

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Wednesday, September 12, 2012 10:17 AM
To: Flynn, Jay (MDT)
Cc: Martinez, Dania (MDT); Vazquez, Maricely (MDT); Young, Vontressia (MDT); Centorino, Joseph (COE)
Subject: Financial Disclosure Filing for Contracts Compliance Officers (INQ 12-156)

Jay,

I have consulted with the Executive Director and Deputy General Counsel of the Ethics Commission on whether Transit Contracts Compliance Officers are required to file financial disclosure forms under Fla. Stat. 112.3145.

We concur that State law does not require Contracts Compliance Officers to file financial disclosure statements because they do not have authority to approve individual expenditures in excess of \$20,000.

In general, however, County departments may impose stricter requirements on employees than are found in the State or County ethics codes.

Please feel free to contact me if I can be of further assistance.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

Fax: 305 579-0273



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

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Centorino, Joseph (COE)
Sent: Friday, September 07, 2012 9:15 AM
To: Frigo, Victoria (COE)
Subject: FW: Departmental employees requiring Financial Disclosure Filing

Victoria,
Let's resolve this issue without further ado.

From: Townsley, Penelope (Elections)
Sent: Thursday, September 06, 2012 7:52 PM
To: Centorino, Joseph (COE); Llort, Ysela (MDT)
Subject: Fwd: Departmental employees requiring Financial Disclosure Filing

Joe/Ysela,

The below exchange is inappropriate and unproductive. This issue is not under the purview of the Elections Department.

My office is obviously only responsible for Financial Disclosure notification pursuant to Statute and County Code.

As you are aware, Departments are responsible for identifying those employees who are required to file financial disclosure in accordance with the aforementioned laws.

Please take me out of the loop.

Thank you

Penelope "Penny" Townsley
Supervisor of Elections
Miami-Dade County
(305) 499-8509

Begin forwarded message:

From: "Cornelle, Dunbar (MDT)" <dunbarc@miamidade.gov>
Date: September 6, 2012 7:11:05 PM EDT
To: "Townsley, Penelope (Elections)" <COOP2@miamidade.gov>
Cc: "Agrippa, Christopher (COC)" <CAOA@miamidade.gov>, "Flynn, Jay (MDT)" <jflynn@miamidade.gov>
Subject: RE: Departmental employees requiring Financial Disclosure Filing

Good afternoon Ms. Townsley,

For the record, I would like to correct Mr. Flynn assertion that he has made any efforts to address with me his false reporting. Contrary to that assertion, I never sat with Mr. Flynn on this issue. In fact, Mr. Flynn completely ignored my July 2011 email to him (see copy sent to you earlier today). After one full year, in 2012, Mr. Flynn finally decided to relegate my case to clerical staff not equipped to draw legal conclusions.

Also, the string of emails below speaks to the recklessness with which I have been thrown in the contravening path of state law. Mr. Flynn finds it easier to just accuse me of noncompliance, rather than to simply read the statute and do the right thing. Mr. Flynn maintains his indifference, even after a certain staff attorney named Victoria Frigo had warned Mr. Flynn of the controlling element of the statute, which is stated in Subsection 3145(3), which is also the basis of my objection.

In my view, Mr. Flynn seems to have already made the decision that only the state can restore my good name. Meanwhile, I renew my position. I do not believe that I have a requirement under Chapter 112 to disclose personal financial information to you. Further, I do not have and never had the authority to make any purchase whatsoever on behalf of this county. Mr. Flynn's contention that I have is false. Thank you.

Dunbar Cornelle
Miami-Dade Transit
Materials Management Division

3401 NW 31 Street
Miami, Florida 33142
Tel.: 305-637-3828
Fax: 305-638-7410

From: Flynn, Jay (MDT)
Sent: Thursday, September 06, 2012 3:31 PM
To: Townsley, Penelope (Elections)
Cc: Agrippa, Christopher (COC); Cornelle, Dunbar (MDT); Martinez, Dania (MDT); Young, Vontressia (MDT)
Subject: FW: Departmental employees requiring Financial Disclosure Filing

Ms. Townsley,

Allow me to provide a more complete account of our efforts to work with, and inform, Mr. Cornelle of his obligations regarding financial disclosure and provide you with a copy of his response.

In addition to the below email from Ms. Martinez to Mr. Cornelle, Ms. Martinez of my staff and I have met with Mr. Cornelle on two occasions to help him understand his need to complete the financial disclosure documentation. We also spoke with Vontressia Young, Mr. Cornelle's supervisor, to get a more accurate picture of Mr. Cornelle's job duties. By all accounts Mr. Cornelle meets the requirements obligating him to complete the financial disclosure documentation. This was explained to Mr. Cornelle in detail.

As always, I am open to further discussion on this but our review of Mr. Cornelle's work responsibilities, and our understanding of the requirements for financial disclosure, lead us to believe Mr. Cornelle is obligated to complete this information.

Thank you,

Jay Flynn
Chief, Transit HR
786-469-5214

Delivering Excellence Every Day

From: Cornelle, Dunbar (MDT)
Sent: Tuesday, April 17, 2012 3:58 PM
To: Martinez, Dania (MDT)
Cc: Flynn, Jay (MDT); Vazquez, Maricely (MDT); Young, Vontressia (MDT)
Subject: RE: Departmental employees requiring Financial Disclosure Filing

Thanks, Dania.

I will now take the case to the Director, before going to the State.

Dunbar Cornelle
Miami-Dade Transit
Materials Management Division
3401 NW 31 Street
Miami, Florida 33142
Tel.: 305-637-3828

Fax: 305-638-7410

From: Martinez, Dania (MDT)
Sent: Tuesday, April 17, 2012 2:58 PM
To: Cornelle, Dunbar (MDT)
Cc: Flynn, Jay (MDT); Vazquez, Maricely (MDT); Young, Vontressia (MDT)
Subject: RE: Departmental employees requiring Financial Disclosure Filing

Good afternoon Dunbar,

A more definitive review was done on your request to be removed from the from the 2011 Financial Disclosure Filing list. Per email below; you meet STATE requirements and must file STATE FORM 1.

Dania M. Martinez

Miami-Dade Transit
daniem@miamidade.gov
786-469-5219

From: Frigo, Victoria (COE)
Sent: Tuesday, April 17, 2012 10:36 AM
To: Vazquez, Maricely (MDT)
Cc: Flynn, Jay (MDT); Martinez, Dania (MDT); Centorino, Joseph (COE)
Subject: RE: Departmental employees requiring Financial Disclosure Filing

Maricely,

If an employee has been assigned electronic signature authority to process ADPICS requisitions, and any *one* of these requisitions exceeds \$20,000, this person meets STATE requirements and must file STATE FORM 1.

Regardless of the way in which the single expenditure is authorized, whether manually or electronically, the *essential* elements of the law are that the employee is *authorized* by his government *to expend over \$20,000 in a single transaction*.

This is a State requirement, not a County requirement.

I hope this helps.

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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From: Vazquez, Maricely (MDT)
Sent: Thursday, April 12, 2012 5:04 PM
To: Frigo, Victoria (COE)
Subject: RE: Departmental employees requiring Financial Disclosure Filing

Good afternoon Ms. Frigo,

I hope all is well. Can you extend your assistance/expertise?

Thank you!

From: Flynn, Jay (MDT)
Sent: Wednesday, April 11, 2012 5:54 PM
To: Martinez, Dania (MDT)
Cc: Vazquez, Maricely (MDT)
Subject: RE: Departmental employees requiring Financial Disclosure Filing

Is there someone we can go to ask for a more definitive review on this?

From: Martinez, Dania (MDT)
Sent: Wednesday, April 11, 2012 9:18 AM
To: Flynn, Jay (MDT)
Cc: Vazquez, Maricely (MDT)
Subject: FW: Departmental employees requiring Financial Disclosure Filing
Importance: High

Jay,

Dunbar Cornelle is requesting to be removed from the 2011 Financial Disclosure Filing. This request has been brought to Transit's attention several times, He is now requesting to be removed from the List again and it's not clear to me if he's exempt. Mr. Cornelle is working in the Material Management Area in the Procurement Unit as a Transit Contracts Compliance Officer (Employee do not have the authority to make any purchases exceeding \$20,000; therefore State requirements do not apply. However, employee has authorized electronic signatures in ADPICS and/or FAMIS for requisition processing with Internal Services Department which may constitute county requirements but not necessarily state requirements.

Maricely and I met this morning to review the requirements of the filing procedures and we still feel he meets the financial disclosure requirements. Please let us know how to proceed and if we should meet to discuss further.

Dania M. Martinez
Miami-Dade Transit
daniam@miamidade.gov
786-469-5219

From: Young, Vontressia (MDT)
Sent: Thursday, April 05, 2012 9:26 AM
To: Martinez, Dania (MDT)
Subject: FW: Departmental employees requiring Financial Disclosure Filing

Hello Dania,

I am sending this email in response to your attached email. At this time, I am not able to provide a recommendation whether or not to remove Dunbar Cornella's name from the Financial Disclosure list. This will have to be determined by someone in HR.

From: Young, Vontressia (MDT)

Sent: Friday, January 20, 2012 2:41 PM

To: Martinez, Dania (MDT)

Cc: Pena, Caridad (MDT)

Subject: RE: Departmental employees requiring Financial Disclosure Filing

Dania,

I have revised the attached list. Upon further review of the State and County Financial Disclosure Requirements, it appears that some employees may not fit the criteria to be on this list. I am clear on the State requirements. However, the county requirements are somewhat ambiguous. The employees listed on the bottom of the list do not "approve expenditures" but they are assigned electronic signatures to process ADPICS requisitions with dollar amounts that can exceed \$20k to facilitate in the development of contracts with DPM. Please review and advise whether or not these employees meet the County criteria. If not, please remove these names from the list.

Steve Paul Kulich **does not work for Miami-Dade County as of September 30, 2011.**