

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Wednesday, July 18, 2012 4:12 PM
To: 'Oscar@housneronline.com'; Chao, Andrea M. (Seaport)
Cc: Centorino, Joseph (COE)
Subject: Crane Management (INQ 12-119)

Mr. Ulpiz,

In an ethics opinion you received on July 9, 2012, you were advised that you may contract with the County through your privately owned company, Housner Office Supply, Inc., but you may not contract with the Seaport because your spouse, Andrea M. Chao, is employed by the Seaport as a Grant Administrator. (See INQ 12-114 and County Code at Sec. 2-11.1 (c)(2).)

You have subsequently asked if Housner Office Supplies, Inc., may continue to contract with the Port of Miami Crane Management, Inc., based on the relationship between Crane Management and the Seaport.

It is the opinion of the ethics commission staff that the ***Port of Miami Crane Management, Inc., operates as a de facto part of the Seaport*** and, consequently, ***you may not contract with the Port of Miami Crane Management, Inc.*** Any current contracts would not be affected by this opinion, but these contracts could not be renewed, and new ones could not be established.

The rationale for this opinion is supported by several observations.

1. Under its Articles of Incorporation, the sole purpose of the Crane Management nonprofit organization is to engage in activities that exclusively support and benefit the Seaport and/or Miami-Dade County.
2. Crane Management was created by the Seaport, is funded by the Seaport, and is under the control of the Seaport via a board of directors; 4 of 5 of the directors are appointed by the County. Juan Kuryla, Deputy Port Director, is chair of the board of Crane Management.
3. Personnel from the Seaport work on behalf of Crane Management. Most significantly, your spouse, Andrea Chao, as an employee of the Seaport, obtained a grant that was used in part to fund Crane Management. In addition, Gyselle Pino acts as Procurement Director for both the Seaport and Crane Management.

We appreciate your cooperation to forgo doing business with the Port of Miami Crane Management, Inc. Please feel free to contact me if you have further questions.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

Fax: 305 579-0273



19 West Flagler St., Suite 820
Miami, FL 33130

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