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 STAFF GENERAL COUNSEL

March 15, 2004

Commissioner Joe Sanchez  
 City of Miami  
 PO Box 330708  
 Miami, FL 33233-0708

Dear Commissioner Sanchez:

I am in receipt of your letter dated March 5, 2004, in which you requested an ethics advisory opinion involving a former City of Miami employee. In your letter, you raise questions about the ethical and legal propriety of a former city employee who applied for a grant through the City of Miami Community Development Department, while employed as a Neighborhood Enhancement Team Administrator. The grant was to support a cultural center located in your district.

Under both our Enabling Ordinance and under the Conflict of Interest and Code of Ethics Ordinance individuals do not have standing to seek an opinion about the conduct of third parties. Since, you are the requester seeking an opinion about the conduct of a former City employee, the Ethics Commission cannot render an opinion in this matter.

Questions or allegations of ethical improprieties as to third party conduct are more appropriately addressed through our enforcement authority, not through our advice-giving authority. Accordingly, the matter has been forwarded to our Enforcement Unit.

Sincerely,

Robert Meyers  
 Executive Director

# City of Miami, Florida

JOE SANCHEZ  
COMMISSIONER



P.O. BOX 330708  
MIAMI, FLORIDA 33233-0708  
(305) 250-5380  
FAX (305) 250-5386

March 5, 2004

Robert Myers, Executive Director  
Miami-Dade County Ethics Commission  
19 W. Flagler Street, Suite 207  
Miami, FL 33130

Dear Mr. Myers:

I am writing to seek an ethics opinion on a matter involving the City of Miami Community Development Department, a former city employee and a cultural organization within the district I represent as a City Commissioner.

Simply stated: while a Mr. Antonio Wagner was employed by the City of Miami as a Neighborhood Enhancement Team Administrator, he also served as President, Secretary, Treasurer and Director of the Latin Quarter Cultural Center of Miami, Inc. located at 1501 Southwest 8<sup>th</sup> St.

While he was employed by the city, Mr. Wagner (in his capacity with Latin Quarter) applied for a \$40,000 façade grant through the Small Business Opportunity Center, which would be using funds granted by the city's Community Development Department.

However, the city has a conflict of interest law, generally barring city employees from benefiting from city administered grant programs. Because there will likely soon be legislation regarding this grant, I am asking for an ethics opinion.

I am also requesting that the Ethics Commission investigate whether Mr. Wagner, when he applied for a grant while employed as a city administrator, disclosed his relationship as the President, Secretary, Treasurer and Director of the Latin Quarter Cultural Center.

Before I could consider voting on any issue regarding a city administered grant to the Latin Quarter Cultural Center, I would require a ruling on the issues I have brought up and any other pertinent matters relating to Mr. Wagner's actions.

Sincerely,

  
Joe Sanchez