

Prkic, Christina (COE)

END

0498

From: Lievano, Maria (DIST12)
Sent: Wednesday, July 28, 2004 7:07 PM
To: Prkic, Christina (COE)
Subject: Re: Ethics request

Thank you for your help. I really appreciate your prompt response. I will forward to the Commissioner.

Maria Lievano, Esq.
Director of Policy and Legislation
Commissioner Jose "Pepe" Diaz (District 12)
(305) 375-4343
Fax (305) 372-6109

-----Original Message-----

From: Prkic, Christina (COE) <cprkic@miamidade.gov>
To: Lievano, Maria (DIST12) <MARIACL@miamidade.gov>
Sent: Wed Jul 28 17:33:28 2004
Subject: RE: Ethics request

Hi Maria:

To follow up with this request. Under the County ethics rules, Commissioner Diaz would have to disclose the value of the charter flight as a gift on the quarterly gift disclosure form, indicating the companies which contributed to the value of the gift.

However, please be advised that under State ethics rules, if the companies which are sponsoring the charter flight to NYC are doing business with the county AND have lobbied the County within the preceding 12 months, then the Commissioner would be prohibited from accepting the flight, because it is considered a gift from a prohibited source. Please visit www.ethics.state.fl.us and go to the link on the left of the screen entitled 'Ethics Laws.' [There you will see the .pdf file pertaining to the state gift laws.] I can fax you the statute as well.

You indicate that there may be several companies contributing to the flight. Should one, but not all of the companies fall under the prohibition under the State ethics laws, then consult the County Attorney for further clarification on this matter.

Again, we are only authorized to interpret County ethics laws; however, we wanted to apprise you of the potential conflicts under State law.

Best regards,
Christina Prkic
Staff Attorney
Miami-Dade County Commission on Ethics and Public Trust
P: (305) 350-0615

-----Original Message-----

From: Lievano, Maria (DIST12)
Sent: Wednesday, July 28, 2004 12:08 PM
To: Prkic, Christina (COE)
Subject: Re: Ethics request

Thanks.

Maria Lievano, Esq.
Director of Policy and Legislation

Commissioner Jose "Pepe" Diaz (District 12)
(305) 375-4343
Fax (305) 372-6109

-----Original Message-----

From: Prkic, Christina (COE) <cprkic@miamidade.gov>
To: Lievano, Maria (DIST12) <MARIACL@miamidade.gov>
Sent: Wed Jul 28 11:45:17 2004
Subject: RE: Ethics request

Hi Maria:

The opinion remains the same, given that the conclusion was based upon the fact that Commissioner Diaz is flying on the private charter as a Republican Party delegate, not in his official County capacity.

I appreciate you clarifying this detail.

Sincerely,
Christina Prkic
Staff Attorney
Miami-Dade County Commission on Ethics and Public Trust
P: (305) 350-0615

-----Original Message-----

From: Lievano, Maria (DIST12)
Sent: Wednesday, July 28, 2004 11:40 AM
To: Prkic, Christina (COE)
Cc: Meyers, Robert (COE); Diaz, Jose "Pepe" (DIST12); Molina, Imaltzin (DIST12)
Subject: RE: Ethics request

Thank you for your prompt response. I would just like to clarify that the Codina Company did not invite the Commissioner. When we spoke, I told you that I was not sure who it was and that I believed it might be Codina. I have now been informed that it is not Codina.

A group of delegates from Miami are planning on flying together on a private jet but we are still not sure of who will be paying for the costs of chartering the jet. It may be one company or a combination of two or more. Because you concluded that he will not be flying to the Convention in his official capacity as a County Commissioner, I assume that knowing who will be paying for the costs is not relevant. However, please let me know if it does make a difference who will be chartering the plane and I will try to obtain the exact information for you. Again, I want to reiterate that the Codina Company did not invite the Commissioner to fly on a private charter jet to the Republican National Convention as a delegate.

I look forward to your response.

Maria Lievano Cruz, Esq.
Director of Policy and Legislation
Commissioner Jose "Pepe" Diaz (District 12)
(305) 375-4343
Fax (305) 372-6109

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as a public record.

-----Original Message-----

From: Prkic, Christina (COE)
Sent: Monday, July 26, 2004 1:38 PM

To: Lievano, Maria (DIST12)
Cc: Meyers, Robert (COE)
Subject: Ethics request

Hi Maria:

This is a follow-up to our earlier phone conversation, at which time you indicated that Commissioner Diaz has been selected as a delegate for the Republican Party. As a delegate, he has been invited to participate in the Republican National Convention in NYC. A group of delegates from Miami has been invited by Codina company to fly to the convention in a private charter jet. You inquired about potential conflicts of interest for Commissioner Diaz to accept the invitation to fly with the delegation in the private jet.

After reviewing this question with Robert Meyers, we conclude that Commissioner Diaz is not prohibited under the Code of Ethics from flying on the jet to the Republican Convention given that he is doing so as a delegate to the party, not in his official capacity as a County Commissioner. Moreover, the invitation by Codina was not only offered to the Commissioner, but to other Miami Republican delegates as well.

Should you have additional questions, you may reach me at the number below.

Sincerely,
Christina Prkic
Staff Attorney
Miami-Dade County Commission on Ethics and Public Trust
P: (305) 350-0615