

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, November 21, 2013 10:45 AM
To: Velazquez, Christine (RER)
Cc: Melendez, Marcia (RER); Wong, Patrick (RER)
Subject: Ethics question (INQ 13-298)

Hello Christine,

As we discussed last week, a County employee who is the president of the Fulford Methodist Church cannot appear before the County's Environmental Quality Control Board (EQCB) seeking a variance or an appeal on behalf of the church. Additionally, the County employee cannot contact County personnel in an attempt to influence the ruling. The church is considered a "third party" as per the Miami-Dade County Ethics Code at Sec. 2-11.1 (m)(1).

Because the EQCB rules require that the president or vice-president of a corporation (or an attorney) represent the property before the EQCB, the vice-president of the Fulford Methodist Church (as long as s/he is not a County employee) or an attorney must present this case to the EQCB. Also be advised that the County employee who is president of the church cannot benefit financially, either directly or indirectly, for the services rendered by the vice-president or an attorney.

If you have additional questions, please contact Joe Centorino, Executive Director, or Gilma Diaz-Greco, Staff Attorney, at the Ethics Commission.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

Direct Phone: 305 350-0601
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From: Velazquez, Christine (RER)
Sent: Thursday, November 14, 2013 10:06 AM
To: Frigo, Victoria (COE)
Cc: Melendez, Marcia (RER); Wong, Patrick (RER)
Subject: Ethics question

Good morning Ms. Frigo,

Thank you for your time yesterday to discuss the applicability of the ethics Code. I manage a public hearing process for DERM called the Environmental Control Board. This Board hears requests for variances or appeals of the Miami-Dade County Environmental Protection Code (Chapter 24 of Miami-Dade County Code). We have a pending application before the Board for Fulford Methodist Church. The president, as listed in Florida Division of Corporations, is a DERM employee. He has been processing the application and meeting with staff regarding the status of the application. The EQCB rules

require the president or vice-president of a corporation (or an attorney) to represent the property before the Board. Our question is if this employee is allowed to present this case to the EQCB pursuant to 2-11.1(m)(1) of the Code.

Thank you for your help in this matter.

Regards,

Christine Velazquez, Chief Code Coordination and Public Hearings
Miami-Dade Department of Regulatory and Economic Resources
Division of Environmental Resources Management (DERM)

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