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March 16, 2009

Mario F. Morlote, Assistant to the County Manager
Miami-Dade County Executive Offices
111 NW 1st St., Suite 2910
Miami, FL 33128

Via First Class Mail and email at MARIOM@miamidade.gov

Re: INQ 09-37

Dear Mr. Morlote:

In communications to our office dated December 16, 2008, and March 13, 2009, you asked if any conflicts of interest exist if your brother enters into a contract with the Miami-Dade Housing Authority (MDHA) to become a Section 8 landlord while you work as an assistant to the County Manager with certain administrative duties involving the MDHA. Typically, your responsibilities include processing MDHA agenda items, tracking documents that require others' signatures, and monitoring the MDHA business plan. We understand that you have no direct or indirect influence or authority over the agency.

Because the Miami-Dade County Code of Ethics does not include "brother" or "sibling" within the definition of "immediate family member,"¹ your brother's dealings with the MDHA present no conflicts for you.

Appearances of impropriety are not dealt with in the County Ethics Code. Nevertheless, you have volunteered that in the unlikely event your brother has issues with the MDHA that also involve the County Manager's Office, you will ask a colleague to deal with these matters. This arrangement ensures that your brother's Section 8 contract with the County will not interfere, or appear to interfere, with the full and faithful discharge of your duties to the County.

Sincerely,

VICTORIA FRIGO
Staff Attorney

¹ Miami-Dade County Code at Sec. 2-11.1 (b)(9) states, "The term 'immediate family' shall refer to the spouse, parents and children of the person involved."