

M E M O

TO: File
FROM: Victoria Frigo
DATE: August 3, 2010
RE: INQ 10-141

Juan Carballo requested an ethics opinion regarding his ability to register as a county vendor. Since he is *not* a county employee, he is not within our jurisdiction to be granted an ethics opinion.

BACKGROUND: Mr. Carballo stated that he is a part-time county employee working for the Miami Art Museum. He contended that because the Miami Art Museum is funded by the county, he is employed by the county.

INVESTIGATION: An investigation of county personnel records by Kennedy Rosario confirmed that Mr. Carballo is not a county employee. Kennedy also called Jay Ore at the Miami Art Museum to verify the status of Mr. Carballo as an independent contractor there.

My research showed that the Miami Art Museum is a nonprofit corporation funded in part by the following:

- State of Florida, Department of State, Division of Cultural Affairs
- The National Endowment for the Arts
- Miami-Dade County Department of Cultural Affairs

I contacted Mr. Carballo and Esmeralda Cardenas (Procurement) to advise them that Mr. Carballo does not need an ethics opinion from the Ethics Commission to register as a county vendor.

CONTACT NUMBERS:

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| Juan Carballo | 305 898-3484 |
| Esmeralda Cardenas | 305 375-5773 (Procurement Dept.) |
| Jay Ore | 305 720-9649 (Miami Art Museum) |
| Lorraine Mitchell | 305 876-8334 (Airport Admin. Officer), where Mr. Carballo is seeking county employment |