

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, September 26, 2018 2:38 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Public Health Trust Ethics Opinion Request , Applicants to PHT, (Conflict of Interest), INQ 18-214

INQ 18-214 Moses

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**From:** Perez, Martha D. (COE)  
**Sent:** Tuesday, September 11, 2018 12:28 PM  
**To:** Moses, Jonathan (Office of the Mayor) <Jonathan.Moses@miamidade.gov>  
**Cc:** Arrojo, Jose (COE) <Jose.Arrojo@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Shy, Eugene (CAO) <Eugene.Shy@miamidade.gov>; Betancourt, Javier A. (CITT) <Javier.Betancourt@miamidade.gov>; pedrordiaz@gmail.com  
**Subject:** RE: Public Health Trust Ethics Opinion Request , Applicants to PHT, (Conflict of Interest), INQ 18-214

Dear Mr. Moses,

As you know, the Board of Trustees is governed by a heightened conflict of interest standard as mandated by Commission Resolution No. R-1020-11. In addition, the Trust Bylaws, approved by Commission Resolution No. R-487-13, include provisions regarding the heightened standard. Under the Trust Bylaws, the Ethics Commission has been empowered to render opinions regarding the heightened standard. You have asked our office for an opinion relative to Pedro Diaz's and Javier Betancourt's prospective appointments to the Public Health Trust Board of Trustees.

### Javier Betancourt

Mr. Betancourt is the Executive Director of the Citizens' Independent Transportation Trust (CITT), an independent agency of the County charged with oversight of the "half penny" transportation surtax and implementation of the People's Transportation Plan (PTP). Mr. Betancourt *is not* a board member. In his position as Executive Director of CITT, Mr. Betancourt conducts analysis and provides information to the Trust Board on transit projects in the PTP which are funded with the half penny transportation surtax. His staff also conducts audits of municipalities and the County's Department of Transportation and Public Works (DTPW) to ensure compliance. Although some of the transportation services overseen by CITT affect the healthcare district, there is no connection between CITT's half penny surtax and the healthcare surtax overseen by PHT. Additionally, Mr. Betancourt reports directly to CITT, not the BCC. After reviewing the heightened Conflict of Interest standard adopted by the Board of County Commissioners for the PHT, which is contained in Article III, Section 3, of the by-laws of the PHT, we conclude that Mr. Betancourt is eligible for appointment to the PHT.

### Pedro Diaz

Mr. Diaz is the founding and managing partner of Diaz Consulting Group, a business and political strategic firm. Mr. Diaz's mother is employed by the University of Miami School of Medicine as an Administrative Assistant to a physician in the Hematology/Oncology Department. The PHT has entered into an Affiliation Agreement and subsequent annual Operating Agreements with the University of Miami for joint and/or cooperative activities and services of mutual benefit to these entities. Article III, Section 3 of the PHT Bylaws- Heightened Standard of Conflict- provides that an immediate family member of a board member and organizations in which the immediate family member is employed *shall not* be engaged to do business or provide services to JHS. Consequently, Mr. Diaz is not eligible for appointment to the PHT because his immediately family member (his mother) is an employee of the University of Miami which is an organization doing business and providing services to the PHT/JHS.

This matter was discussed with the County Attorney's Office and the aforementioned nominees. This opinion is based on the facts as presented herein. If any of these facts change, please contact us.

Sincerely,

**Martha D. Perez**

Staff Attorney

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

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**From:** Murawski, Michael P. (COE)

**Sent:** Wednesday, September 05, 2018 2:08 PM

**To:** Perez, Martha D. (COE) <[Martha.Perez2@miamidade.gov](mailto:Martha.Perez2@miamidade.gov)>; Turay, Radia (COE) <[Radia.Turay@miamidade.gov](mailto:Radia.Turay@miamidade.gov)>; Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>

**Subject:** RE: Public Health Trust Ethics Opinion Request

**Importance:** High

Team:

Martha has graciously agreed to take the lead on this opinion. Thanks for everyone's input thus far.

Thank you Martha

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**From:** Moses, Jonathan (Office of the Mayor)

**Sent:** Tuesday, September 04, 2018 4:28 PM

**To:** Murawski, Michael P. (COE) <[Michael.Murawski@miamidade.gov](mailto:Michael.Murawski@miamidade.gov)>

**Subject:** Public Health Trust Ethics Opinion Request

Good afternoon,

Last week I spoke with Mr. Santorino about the need for an ethics opinion on two individuals who submitted applications for the Public Health Trust. He advised that he was retiring.

Please advise if you could provide an ethics opinion on the following two individuals as soon as possible. The next board meeting of the Public Health Trust Nominating Council is **Thursday September 6, 2018 at 10:30 a.m.**

1. **Pedro Diaz** – Mr. Diaz mother is currently employed at the University of Miami School of Medicine. Does this exclude Mr. Diaz from interviewing and serving as a member of the Public Health Trust?
2. **Javier Betancourt** – Mr. Betancourt currently serves as Director of the Citizens Independent Transportation Trust Director. Does this exclude Mr. Betancourt from interviewing and serving as a member of the Public Health Trust?

I apologize for the delay in request as I had the understanding that a staff member from Jackson had put in the request with your office. Please advise if you need any additional information.

Thank You for your assistance.

**Jonathan J. Moses**

Intergovernmental Liaison

Office of the Mayor

Miami-Dade County

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