
From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, April 06, 2015 9:31 AM
To: Sanchez, Rodzandra (COE)
Subject: Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses) INQ 15-57

INQ 15-57 Nares

From: Nares, Dimitrios (RER)
Sent: Friday, April 03, 2015 5:13 PM
To: Centorino, Joseph (COE)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE); Salomon, Leland (RER)
Subject: RE: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Understood. Thank you very much and have a great weekend.

From: Centorino, Joseph (COE)
Sent: Friday, April 03, 2015 5:13 PM
To: Nares, Dimitrios (RER)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE); Salomon, Leland (RER)
Subject: RE: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Mr. Nares:

The prohibition extends only to County officials and employees. It does not include private sector participants. Any portion of an expenditure by a County contractor or vendor should not be used to fund travel expenses or expenses incidental to travel by County officials and employees. As long as their activities are funded separately from activities by the private sector participants, there should not be a problem. It would require a good faith attempt to apportion the costs attributable to their expenses from a separate source.

Joe Centorino

From: Nares, Dimitrios (RER)
Sent: Friday, April 03, 2015 5:02 PM
To: Centorino, Joseph (COE)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE); Salomon, Leland (RER)
Subject: RE: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Hello Mr. Centorino.

Thank you for the copy of the recent opinion and the clarification. But, this only addresses additional types of incidental expenses **for County officials and staff**. As I previously mentioned, many of our incidental expenses relating to our missions are for the entire delegation which, in addition to County officials and staff, includes local private sector business participants as well as business people, officials, and representatives from the foreign countries we visit. County officials and staff may make up 10 – 20% of the total attendees of our mission related activities.

Is it fair to assume, then, that we can use said sponsorship revenue to pay for the incidental expenses of non-County officials and staff? For example, if we have 4 County officials/ staff participating in one of our business networking lunch receptions for 40 persons or pay for ground transportation for 40 persons including our 4 County officials/ staff, could we then use the funds to pay for 36/ 40 of the total costs of these activities?

Please provide clarification on this point as well.

Regards,

Jimmy Nares

From: Centorino, Joseph (COE)
Sent: Friday, April 03, 2015 4:05 PM
To: Nares, Dimitrios (RER)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE); Salomon, Leland (RER)
Subject: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Mr. Nares,

I have attached a recent opinion issued by the Commission on Ethics, RQO 15-02, which addresses the prohibition in Section 2-11.1(w) of the Ethics Code and provides the minimum requirements for a waiver.

Section 2-11.1(w) prohibits not only travel expenses from County contractors, vendors, service providers, bidders or proposers, but also any incidental expenses that may be related to travel by County officials or employees, such as ground transportation, food or lodging. Also, the prohibition extends to both direct and indirect acceptance of such expenses. So if a County vendor were to provide funds through another organization that then funded either travel or travel-related expenses by a County official or employee, this prohibition would cover such an instance, unless there were to be a waiver of the prohibition pursuant to Section 2-11.1(w) and RQO 15-02.

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

From: Nares, Dimitrios (RER)
Sent: Thursday, April 02, 2015 11:30 AM
To: Centorino, Joseph (COE)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE); Salomon, Leland (RER)
Subject: RE: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Good morning Mr. Centorino:

As we are preparing for another outbound business development mission in June and are soliciting sponsors for the mission, I would like to ask you a follow up question regarding the use of funds earmarked as sponsorship revenue received from registered County vendors, contractors, service providers, bidders or proposers.

In your last opinion (below), you indicated that said funds could not be used to pay for travel or travel-related expenses incurred by a County official or employee, but could be used for administrative or other appropriate expenses incurred by Trade Mission Center of the Americas (501 c3 non-profit).

First, I would like provide clarification about your reference and assumption that the only intended (or originally intended) purpose of the funds is to cover travel expenses for County officials. This is not the case. Revenue received from sponsors is used to offset **all** of our mission related costs, which also includes paying for **networking luncheons and receptions** attended by local (Miami-Dade County) business participants, foreign officials and representatives of foreign economic development organizations, and business people of the country being visited in addition to County officials/ staff. Generally, County officials and staff make up a small percentage of the total number of attendees of such networking receptions (perhaps 4-5 people out of 40 or so). Other mission related costs may include **ground transportation** for the group (usually around 20 people including 3-4 County officials/ staff), **room rentals and equipment rentals for our branding seminars/ presentations, and translation/ interpreting services.**

My question to you then if said sponsorship revenue can be used to pay for the mission related expenses (listed immediately above) excluding any portion of the costs that would be associated with County officials/ County staff. Would these be considered “administrative or other appropriate expenses”?

I am also providing you with the attached sponsorship flyer for additional information.

Thank you again for your opinions regarding this matter.

Regards,

Jimmy Nares
Chief
Economic Development and International Trade Unit (EDIT)
Department of Regulatory and Economic Resources (RER)
Miami-Dade County
111 NW 1st Street, 12th Floor
Miami, FL 33128
(305) 375-4626
nares@miamidade.gov

From: Centorino, Joseph (COE)
Sent: Tuesday, October 21, 2014 5:41 PM
To: Nares, Dimitrios (RER)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE)
Subject: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Mr. Nares:

An additional issue has been raised regarding the disposition of the \$15,000 donated by Odebrecht that was intended for use in funding the Brazil trade mission. Since, as we have indicated in INQ 14-210, it would not be appropriate pursuant to Section 2-11.1(w) of the County Ethics Code to utilize funds donated by a county contractor to cover travel expenses for county officials, and **because that was the only intended purpose for the funds**, these funds should be offered to be returned to Odebrecht. However, in the event that Odebrecht should indicate that it wishes to have the funds utilized by the Trade Mission Center of Americas for other purposes served by that organization, this may be done **provided that the funds are utilized for purposes other than travel or travel-related expenses incurred by a county official or employee.** Should Odebrecht evince an intent that Trade Mission Center of the Americas retain the funds for non-travel-related purposes, then, in order to provide a clear record of the intended disposition of such funds, I suggest that you document the following: 1)The offer of Trade Mission of Americas to return the funds to Odebrecht unconditionally; 2)The intent of Odebrecht to decline the return of such funds; 3)The intent of Odebrecht to permit **the utilization of such funds for purposes other than those originally intended, to include administrative or other appropriate expenses incurred by Trade Mission Center of the Americas for non-travel-related purposes.**

Sincerely,

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

From: Centorino, Joseph (COE)
Sent: Wednesday, October 01, 2014 12:26 PM
To: Nares, Dimitrios (RER)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE)
Subject: INQ 14-218

Mr. Nares:

Based upon the updated information you have provided, it appears that the upcoming mission to Brazil, which will include Mayor Carlos Gimenez and Commissioner Jose "Pepe" Diaz as well as you and another County employee, will now be funded entirely out of revenues received through the Trade Mission Center of the Americas, Inc. a Section 501(c)(3) organization, and that those revenues do not include any donated funds from any County vendor, contractor, service provider, bidder or proposer.

Under these circumstances, it is my opinion that the trip may go forward and the funding plan for the trip does not violate Section 2-11.1(w) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

Sincerely,

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

From: Nares, Dimitrios (RER)
Sent: Wednesday, October 01, 2014 11:28 AM
To: Centorino, Joseph (COE)
Cc: Sanchez, Gerald (CAO); Ferro, Alex (Office of the Mayor); Gelfman, Josh (RER); Rodriguez, Eric (CAO)
Subject: Business development mission to Brazil and revenue to pay for mission expenses

Good morning Mr. Centorino:

County Attorney Gerald Sanchez called me this morning to discuss how our upcoming mission to Brazil will be funded, and he asked me to provide you with a summary.

All mission related revenue and expenses will be routed through the Trade Mission Center of the Americas. Inc 501c3 non-profit bank account at City National Bank. This account currently has approximately \$44,000 comprised of net revenues from past mission registrations collected as well past sponsorship revenue. Of the \$44,000, \$23,000 have been identified as either being from registration fees collected from past missions or from past sponsors who at the time were **not** registered County vendors, service providers or contractors. In addition to these existing funds of \$23,000, we have collected and will be depositing approximately \$10,000 in registration fees for the Brazil mission and expect to receive a grant of \$7,500 from Enterprise Florida, Inc., bringing our total available funds to \$40,500. For your information, Enterprise Florida is the State's economic development agency. Therefore, the total available funds of \$40,500 will cover our projected overall expenses of \$36,000 for the Brazil mission, which include approximately \$15,000 in travel expenses for our two mission leaders, myself and another member of my staff. **The remaining expenditures will cover business to business matchmaking services, room rentals and equipment rentals for our branding presentations, in-country bus transportation, translation services, and networking lunches and receptions.**

Brazil Budget:

Total assets for mission to Brazil:

\$23,000	Registration revenue and permissible sponsorship revenue from past missions
\$10,000	Registration fees collected for mission to Brazil
<u>\$ 7,500</u>	Grant from Enterprise Florida, Inc. for mission to Brazil
\$40,500	Total

Total expenses for mission to Brazil:

\$36,000

Projected surplus:

\$ 4,500

Please let me know if you have any questions.

Regards,

Jimmy Nares
Chief
Economic Development and International Trade Unit (EDIT)
Department of Regulatory and Economic Resources (RER)
Miami-Dade County
111 NW 1st Street, 12th Floor
Miami, FL 33128
(305) 375-4626
nares@miamidade.gov