

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, January 16, 2018 11:11 AM
To: Sanchez, Rodzandra (COE)
Subject: Miami Children's Initiative Inc. (contracting with the County) INQ 17-283
Attachments: INQ 17-283.pdf

INQ 17-283 Nunez

From: Turay, Radia (COE)
Sent: Thursday, December 14, 2017 12:37 PM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>
Cc: Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>
Subject: FW: INQ 17-283, Miami Children's Initiative Inc. (contracting with the County)

From: Turay, Radia (COE)
Sent: Thursday, December 14, 2017 12:36 PM
To: 'Deborah Nunez' <DNunez@miamichildrensinitiative.org>
Subject: INQ 17-283, Miami Children's Initiative Inc. (contracting with the County)

Dear Ms. Nunez,

You have contacted the Ethics Commission requesting an ethics opinion in connection with Miami Children's Initiative, Inc.'s vendor registration application with Miami-Dade County.

Facts

- Miami Children's Initiative (MCI) is a nonprofit organization focused on transforming Liberty City into a prosperous community. In partnership with Liberty City's residents, youth, religious centers, schools, businesses and non-profit organizations, MCI seeks to address the needs of the Liberty City community by investing in the children and its residents. MCI's mission is to create a community-based network that develops, coordinates and provides quality education, accessible health care, youth development programs, health and nutrition supports, opportunities for employment and safe neighborhoods for the children and families in Liberty City.
- They were awarded a Community Based Organization (CBO) grant from Miami-Dade County's Office of Management and Budget.
- Through the vendor application process, MCI was notified that it needed to obtain a Conflict of Interest Opinion because a few of the board members of the entity happen to be employees or elected officials of Miami-Dade County.
- None of the organization's board members that are County employees or County elected officials and/or their respective immediate family members have any ownership interest and/or financial interest in MCI.

Analysis

The County Ethics Code at Sections 2-11.1(c) states that Miami-Dade County and any person or agency acting for Miami-Dade County shall not award a contract to any Miami-Dade County employee, board member, elected

official, or his or her immediate family individually or through a firm, corporation, partnership or business entity in which the person or any member of his or her immediate family has a controlling financial interest, unless the Ethics Commission has rendered an opinion that entering the contract would not be a conflict of interest or, if there is a conflict of interest, the Board of County Commissioners waives the conflict.

Based on the information you have provided, MCI does not need an opinion from the Ethics Commission prior to entering into a contract with Miami-Dade County because the organization's board members who are County employees or County elected officials and/or their immediate family members, have no ownership interest or financial interest in MCI.

Please be aware however that, the board members that are County employees or County elected officials shall not participate in determining the contract requirements or in awarding the contract. Additionally, none of their responsibilities and job descriptions shall require that they be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. See County Ethics Code § 2-11.1(c) and (d). Further, they may not use their County positions to secure **special privileges or exemptions** with respect to any contract MCI is seeking with the County nor may they represent MCI before any County department or agency regarding any application to contract with the County. See County Ethics Code § 2-11.1(g) and (m)(1).

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

Sincerely,

Radia Turay
Staff Attorney

From: Deborah Nunez [<mailto:DNunez@miamichildrensinitiative.org>]
Sent: Thursday, December 14, 2017 9:57 AM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Re: Miami Children's Initiative - Request for Conflict of Interest Opinion Issue

Dear Ms. Turay,

Thank you for your immediate response. None of our board members have any financial or ownership interest in this agency nor do their family members. We are a part of the Florida Children's Initiative and agency can be found listed in Florida Statute 409.147.

Thank your again for your assistance.

Sincerely,
Deborah Nunez

From: "Turay, Radia (COE)" <Radia.Turay@miamidade.gov>
Date: Thursday, December 14, 2017 at 9:32 AM
To: Deborah Nunez <DNunez@miamichildrensinitiative.org>
Subject: RE: Miami Children's Initiative - Request for Conflict of Interest Opinion Issue

Hello Ms. Nunez,

I will prepare the letter indicating that you do not need an ethics opinion. For our records, please answer the questions below:

- (1) Do the board members in question (County employees) and/or their immediate family member have any ownership interest in Miami Children's Initiative, Inc?
- (2) Do the board members in question (County employees) and/or their immediate family member have any financial interest in Miami Children's Initiative, Inc?

Thanks,
Radia.

From: Deborah Nunez [<mailto:DNunez@miamichildrensinitiative.org>]
Sent: Wednesday, December 13, 2017 2:00 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Miami Children's Initiative - Request for Conflict of Interest Opinion Issue

Dear Ms. Turay,

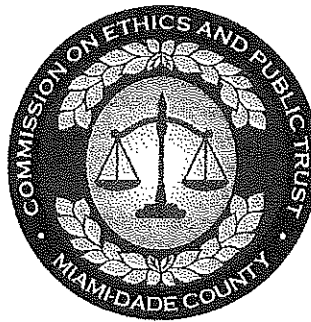
In October, our agency reached out to Mr. Centorino regarding making a decision related to a Conflict of Interest Opinion. I have attached the memorandum for your review. We had a conversation related to our board. At that time, you informed me that we did not need to proceed any further as none of our board members had any financial interest in the agency. The Miami Dade County Vendor Department will not allow us to move forward until they have a document in writing that states that none of our members have a conflict of interest. During my conversation with them today, they indicated that an email from your department would suffice.

Is there anyway you could send me an email with that language so that I may forward it to them and Miami Children's Initiative Inc. can be listed on the site sot at we may obtain our \$6, 500.00 grant?

Thank you,
Deborah Nunez
Miami Children's Initiative, Inc.
2525 NW 62nd Street , 4th Floor, Suite 4132A
Miami, Florida 33142
Phone (785) 488-5512
Direct Line (786) 499-4061
Email dnunez@iamlibertycity.org
Website: www.iamlibertycity.org

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Dr. Judith Bernier
Marcia Narine, Esq.



EXECUTIVE STAFF

Joseph M. Centorino
EXECUTIVE DIRECTOR
GENERAL COUNSEL
Michael P. Murawski
ADVOCATE

December 14, 2017

Debra Nunez
Miami Children's Initiative, Inc.
2525 NW 62nd Street, 4th Floor, Suite 4132A
Miami, Florida 33142

Re: INQ 17-283

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Radia Turay
Staff Attorney