

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, June 17, 2010 3:35 PM
To: 'Oduagroup@aol.com'
Cc: Dotson, Gail A.
Subject: Ethics Opinion INQ 10-111

Mr. Aluko,

You asked, as a former employee of the City of Miami, if you may enter into a consulting contract with Comprehensive Outreach Program, Inc., (COP, Inc.).

IT IS OUR OPINION, based on the facts you have presented, that you may enter into a contract with COP, Inc., but you may not lobby anyone in the City of Miami for two years following your employment with the City.

YOU STATED that you were the former Director of the City of Miami Capital Improvements Program until your separation from the City on April 8, 2010. During the time of your City employment, neither you nor any of your designees served on any committees with authority to recommend contract awards to COP, Inc.

Going forward, you will serve as COP's project director to oversee construction on a property being developed and renovated with funds obtained through the City of Miami's Department of Community Development (DCD) Neighborhood Stabilization Program (NSP).

THE CITY OF MIAMI CODE at Sec. 2-612 prohibits you from entering into contracts with the City, individually or through your privately owned business, for two years following your departure from the City. Additionally, you may not receive compensation from an entity that has sought funds from the City if you or your designee served on a committee awarding such funds over \$500,000. Barring these exceptions, you are not prohibited from contracting with a third party such as COP, Inc., that has a contract with the City.

UNDER THE COUNTY CODE at Sec. 2-11.1 (q) you are prohibited from lobbying all agencies, departments, committees, and boards of the City on behalf of any entity, including COP, Inc., for two years following your City employment.

Lobbying is defined very broadly to include any activity taken to influence an official action. To avoid possible misconceptions, you should limit your contacts with City officials, appointees, and employees to strictly ministerial matters, particularly when you meet with City building inspectors.

If I can be of further assistance, please feel free to contact me.

Sincerely,

[Victoria Frigo, Staff Attorney](#)

[Miami-Dade County Commission on Ethics](#)
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From: Oduagroup@aol.com [mailto:Oduagroup@aol.com]

Sent: Wednesday, June 16, 2010 10:31 AM

To: Frigo, Victoria (COE)

Subject: Request for Determination

Hello Ms. Frigo,

Pursuant to our conversation, below please find my case:

I was a former City Employee that separated from the City on April 8, 2010. I have been contacted by a developer who is developing/renovating a property with funds provided by the City of Miami's Community Development Department's NSP program (a program that provides funds to developers to revitalize blight in communities). This developer seeks to employ me (my firm) as the Project Manger in order to oversee the contractor who will be performing the construction services.

My principal role will solely be the Owner's representative as it relates to the construction of the property. My interaction will be with the Contractor and the Developer and maybe at times I will be required to meet with the City's building inspectors on the project site to resolve or coordinate construction matters.

As discussed, I request a determination as to if I could perform this service for the developer. I would like to stress that I will not receive any funds directly from the City nor do I intend to lobby the City for funds on behalf of the developer.

Your assistance is greatly appreciated. I await your response.

Ola O. Aluko, President
Odua Group, LLC

6/17/2010