
From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, May 15, 2015 9:22 AM
To: Sanchez, Rodzandra (COE)
Subject: Manuel Alonso-Poch, Attorney (Conflict of Interest) INQ 15-88

INQ 15-88 Alonso-Poch

From: Ethics (COE)
Sent: Friday, May 15, 2015 8:53 AM
To: 'Manuel Alonso'
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)
Subject: INQ 15-88 Manuel Alonso-Poch, Attorney (Conflict of Interest)

Mr. Alonso-Poch:

You have inquired regarding whether you and your law firm, Manuel Alonso-Poch, P.A., may have a prohibited conflict of interest based upon your status as Co-Bond counsel for several County authorities and your law firm's representation of a client who is the holder of a lease agreement with the County on County property, and who is in the process of subleasing the property to another entity, a change that will require County approval. You have advised that you will be assisting and advising your client regarding the subleasing, although you will not actually participate in representing your client before the County.

The Miami-Dade Conflict of Interest and Code of Ethics Ordinance generally applies to all County officials and employees, as well some some contractors who are designated as County employees or where contract staff has been designated by the Mayor as subject to certain provisions of the Code pursuant to Section 2-11.1(b)(13). As Co-Bond Counsel for County authorities, you are not considered to be a County official or employee, nor have you been designated by virtue of your position or by the Mayor as contract staff subject to the Ordinance. Accordingly, your situation does not fall within the provisions of the Ethics Code and you are not prohibited from engaging in the described representation by any provision of the Ethics Code.

In the event that there may be an issue involving a legal conflict for you you're your firm in your role as an attorney for the County or its authorities, that type of conflict would fall within the ethical rules of the Florida Bar. If you are concerned about any such conflict, then you should consult with the County Attorney's Office or the Florida Bar for further guidance.

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

From: Manuel Alonso [<mailto:map@malonsopoch.com>]
Sent: Monday, May 11, 2015 2:04 PM
To: Ethics (COE)
Subject: Request for opinion and guidance.

Good afternoon –

My law firm, Manuel Alonso-Poch, P.A. serves as Co-Bond counsel, jointly with the firm of Bryant Miller Olive, for the Miami-Dade County Authorities, (the Housing Finance Authority, the Industrial Development Authority,

the Educational Facilities Authority and the Health Facilities Authority). The scope of our work is to provide bond counsel services to the County authorities when they act as conduits for the sale of tax-exempt and taxable bonds to the financial markets. The Finance Department under the direction of Deputy Mayor, Ed Marquez, has administrative jurisdiction over the issuance of County tax-exempt and taxable bonds.

Our request for an opinion and guidance from the Miami-Dade County Commission on Ethics and Public Trust is based on the following:

The County owns a parcel of property that it currently leases on a long term basis to a tenant.

The tenant would like to assign the lease to a new tenant, (the "New Tenant"), thereby relieving the tenant from certain financial obligations and with the New Tenant paying more rent to the County.

The tenant and the New Tenant will be requesting authority from the County for the tenant to assign and the New Tenant to assume the lease.

The New Tenant would like to hire our law firm, Manuel Alonso-Poch, P.A., to review the lease to be assigned and subsequently, in the event the assignment of the lease is approved by the BCC, to draft sub-leases for new sub-tenants.

Manuel Alonso-Poch, P.A. will not be involved in requesting the permission needed from the County for the assignment. Another law firm will be handling the request.

Manuel Alonso-Poch, P.A. will not be involved in the negotiation of the terms and conditions of the assignment of the lease between the County, the tenant and the New Tenant.

The tenant and the New Tenant will be represented by another counsel in connection with the negotiation of the assignment of the lease and the County will be represented by the County Attorneys' Office.

The assignment and assumption of the lease is subject to approval by the BCC.

The County's Department of Regulatory and Economic Resources under the direction of Deputy Mayor, Jack Osterholtz, has administrative jurisdiction over leases and leasing for the County.

Manuel Alonso-Poch, P.A. will not be providing lobbying services as to the County administration or any of the County Commissioners.

Given the foregoing, we would like your opinion on whether Manuel Alonso-Poch, P.A., Co-Bond Counsel for the County, can provide the legal services outlined above for the New Tenant, where County owned land is involved, without violating the Conflict of Interest and Code of Ethics Ordinance, *Section 2.11.1 Code of Metropolitan Miami-Dade County* .

Your response will be greatly appreciated.

If any additional information is required you can contact me at any one of the contact numbers below.

Sincerely,

Manuel Alonso-Poch, Esq.

Manuel Alonso-Poch, P.A.

3520 Rockerman Road

Miami, Florida 33133

Tel: 305-448-4053

Cel: 305-205-2933

Email: map@malonsopoch.com