

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, July 21, 2016 2:44 PM
To: Sanchez, Rodzandra (COE)
Subject: Carla Valle-Schwenk, Program Administrator, Miami-Dade Office of Management and Budget (Financial Disclosure) INQ 16-171

[INQ 16-171 Valle-Schwenk](#)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, June 23, 2016 3:28 PM
To: Valle-Schwenk, Carla J. (OMB) <CVALLE@miamidade.gov>
Cc: Knowles, Keith (COC) <KAK1@miamidade.gov>; Lopez, Carolina D. (Elections) <LOPEZC@miamidade.gov>; Centorino, Joseph (COE) <CENTORI@miamidade.gov>; Murawski, Michael P. (COE) <MURAWSK@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Carla Valle-Schwenk, Program Administrator, Miami-Dade Office of Management and Budget (Financial Disclosure) INQ 16-171

Dear Ms. Valle-Schwenk:

You inquired whether an *ex officio* member of the Miami-Dade-HIV/AIDS Partnership is required to file financial disclosure as a result of her board service.

As background, you advise that the Miami-Dade HIV/AIDS Partnership obtains input on community needs related to HIV/AIDS in the County, sets related priorities, allocates funds for the federally funded Ryan White Part A/MAI program, plans for services and housing to address community needs, and makes recommendations for other funding sources such as Ryan White Part B, State of Florida General Revenue and Housing Opportunities for People with AIDS (HOPWA). It also serves as an advisory board to the Miami-Dade County Mayor and Board of County Commissioners on HIV/AIDS issues in our community. The *ex-officio* seat is held by a non-voting representative of the Mayor's Office who attends meetings to answer questions and act as a liaison between the Partnership and the Mayor's Office. She does not vote and does not perform other board related duties.

The County Ethics Commission has opined the members of County boards who serve in a non-voting *ex officio* capacity and do not perform any other board related duties, do not need to file County financial disclosure forms as would otherwise be required under Sec. 2-11.1 (i) of the County Ethics Code. Thus, under the facts you have presented, the *ex officio* County board member in this case would not be required to file financial disclosure as a result of her County board service unless her County position otherwise requires her to file financial disclosure. See RQO 05-66, INQ 11-129, and INQ 13-289.

Please contact us if you have any further questions.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust

19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
gdiazgr@miamidade.gov
www.facebook.com/MiamiDadeEthics

From: Valle-Schwenk, Carla J. (OMB)
Sent: Wednesday, June 22, 2016 4:26 PM
To: Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Subject: Miami-Dade HIV/AIDS Partnership - ex-officio issue

Good afternoon Mimi,

Thank you for your call today. Per your request, please note the following regarding the role of the Partnership and the role of the ex-officio member:

- The Miami-Dade HIV/AIDS Partnership obtains input on community needs related to HIV/AIDS in Miami-Dade County, sets related priorities, allocates funds for Ryan White Part A/MAI (a federally funded grant program), plans for services and housing to address those needs, and makes recommendations for other funding sources such as Ryan White Part B, State of Florida General Revenue and Housing Opportunities for People with AIDS (HOPWA). In addition, it serves as an advisory board to the Miami-Dade County Mayor and Board of County Commissioners on HIV/AIDS issues in our community.
- The ex-officio seat is held by a non-voting representative of the Mayor's Office who attends meetings to answer questions and act as a liaison between the Partnership and the Mayor's Office.

Based on our conversation, I believe the ex-officio seat falls under the "if honorary" rule, meaning the ex-officio member is not required to submit a Financial Disclosure (Source of Income statement) related to this seat on the Partnership. Please confirm.

If you agree, we would advise the current ex-officio member of such and indicate that she may need to submit a financial disclosure for other purposes if her role as an employee of the Mayor's Office requires her to do so. She would be advised to follow-up from that perspective if she has any questions.

If you need additional information, please let me know. Thank you very much for your assistance.

Carla Valle-Schwenk, Program Administrator, and Board Liasion for the Miami-Dade HIV/AIDS Partnership
Miami-Dade County Office of Management and Budget
Grants Coordination/Ryan White Program
111 NW 1st Street, 22nd Floor, Miami, FL 33128
305-375-3546 Phone
305-375-4454 Fax

www.miamidade.gov/grants/ryan-white-program
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