

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, November 01, 2016 3:48 PM
To: Sanchez, Rodzandra (COE)
Subject: Captain Paul Blake, Miami-Dade Fire Rescue Department, (outside/conflicting employment) INQ 16-248

INQ 16-248 Blake

From: Turay, Radia (COE)
Sent: Tuesday, November 01, 2016 3:09 PM
To: Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Cc: Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>
Subject: FW: INQ 16-248 Captain Paul Blake, Miami-Dade Fire Rescue Department, (outside/conflicting employment)

From: Turay, Radia (COE)
Sent: Tuesday, November 01, 2016 3:08 PM
To: '1403treasurer@gmail.com' <1403treasurer@gmail.com>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: INQ 16-248 Captain Paul Blake, Miami-Dade Fire Rescue Department, (outside/conflicting employment)

Dear Captain Blake,

You inquired whether there would be a conflict of interest between your County employment as a Captain with the Miami-Dade County Fire Rescue Department and your service as Treasurer of the Firefighter's Memorial Building Corporation.

As background, you are a Captain with the Miami-Dade County Fire Rescue Department. You have advised that in your County employment, you do not make any decisions regarding vendor contracts with Miami-Dade County or the Miami-Dade Fire Rescue Department. You also serve as Treasurer for the Firefighters Memorial Building Corporation (hereinafter "FMBC"). FMBC is a non-profit organization seeking to register as a vendor with Miami-Dade County. You do not have an ownership interest in FMBC. You serve as Treasurer of the non-profit, on an uncompensated, volunteer basis. Although you are an officer of the non-profit organization responsible for managing its finances, this does not characterize you as a principal for purposes of financial interests as the County Ethics Code at 2-11.1(b)(8) defines a financial interest as at least a 10% ownership in the organization.

In general, there are no ethics conflicts regarding your County employment and your board service at FMBC. Further, FMBC may enter into contracts with the County, including the County Fire Rescue Department because you have no financial interests in the nonprofit organization. However, several sections of the County Ethics Code should be addressed:

- **Sec. 2.11.1(m)(2)** prohibits you from appearing before any County board or agency or meeting with staff or elected officials to make a presentation or to seek a benefit (funding/grant/contract) on behalf of the nonprofit organization;

- **Sect. 2.11.1(h)** prohibits you from disclosing confidential information acquired by reason of your official County position;
- **Sec. 2.11.1(g)** prohibits you from using your County position to secure special privileges or exemptions for yourself or FMBC.

We recommend that, in order to avoid the appearance of impropriety, you refrain from any involvement regarding your County employment and FMBC. Although you may not appear before any County board or agency to seek any benefit on behalf of FMBC, *it is also advisable*, in your role as a member of the Board of Directors for FMBC, to recuse yourself from voting or participating in FMBC discussions and/or votes relating to County applications for funding, County contracts or any other FMBC initiative involving the County.

FMBC may enter into contracts with the County *as long as* you have not attempted to influence an official decision to benefit the nonprofit organization in any way. Please be advised that the County Ethics Commission has interpreted this prohibition very expansively to include any communications, in any form intended to influence an individual within the County to take an official action. See INQ 16-22, INQ 12-13, INQ 11-01, INQ 10-201.

Please note that this opinion refers to FMBC only. If you intend to contract with the County through any other entities, including a *for-profit* entity in which you have a financial interest, you will need an ethics opinion from our office based on that set of circumstances.

This opinion is based on the facts presented. If any of these facts change, please contact us.

Sincerely,

RADIA TURAY

Staff Attorney
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 350-0601
Fax: (305) 579-0273
Ethics.miamidade.gov

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From: Paul Blake [<mailto:1403treasurer@gmail.com>]
Sent: Thursday, October 27, 2016 8:42 AM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Fwd: Message from Miami-Dade County Procurement Team

Good Morning. My name is Paul Blake, I am a county employee #37952, holding a position of Fire Captain with Miami Dade Fire Rescue. I am also an elected member of Dade County Firefighters IAFF L-1403. I am the elected Treasurer for this organization. By virtue of my office, I am also the building manager for the Firefighter's Memorial Building Corporation (union hall). I am in the process of updating my information with procurement and need an opinion from your office that there isn't a conflict with my county position. I received a similar opinion for our Firefighter Charities (INQ 12-53) on March 27, 2012. The county uses our facility as a voting precinct, graduations and candidate testing. Thank you.

----- Forwarded message -----

From: <dpmannouncement1@miamidade.gov>

Date: Tue, Oct 25, 2016 at 12:43 PM

Subject: Message from Miami-Dade County Procurement Team

To: 1403treasurer@gmail.com

Dear Paul D Blake,

You have received a message from Miami-Dade County Procurement Management Services Division.

Business Name:	FIREFIGHTER'S MEMORIAL BUILDING CORPORATION
Doing Business As:	Fire Tower
FEIN:	*****3375
User ID:	1403treasurer@gmail.com
Reason:	Other
Message:	<p>THE MIAMI-DADE COUNTY (MDC) CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE 2-11.1 requires all Miami-Dade County employees, board members and elected officials to seek a conflict of interest opinion prior to submittal of a bid, response or application of any type to contract with Miami-Dade County by the person or any member of his or her immediate family. Immediate family is defined as spouse, domestic partner, parents, stepparents, children and stepchildren. Pursuant to the ordinance, Miami-Dade County may not award a contract to any covered person who has not received a written ethics opinion or a waiver from the Board of County Commissioners. If you answer yes to questions 9a or 9b below, you are required to obtain a Conflict of Interest Opinion from the Miami-Dade County Commission on Ethics and Public Trust (COE) concerning the relationship of the County employee, board member and/or elected official, to the officers or principals of your firm. An opinion from the COE is required prior to the receipt or approval of the vendor application by the Miami-Dade County, Internal Services Department, Procurement Management Services Division. Submit request for a written Conflict of Interest Opinion to: Miami-Dade County Commission on Ethics and Public Trust, 19 West Flagler Street, Suite #820, Miami, Florida, 33130 or fax to (305) 579-0273. Please contact the COE at (305) 579-2594 for further information. It is the responsibility of the vendor to forward the vendor application and the written Conflict of Interest Opinion from the COE to the Miami-Dade County, Internal Services Department, Procurement</p>

Management Services Division for processing. ARE ANY OF THE OWNERS/PRINCIPALS IN THE FIRM, A MIAMI-DADE COUNTY ELECTED OFFICIAL, BOARD MEMBER OR MIAMI-DADE COUNTY EMPLOYEE(S)? If "yes", indicate the name and complete the information below. Yes * Name of Owner/Principal in the Firm: Paul Blake Miami-Dade Elected Official: No Miami-Dade Board Member: No Miami-Dade County Employee: Yes * Date Appointed: * Position Held: Treasurer * Miami-Dade County Employee (I.D. Number): Florida * Miami-Dade County Department: Florida • Please submit a copy of the 147c IRS Form with your current business name and EIN number) OR any other preprinted IRS form issued by the IRS identifying your business name and EIN. Please contact the IRS at [1-800-829-4933](tel:1-800-829-4933) and request either of the forms from IRS. • Please enter the full address to the "Principals" in Affidavit No. 1 • Please add the word "The" to the "Doing Business As" • Please add the "Doing Business As" to the 2nd line of the W-9 Form

Note: This e-mail message was sent from a notification-only address that cannot accept incoming e-mail. Please do not reply to this message.

Regards,
Procurement Management Services Division,
Internal Services Department,
Miami Dade County.

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Paul D Blake
Treasurer/Building Manager
Dade County Firefighters, IAFF L-1403
(O) 786-437-2576
(C) 305-720-3517