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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, July 15, 2015 11:36 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Luis Rodriguez, Part owner, Moonstone Investigations LLC (2-year rule) INQ 15-152

INQ 15-152 Rodriguez

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**From:** Centorino, Joseph (COE)  
**Sent:** Wednesday, July 15, 2015 11:30 AM  
**To:** 'lrodriguez'  
**Cc:** krosario@moonstonellc.net; Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)  
**Subject:** INQ 15-152 Luis Rodriguez, Part owner, Moonstone Investigations LLC (2-year rule)

Mr. Rodriguez:

Your second inquiry is whether your company, Moonstone Investigations, LLC, which is owned by you together with Kennedy Rosario and Noel Varela, may become certified as a Community Small Business Enterprise (CSBE) or a Minority Business Enterprise (MBE), in consideration of the fact that all three of you, the owners of the company, are former County employees. Please be advised that there is no prohibition under the Miami-Dade County Code of Ethics for a former employee to be affiliated with an applicant for a County contract as an owner or employee. However, the 2-year rule under Section 2-11.1(q) would apply to both you and Mr. Varela, who are within the two-year period from your respective County positions. Accordingly, neither you nor Mr. Varela may engage in any lobbying activity, i.e., activity intended to influence any County decision at any level, regardless of whether the determination will foreseeably be made by any of the County's commissions, boards, committees or the mayor (*See RQO 12-09*). In this regard, I suggest that you and Mr. Varela remain in a passive posture throughout any application process, and that you not participate in any discussions or meetings regarding the approval process, or sign or any correspondence to the County to influence the decision on the application. Mr. Rosario, on the other hand, is no longer covered under the 2-year rule since it has been more than two years since his separation from County service. Therefore, he may participate in such discussions or meetings or conduct lobbying on behalf of your company, provided that he complies with the requirements for lobbyist registration and ethics training pursuant to Section 2-11.1(s)(2) of the Code.

Sincerely,

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

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**From:** lrodriguez [<mailto:lrodriguez@moonstonellc.net>]  
**Sent:** Wednesday, July 15, 2015 10:55 AM  
**To:** Centorino, Joseph (COE)  
**Cc:** [krosario@moonstonellc.net](mailto:krosario@moonstonellc.net)  
**Subject:** Re: INQ 15-147 Luis Rodriguez, Part owner, Moonstone Investigations LLC

Good morning Mr. Centorino,

Thank you for the prompt response. As part owner of Moonstone Investigations, LLC, I am also requesting an opinion from the Miami-Dade Commission on Ethics and Public Trust regarding the participation of our firm in Miami-Dade Internal Services Department's Small Business Development (SBD). We are seeking to become

certified as a Community Small Business Enterprise (CSBE) or a Minority Business Enterprise (MBE) and we want to ensure our participation in the program does not violate the Conflict of Interest and Code of Ethics ordinance.

The SBD Certification application (Section K) requires an opinion from your office prior to awarding certification to a firm whose owners are current or former Miami-Dade county employees. Moonstone Investigations, LLC, ownership is comprised of myself, Kennedy Rosario and Noel Varela. We are all retired Miami-Dade Police Department employees. Kennedy Rosario is also a former employee of the Miami-Dade Commission on Ethics and Public Trust. Your attention to this matter will be greatly appreciated.

Sincerely,

Luis Rodriguez

On July 10, 2015 at 4:36 PM "Centorino, Joseph (COE)" <[CENTORI@miamidade.gov](mailto:CENTORI@miamidade.gov)> wrote:

Mr. Rodriguez:

You have inquired regarding whether there would be a prohibited conflict of interest created for your company, Moonstone Investigations, LLC, to be involved in a partnership with a County vendor, Allied Security, in connection with pursuit of a contract with Miami-Dade County for armed and unarmed Security Guard Services. Your company would act as a Small Business Enterprise subcontractor to enable the prime contractor to meet required SBE participation goals set by the County. The inquiry is made in light of the position held by your wife, Orquidea Rodriguez, as Budget Manager in the Miami-Dade County Auditor's Office.

It is not clear from your inquiry whether you will be a contracting party the County or actually transacting business with the County, but I will assume for the purposes of the inquiry that you are contracting or transacting business with the County. As such, you and your wife would be subject to Section 2-11.1(c) and Section 2-11.1(d) of the County Ethics Code on this matter. Section 2-11.1(c)(4) requires that you seek an opinion from this agency in connection with this issue. Section 2-11.1(d) would create a possible conflict where a County employee or immediate family member of the employee is entering into a contract or transacting business with the County through a firm, corporation, partnership or business entity in which the employee or the immediate family member has a controlling financial interest, defined in Section 2-11.1 as 10% or more. While you did not specify the extent of your personal interest, it would appear from the facts you have provided that you do have a controlling financial interest in Moonstone Investigations, LLC.

Section 2-11.1(d), however, indicates that all of the provisions of Section 2-11.1(c) are incorporated therein. Section 2-11.1(c)(2) would permit a contract or transaction of business under these circumstances provided that the employee involved does not work in the County department which will enforce, oversee or administer the contract. In the given circumstances, your wife is employed in the BCC Auditor's office, not ISD, which is the department which is involved in this contract. Therefore, I have concluded that your company may participate in this contract. However, I would add that where your wife is employed in a department which has general oversight duties in connection with the County budget, that she avoid any involvement in any discussion or other action regarding the ISD budget if it would in any way relate to or affect this contract.

Sincerely,

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

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**From:** Irodriguez [<mailto:lrodriguez@moonstonellc.net>]  
**Sent:** Thursday, July 09, 2015 2:16 PM  
**To:** Centorino, Joseph (COE)  
**Cc:** krosario@moonstonellc  
**Subject:** Request For Opinion

Good afternoon Mr. Centorino,

Moonstone Investigations LLC is a Florida corporation duly licensed as an Investigative Agency (Class A) and its shareholders are all former, and now retired, Miami-Dade County employees.

Moonstone Investigations LLC (MSI) is considering a partnership with an established County vendor, namely Allied Security, in pursuit of a security guard services contract scheduled to be procured in the second half of 2015.

The partnership would come in the form of MSI acting as a Small Business Enterprise subcontractor to one of the competitors responding to the Solicitation. The Solicitation is for armed and unarmed Security Guard services, throughout Miami Dade County, MD Internal Services Department is the primary user agency. The services in question are currently being provided under County Contract # 487B.

The proposed prime-sub relationship would allow the prime contractor to meet any required SBE participation goals established by the County, for said procurement. The relationship would further allow for Moonstone to receive mentorship under an (abundantly) experienced government contractor. The mentorship would include guidance on all facets of the security business.

My spouse, Orquidea Rodriguez, is currently the Miami-Dade County BCC Auditor's Office Budget Manager.

The MSI Vendor Registration Application requires an Affidavit from the Ethics Commission opining if the position held by my spouse is a conflict.

It is my understanding that my spouse's current MD County position has no direct input as to the awarding and subsequent management of the Security Guard contract.

My spouse holds no position, either as a shareholder, consultant or employee, with MSI.

Secondly, MSI has three Shareholders as of, July 9, 2015, myself, Noel Varela and are still within two years since our respective retirement dates. The third shareholder, Kennedy Rosario, retired from the MD COE in November 2012 and thus can apply as a Principal Lobbyist for the purposes of presenting our proposal before a County agency/board.

If more information is needed please contact MSI Managing Director Kennedy Rosario at [krosario@moonstonellc.net](mailto:krosario@moonstonellc.net) or directly at 754-264-4190.

Thank you,

Luis O. Rodriguez

