 09, 2015 10:01 AM
To: Centorino, Joseph (COE)

Subject: RFP Ethics Question

Importance: High

Good morning Joseph, I hope this email finds you well.

We (Homeless Trust), have a Selection Committee reviewing an RFP - today. This morning, one of the members, Monica Vignes-Pitan from Legal Services reported a potential conflict. She said her agency has both represented one of the respondents to the RFA, and taken legal action against them; she personally has not been involved in either representing or suing them. Legal Services has a branch that reviews Tax Credit applications; while they haven't charged for this service, they have reviewed the respondent's tax credit application for content and provided an opinion. They also have represented tenants residing in the respondents building, suing the respondent for wrongful eviction.

I spoke to Terrance Smith at the CAO and he thought she should go on record with her conflict, and he asked that I get an opinion from the Ethics Commission.

Please call me at your earliest convenience (305)546-4427 mobile,

Manny Sarria, Deputy Director

Miami-Dade County Homeless Trust

111 N.W. 1st Street, 27th Floor, Miami, Florida 33128

305.375.5739 Office 305.375.2722 Fax

www.miamidade.gov

If you or someone you know is Homeless or about to become homeless, please call the Homeless Helpline at 1-877-994-HELP. If you are seeking affordable housing, or additional information, please visit us on the Web at www.miamidade.gov/homeless.

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