19 West Flagler Street Suite 207 Miami, FL 33130 Tel: (305) 579-2594 Fax: (305) 579-0273

Miami-Dade County Commission on Ethics and Public Trust

Fax

☐ Urgent ☐ For Review ☐ Please C	omment	☐ Please Reply	☐ Please Recycle
Re: Ingring-Bonich	CC:		·
Phone:	Date:	7/17/	or
Fax: 860 - 0555	Pages:	3 index	un cover
To: Jose Villalobos	From:	Christ	ma P.

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ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairman Robert H. Newman, Vice Chairman Gail Dotson Guillermo Grenier Elizabeth M. Iglesias

ROBERT A. MEYERS EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI ADVOCATE

ARDYTH WALKER STAFF GENERAL COUNSEL

July 16, 2002

Dear Mr. Bonich:

You requested an opinion regarding any ethical violations pertaining to your ability to present a bid package to design bus shelters in the Village of Key Biscayne.

In your letter you advised the Ethics Commission that you are an architect and that your wife is a permit clerk in the Village of Key Biscayne. Recently, the city's Department of Building, Zoning & Planning issued an Advertisement for Bids for bus shelters and other future jobs. Due to your wife's employment within the Department of Building, Zoning & Planning you were informed by the Department Director that you would be prohibited from responding to the above-mentioned advertisement.

According to Section 2-11.1 (c), Prohibition on transacting business within the County, of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, which is applicable to the cities, you would be prohibited from entering into a contract with the Department of Building, Zoning & Planning.

Section 2-11.1 (c) does not prevent any employee as defined in subsection (b)(6) or his or her immediate family as defined in subsection (b)(9) from entering into any contract in which the employee or any member of his or her immediate family has a controlling financial interest [which is defined as 10% or more of the outstanding capital stock in a corporation or interest in a business entity] with Miami-Dade County or any person or agency acting for Miami-Dade County, as long as the contract would not interfere with the employee's duties, the employee did not participate or determine the contract

requirements and the employee's job responsibilities and job description will not require him or her to be involved in the contract in any way.

However, as stated further in the section, the employee or his or her immediate family may not enter into a contract if the employee works in the county department which will enforce, oversee or administer the subject contract.

Also be advised that this is an informal opinion issued by the Ethics Commission's legal staff and reviewed by its Executive Director; it is based solely on the facts as stated in your letter.

Should you have any additional questions regarding this matter, please do not hesitate to contact me at (305) 350-0615.

Sincerely,

Christina Prkic Staff Attorney 3058600555

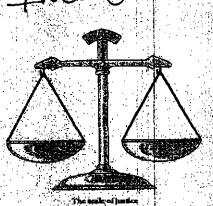
ANO 02+30

The Villalobos Law Firm 2350 CORAL WAY, SUITE 202

2350 CORAL WAY, SUITE 202 MIAMI, FLORIDA 33145 TEL. (305) 860-1373 FAX (305) 860-0555

JOSE A. VILLALOBOS

J. ALEX VILLALOBOS



FACSIMILE COVER SHEET

To

Christina Pikie - Ethics Commission

Fax#:

305-579-2656

Date:

July 9th, 2002

From:

Jose A. Villalobos

Pages: 3, including cover sheet.

Subject.

Ethics Opinion/ Conflict of Interest

Segio Bonich, Architect

COMMENTS:

Enclosed please find copy of letter dated same as well as letter from Sergio Bonich requesting an ethics opinion on the above-captioned matter.

This facilitation contains privileged and confidential information intended only for the use of the addressee named above. If you are not the intended recipient of his facilities, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissentification or copying of this facilities a strictly problibited. If you have received this facilities in entire, please notify us immediately by telephone and return the original facilities in 1.5. Mail to the above address. Thank you

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MAIN NUMBER: (305) 860-1383

THE PERSON SENDING THIS FACSIMILE IS: MANA HARD COPY TO FOLLOW BY U.S. MAIL: No. 3058600555

The Villalobos Law Firm

2350 CORAL WAY, SUITE ZOZ MIAM, FLORIDA 33145

JOSE A. VILLALOPOS

Tet., (305)860,1333 FAX., (305)480-0588

July 9, 2002

Via facsimile (305) 579-2656

Christina Prkic Minni-Dade County Ethics Commission 19 West Flagler Street Suite 220 Miami, Florida 33130

Ethics Opinion/Conflict of Interest

Dear Ms. Prkic:

Enclosed please and copy of letter from Sergio Bonich, architect, regarding an ethics opinion, which letter is self-explanatory.

I would appreciate it if you forward to me your response to stame.

Your kind and enumeous attention to this matter is greatly appreciated.

JAV/mg-

Enclosure

Villalobos

Sincerny

July 9, 2002

Via facsimile (305) 579-2656

3058600555

Christina Prkic Miami-Dade County Ethics Commission 19 West Flagler Street Suite 220 Miami, Florida 33130

RE: Ethics Opinion/Conflict of Interest

Dear Ms. Prkic:

I am a practicing architect by profession and have been practicing this same profession for the past twenty-five years. As such, I worken all municipalities in Miami-Dade County.

My Wife is employed by the Village of Key Biscayne as one of several permit clerks. There was an Advertisement for Bids issued by the Village of Key Biscayne for bus shelters and future jobs in and about the Village of Key Biscayne. I was advised by the Director of Planning and Zoning of the Village of Key Biscayne that I could not present a bid package because my Wife worked within the Village and same would constitute a conflict of interest.

My wife's job description does not include any decision making powers or authority other than the clerical issuance of permits for said jobs.

I feel that this is an infringement of my rights and would like your opinion as to whether or not there are any ethical violations or conflicts of interest in this case.

Your prompt attention to this matter is greatly appreciated.

MILIK

Sincerely

ergio Bonich

SB/mg