

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, December 05, 2016 9:00 AM
To: Sanchez, Rodzandra (COE)
Subject: Luis Collazo, Councilmember, City of Miami Lakes (Voting Conflict) INQ 16-267

INQ 16-267 Collazo

From: Centorino, Joseph (COE)
Sent: Friday, December 02, 2016 4:57 PM
To: 'collazol@miamilakes-fl.gov' <collazol@miamilakes-fl.gov>
Cc: RadiaTuray@gmail.com; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 16-267 Luis Collazo, Councilmember, City of Miami Lakes (Voting Conflict)

Dear Councilman Collazo:

You have inquired regarding whether you would have a voting conflict of interest under Section 2-11.1(d) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance in participating and voting on an upcoming item before the City of Miami Lakes Council regarding a lobbying contract award. One of the firms contending for the contract is an entity you named as "Sunshine State." You have no personal connection to that firm. However, you are familiar with the firm by virtue of the fact that it has been retained by your employer, Palm Breeze Assisted Living Facility, located in the City of Hialeah. You are the full-time Director of Palm Breeze, but you were not, in any way, involved in Palm Breeze's selection of Sunshine State as its lobbyist. You have stated that the decision to hire Sunshine State was made solely by the owner of Palm Breeze. You do not have any ownership interest in Palm Breeze and do not monitor or evaluate the performance of Sunshine State in connection with services it performs for Palm Breeze. You do not have supervisory authority over Sunshine State, and did not negotiate its contract with Palm Breeze. No decisions concerning its contract with Palm Breeze or its remuneration by Palm Breeze are made by you. Your employer, Palm Breeze Assisted Living Facility is not located in Miami Lakes and has no connection to the City of Miami Lakes.

For a prohibited voting conflict to occur under Section 2-11.1(d) of the Ethics Code, the elected official would either have to have one of a number of enumerated relationships with a person or entity affected by the matter coming before the board, or else be in a position where the action in question "would or might, directly or indirectly, profit or be enhanced by the action of the Board." Under the circumstances outlined above, it does not appear to me that you have any of the enumerated relationships with Sunshine State and that there is no reasonable possibility that you would profit or be enhanced by voting on the matter.

Accordingly, it is my opinion that you do not have a voting conflict of interest on the item in question and that you may participate and vote on the item when it comes before the board. In the event that any of the aforesaid circumstances is not accurate, you should contact me for further discussion.

Joseph M. Centorino

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