

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Thursday, June 27, 2013 12:56 PM  
**To:** 'myba2006@aol.com'  
**Cc:** Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** INQ 13-158 Miami Youth Baseball Association

Lt. Delgado,

Under the facts you presented, the County Ethics Code does not prohibit the nonprofit organization, Miami Youth Baseball Association, Inc., (MYBA) from obtaining permits and contracting with the Miami Dade County Parks Department to offer activities at the County's "Brothers to the Rescue" Park at 2420 SW 72 Ave.

You stated that you are employed part-time by the MYBA and serve as its vice-president. In your capacity as a County fire lieutenant, we assume you exercise no authority whatsoever regarding permits and related contracts administered by the Parks Department.

The County Ethics Code at Secs. 2-11.1 (c)(2) and (d) allows the MYBA to enter into contracts with the County, including obtaining permits, because you have no ownership interest in the nonprofit organization.

However, you may not exploit your position as a County employee to obtain a special benefit for the MYBA, nor may you appear before any County board or County personnel seeking a benefit on behalf of the MYBA. *See* County Ethics Code at Secs. 2-11.1 (g) and (m)(1). In an abundance of caution, the MYBA may wish to delegate authority to conduct business with the County to a member of its board who is not a County employee.

If you have additional questions, please feel free to contact me.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

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**From:** Ethics (COE)  
**Sent:** Tuesday, June 25, 2013 5:31 PM  
**To:** Frigo, Victoria (COE)  
**Subject:** FW: Opinion on Possible Conflict of Interest

**From:** [myba2006@aol.com](mailto:myba2006@aol.com) [<mailto:myba2006@aol.com>]  
**Sent:** Monday, June 24, 2013 10:59 PM

**To:** Ethics (COE)

**Subject:** Opinion on Possible Conflict of Interest

I hereby respectfully request an opinion of the Miami-Dade Commission on Ethics.

My name is Alejandro R. Delgado, I am a Lieutenant for the Miami-Dade Fire Department, Employee No. 00152604. I also am an Officer (Vice President) of the Miami Youth Baseball Association, Inc. a Florida Not-For-Profit corporation (N07000001039), with IRS 501 (c) (3) Non Profit status. This organization provides youth baseball league, instruction, and tournament play for youths five (5) to seventeen (17) years of age in the City of Miami.

For the past seven (7) years I have been working part-time for the Organization, and received compensation for some of the work that I performed, while volunteering many additional hours. I am a league commissioner, in-charge of registrations, scheduling, and umpires. As required, I have been completing requests for outside employment and they have been approved through the chain-of-command.

The Miami Youth Baseball Association, Inc. currently operates out of City of Miami Parks, not any Miami-Dade County facilities. However, the Organization is submitting a proposal (RFPPP 2013-01) to the Miami Dade County, Department of Parks, Recreation, and Open Spaces, for a permit to expand and offer programing and activities, at Miami Dade County Brothers to the Rescue Park, located at 2420 SW 72 Ave. Miami, Florida.

**Question:** Will it be a conflict of interest for me to be involved with the Organization at Miami Dade County's Brothers to the Rescue Park?

Sincerely

Alejandro R. Delgado