

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Friday, September 07, 2012 3:28 PM
To: Agha-Long, Grisel (Aviation)
Cc: Southwell, Miguel (Aviation); Abreu, José (Aviation); Centorino, Joseph (COE)
Subject: Outside employment (INQ 12-155)

Ms. Agha-Long

I have discussed your matter with our Executive Director, and we agree that your proposed outside employment with an Airport concessionaire would create a conflict of interest for you based on your County employment as Executive Secretary to Miguel Southwell, Deputy Aviation Director, who oversees Airport Business Retention & Development.

The conflict is created because the Business Retention & Development division deals directly with Airport concessionaires as part of managing rental and permit agreements of Airport properties and facilities. An Airport employee's part-time work with an Airport concessionaire could create opportunities to benefit the concessionaire to the detriment of the County.

The Ethics Code at Sec. 2-11.1 (j) states that a County employee may not accept outside employment that impairs her independence of judgment in the performance of her public duties. The Ethics Commission has issued numerous opinions on this subject. See, specifically, RQO 99-50, where an Airport employee was not allowed to engage in outside employment with an Airport contractor. The Ethics Commission reasoned that the outside employment might improperly affect the Airport employee's relationships with his County coworkers and might induce him to use confidential information to benefit his private employer.

The County's Administrative Order AO 7-1 reiterates the general principle that County employees must conduct the public's business without even an appearance of conflicting loyalties. It states that "Under no circumstances shall a County employee accept outside employment ... where a *real or apparent conflict of interest with one's official or public duties is possible.*"

Our office is aware of the difficulties that individuals in the County have incurred during the recent economic downturn, and we are sorry for your personal hardships. We wish you success in finding outside employment with another entity that has no relationship with the County Airport.

If you have additional questions, please do not hesitate to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

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From: Agha-Long, Grisel (Aviation) [<mailto:GAgha-Long@miami-airport.com>]

Sent: Thursday, September 06, 2012 4:07 PM

To: Frigo, Victoria (COE); Ethics (COE)

Subject: Grisel Agha-Long, Aviation Employee

Dear Mrs. Frigo:

Thank you for speaking with me yesterday. As we discussed, below is my written request to the ethics committee.

I am the Executive Secretary to Miguel Southwell, Deputy Aviation Director over Business Retention & Development. Among his responsibilities, Mr. Southwell oversees several divisions of the Airport including Concessions. Even though I am an executive secretary, I am nonetheless an exempt employee whose annual salary has shrunk considerably as a result of the County's efforts to balance the budget. This has led to some hardship to support my daughter and household, as a result of which I have been actively seeking part-time employment.

It recently came to my attention that an airport concessionaire, Duty Free Americas, had been hiring part-time employees. I successfully applied for the position which was approved by Airport Administration. However, I also agreed with Airport administration that in an overabundance of caution, I should seek an opinion from the Ethics Division. I have not and will not have any influence over DFA decisions by the Airport's administration, including Mr. Southwell and the Administration played no role in my securing the position. I competed for the position and was among several applicants who interviewed for same.

DFA requires me to start on Monday, September 10, 2012. Thank you for your review of this matter.

Sincerely,

Grisel Agha-Long

Executive Secretary

MDAD/Business Retention & Development

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