

Via First Class Mail
and
email at RhondaMontoya@miamibeachfl.gov

ETHICS COMMISSIONERS February 24, 2010

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MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

Rhonda Montoya Hasan, Esq.
Office of the City Attorney
City of Miami Beach
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: INQ 10-39 Contracting with the City of Miami Beach

Dear Ms. Hasan:

In correspondence to our office on February 22, 2010, you said that your husband, Ramsey Hasan, is responding to a bid to contract with the City of Miami Beach through his privately owned company, Security Innovative Solutions, Inc.¹

The facts as we understand them are as follows:

- You are employed by the City of Miami Beach as a First Assistant City Attorney.
- Your primary areas of responsibility are regulatory enforcement of fire and building codes, construction litigation, and other general and commercial litigation. You do not have any interaction or responsibilities associated with the Procurement Department.
- Security Innovative Solutions, Inc. is a for-profit Florida corporation owned by your spouse, Ramsey Hasan.

In consultation with Robert Meyers, Executive Director of the Commission on Ethics, we find that neither the City of Miami Beach Ethics Code nor the Miami-Dade County Ethics Code prohibits Security Innovative Solutions, Inc., from doing business with the City of Miami Beach *as long as certain restrictions are followed*.

CITY OF MIAMI BEACH ETHICS CODE:

Sec. 2-454 of the City Code requires that you have no dealings or interactions involving Security Innovative Solutions, Inc., in your official capacity as a First Assistant City Attorney. This is an especially important restriction to observe in your case, since your primary areas of responsibility as a First Assistant City Attorney include enforcement of fire and building codes and involvement in construction litigation.

Additionally, if Security Innovative Solutions, Inc., is successful in obtaining a contract with the City of Miami Beach, you will be required under Sec. 2-450 of the City of Miami Beach Code to file a sworn statement with the City Clerk disclosing

¹ Quote # 06-2010 MF.

your relationship to Security Innovative Solutions, Inc., the nature of the contract, the commencement date of the contract, and the term of the contract.

MIAMI-DADE COUNTY ETHICS CODE:

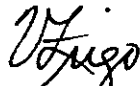
Secs. 2-11.1 (c) and (d) of the County Ethics Code allow a company owned by a spouse of a city employee to contract with the respective city as long as the contract does not interfere with the full and faithful discharge of the employee's duties to her city. Consequently, under the County Code, you may not participate in determining the contract requirements or in awarding the contract involving Security Innovative Solutions, Inc. Additionally, you may not subsequently 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 be employed by any City department that will enforce, oversee, or administer the contract.

You have stated that you will be able to perform your duties as a First Assistant City Attorney in the areas of enforcement of fire and building codes, construction litigation, and other general and commercial litigation and, at the same time, abide by the restrictions imposed by the City and County Ethics Codes.

Consequently, Security Innovative Solutions, Inc., may contract with the City of Miami Beach as long as you have no involvement in any way, including but not limited to establishing the contract requirements or awarding the contract and the subsequent enforcement, oversight, administration, amendment, extension, termination, or forbearance of the contract.

If any of the facts you have presented change, or if you have further questions, please do not hesitate to contact Robert Meyers at 305 579-2594 or Victoria Frigo at 305 350-0601.

Sincerely,



VICTORIA FRIGO
Staff Attorney

copies: Jose Smith, City Attorney, City of Miami Beach
JoseSmith@miamibeachfl.gov

Jean Olin, Special Counsel, City of Miami Beach
JeanOlin@miamibeachfl.gov