

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, January 19, 2018 3:02 PM
To: Sanchez, Rodzandra (COE)
Subject: FW: Limitations on Doing Business with the County Ethics Opinion INQ 18-09
Attachments: INQ 18-09 Adams.pdf; Timehri Nertworks, LLC..pdf; Adams Application.pdf

[INQ 18-09 Adams](#)

From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, January 19, 2018 3:01 PM
To: 'fadams@timehri.net' <fadams@timehri.net>; Adams, Franklin C. (WASD) <Franklin.Adams@miamidade.gov>
Subject: Limitations on Doing Business with the County Ethics Opinion INQ 18-09

Dear Ms. Adams:

Attached is the Limitations on Doing Business with the County Ethics opinion. Please note that it indicates that you may enter into contracts with Miami-Dade County, but not with the Miami-Dade Water and Sewer Department which employs you. Miami-Dade code 2-11.1 (c) and (d). Furthermore, please remember that you are required to complete the outside employment paperwork annually, and that you may not lobby for any contract between your business and Miami-Dade County. See the County Ethics Code at Secs. 2-11 and 2-11.1 (k) and (m)(1).

You may print a copy of the letter and submit it to the Procurement Department and also print a copy for your records. Please do not hesitate to contact me if you have further questions.

Cordially,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
gdiazgr@miamidade.gov
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Via email at: fadams@timerhri.net

January 19, 2017

Franklin Adams
780 NE 199 ST, E-207
Miami, Florida 33179

*Please submit this letter to
the Procurement
Department. The Ethics
Commission does not submit
this letter on your behalf*

Re: INQ 18-09, Limitations on Doing Business with the County

Dear Mr. Adams:

On January 9, 2018, you asked about limitations in doing business with the County through your privately owned business, Timehri Networks, LLC ("Timehri Networks"). You are employed as a Network Manager with the Miami-Dade Water and Sewer Department ("WASD").

Timehri Networks may enter into contracts with Miami-Dade County but not with WASD. This opinion is based on the following facts and legal analysis:

OUTSIDE EMPLOYMENT

Work conducted for your privately owned business constitutes outside employment. The Ethics Code prohibits County employees from engaging in conflicting outside employment. You will be required to obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year. Conflicting employment is sometimes created when a County employee comes in contact with the same or similar people or entities in both his outside employment and in his County job or when he uses the same or similar resources in his outside employment as he uses in his County work. See the County Code at Secs. 2-11.1 (g) and (j).

Please note that this letter does not grant you permission to engage in outside employment. You must obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year.

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CONTRACTING WITH THE COUNTY

Once you have been granted permission to engage in outside employment, you may enter into a County contract through your privately owned business, Timehri Networks, as long as the contract does not interfere with the full and faithful discharge of your duties to the County. *See* the County Ethics Code at Secs. 2-11.1 (c) (2) and (d).

This includes the condition that you may not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. Finally, you may **not** work in any County department that would enforce, oversee or administer this contract.

Consequently, Timehri Networks may not enter into contracts with the WASD.

LOBBYING

Additionally, you may not lobby the County. In this case, it means that you may not contact anyone within the County in an attempt to **influence** a decision about any contract Timehri Networks is seeking. *See* the County Ethics Code at Sec. 2-11.1 (m)(1).

This opinion construes the Miami-Dade County Ethics Code as it applies to County employee-vendors at Secs. 2-11.1 (c), (d) and (m)(1) only. It is not applicable to any conflicts under other sections of the County Code or to issues related to state or federal laws.

If any of the facts you have presented change or if you have further questions, please feel free to contact me at 305 350-0638.



Gilma (Mimi) Diaz-Greco
Staff Attorney

H-INQ 18-09
Adams

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County Employees Wishing to Register as County Vendors

Please submit the following information by mail, fax, **or** email to—

Gilma Diaz-Greco, Staff Attorney
The Commission on Ethics & Public Trust
19 West Flagler St., Suite 820
Miami, FL 33130

Phone: (305) 350-0638
Fax: (305) 579-0273
Email: gdiazgr@miamidade.gov

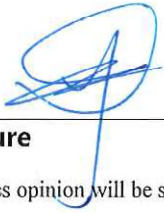
Employee's Name	Franklin Adams
Employee's Dept.	WASD
Employee's Title	Network Manager 2
Business Name	Timehri Networks, LLC
Type of Business	IT consulting and training services
Employee's Mailing Address	780 NE 199 Street, E-207, Miami, FL 33179
Employee's Daytime Phone	786 552 8159
Employee's Preferred Email	fadams@timehri.net
Immediate Family Members	

(Please list the names, titles, and departments of any immediate family members currently employed by Miami-Dade Co.)

The Miami-Dade County Conflict of Interest & Code of Ethics at § 2-11.1 (c)(2) allows County employees to contract with the County in certain circumstances and if the following criteria are met. Please confirm that you will meet all of these criteria:

1. Entering into a contract with the County will not interfere with the full and faithful discharge of my duties to the County.
2. I will not participate in determining the contract requirements.
3. I will not participate in awarding the contract.
4. My job responsibilities and job description will not require me to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination, or forbearance.
5. I will not be working in the County department that enforces, oversees, or administers the contract.

I have read these requirements and pledge to abide by them.


Signature

1/9/2018
Date

Your ethics opinion will be sent to you by first class mail and email, unless you request another type of delivery.

COE 11/2013



Via First Class Mail and
email at fadams@timehri.net

Permission to engage in outside employment must be obtained annually from the County employee's supervisor. This opinion does not confer permission to engage in outside employment.

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ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

June 27, 2011

Franklin Adams
TIMEHRI NETWORKS, LLC
780 NE 199th St., E 207
Miami, FL 33179

Re: INQ 11-102, Limitations on Doing Business with the County

Dear Mr. Adams:

In correspondence to our office on June 24, 2011, you said that you wish to do business with the County through TIMEHRI NETWORKS, LLC, your privately owned company that provides IT consulting and training services.

The County Ethics Code allows TIMEHRI NETWORKS, LLC, to enter into contracts with all County departments **except** the Miami-Dade County **Water & Sewer Department (WASD)** because of your employment as a Network Manager 2 with WASD.

Specifically, the County Ethics Code at Sec. 2-11.1 (c) allows you and/or your company to enter into a contract with Miami-Dade County as long as the contract does not interfere with the full and faithful discharge of your duties to the County. This includes the condition that you do not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination, or forbearance. Finally, you may not work in any County department that will enforce, oversee, or administer your contract. In your case, this means that **you may not enter into contracts with the Water & Sewer Department (WASD).**

If any of the facts you have presented change, or if you have further questions, please do not hesitate to contact me at 305 350-0601.

Sincerely,


VICTORIA FRIGO
Staff Attorney