

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, February 07, 2018 9:31 AM
To: Sanchez, Rodzandra (COE)
Subject: Lt Daniels, MDCR (outside employment)FW: INQ 18-05

INQ 18-05 Daniels

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, January 09, 2018 9:15 AM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: RE: Outside employment

Good morning Radia:

I can't seem to find the INQ number on this email. Am I missing something?

Let me know and thanks!

Mimi

From: Turay, Radia (COE)
Sent: Monday, January 08, 2018 4:37 PM
To: Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>
Subject: FW: Outside employment

From: Turay, Radia (COE)
Sent: Monday, January 08, 2018 4:20 PM
To: Daniels, Desi R. (MDCR) <Desi.Daniels@miamidade.gov>; Kirkland, Tina (MDCR) <Tina.Kirkland@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: RE: Outside employment

Dear Lt. Daniels,

You have inquired whether a conflict of interest exists under the Ethics Code between your County employment and your proposed outside employment as a real estate associate for The Keyes Company.

Background

You are a Lieutenant with the Materials Management Bureau at Miami-Dade Corrections and Rehabilitation Department (MDCR). Your current job responsibilities include addressing the many challenges related to the successful operation of MDCR's Central Warehouse Facility, Laundry Operations, and inmate commissary unit; and the accountability of capital inventory.

You are seeking to engage in outside employment as a real estate associate for The Keyes Company, a County vendor. In your role as a real estate associate you will provide services to prospective buyers and sellers of real property in the State

of Florida. Your duties will include ensuring that a seller and a buyer for real estate property are brought together in a transaction that provides each with a “win” that is fair and equitable when selling, renting, or buying real estate.

Legal Analysis

The Ethics Code at Section 2-11.1(j) states that a government employee may not accept outside employment that impairs his or her independence of judgment in the performance of public duties. *See County’s Administrative Order 7-1.* Generally, the County Ethics Code does not prevent an employee from being employed by a County vendor, as long as the employee does not have any involvement with the vendor’s contract. *See INQ 17-236; INQ 15-115; INQ 11-67.*

Based on the information that you have provided to us at this time, it appears to be unlikely that the type of outside employment that you are seeking to engage in would impair your independence of judgement in the performance of your County duties as a Lieutenant with the Materials Management Bureau at MDCR. In your County position, you do not have the authority to approve or disapprove any agreements for services between the County and The Keyes Company; you have no involvement in the selection, oversight, or administration of the County contract with The Keyes Company; and you have no responsibilities and/or duties that involve the County contract with The Keyes Company.

As a reminder, pursuant to 2-11 of the County Code, County employees are required to request permission to engage in outside employment from their supervisor on a yearly basis and complete an Outside Employment Statement by July 1st of each year. *See Section 2-11.1(k)(2) of the Ethics Code; and A.O. 7-1.* In addition, County employees employed by County vendors must file an Affidavit with the Miami-Dade county clerk of the Courts disclosing employment with that vendor. *See Sec. 2-11.1(f) of the Ethics Code.*

Finally, County employees are cautioned that they may not engage in any activity which would require them to disclose confidential information acquired by reason of their official position, nor use such information directly or indirectly for their personal gain or benefit. *See Section 2-11.1(h), County Ethics Code.* Lastly, a County employee may not use his or her official County position to secure privileges or exemptions for themselves or others. *See Section 2-11.1(g), County Ethics Code.* This would include use of your County position or resources available to you in your position to promote your business interests.

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

Sincerely,

RADIA TURAY

Staff Attorney
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 350-0601
Fax: (305) 579-0273
Ethics.miamidade.gov

From: Daniels, Desi R. (MDCR)
Sent: Monday, January 08, 2018 2:30 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: RE: Outside employment

Greetings Turay,

I have no involvement with the contract between The Keyes and the County.

Thanks,

Lieutenant Desi R. Daniels, Executive Officer
Miami-Dade Corrections and Rehabilitation Department
Materials Management Bureau
2525 NW 62nd Street, Suite 3166 B
Miami, Florida 33147
(786) 263-6348 Office (786) 263-6132 Fax
d415@miamidade.gov
"Delivering Excellence Every Day"

From: Turay, Radia (COE)
Sent: Monday, January 08, 2018 2:11 PM
To: Daniels, Desi R. (MDCR) <Desi.Daniels@miamidade.gov>
Subject: Outside employment

Hello Lt. Daniels,

My name is Radia Turay. I am a staff attorney for the Miami-Dade Commission on Ethics and Public Trust. We were asked to provide a conflict of interest opinion regarding your outside employment request because your proposed outside employer is a County vendor. In order to assist with the process please answer the question below:

- 1) Please confirm that you have no involvement in the contract between The Keyes Company and the County.

Thanks,
Radia.

RADIA TURAY

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