

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Thursday, March 14, 2013 2:29 PM  
**To:** Mankes-Goldstein, Margot (DIST4)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** RE: Revised ethics opinion for Letricia Brown (INQ 13-52)

Ms. Mankes-Goldstein,

I am very troubled that our agency has been asked to give ethics advice based on misrepresentations and ambiguities. Opinions based on falsehoods are not legally binding.

First we were told that "*one of the shareholders*" of AMAJ Enterprise Corp. is "*on*" the Miami-Dade Homeless Trust, which gives the impression that someone other than Ms. Brown is "*on*" the Board of the Homeless Trust.

Next, Ms. Brown states that this "*shareholder*" is an "*employee*" of the Homeless Trust.

Now we are told that there is no group of *shareholders*, only the principal, Ms. Brown, who is an employee of the Homeless Trust.

If this last set of facts is true, these are the rules for County employees seeking a grant from the County:

- Ms. Brown, as an *employee* of the Homeless Trust Department, cannot accept a grant if the Homeless Trust Department is involved in any way in processing or administering the grant. (County Ethics Code at Sec. 2-11.1 (c)(2))
- Ms. Brown, as an *employee* of the Homeless Trust, may not lobby any County Department or Agency, including the office of Commissioner Sally Heyman, for the grant. This means that Ms. Brown may not contact anyone, in any manner or by any means, within the County (or anyone working on behalf of the County) ***in an attempt to influence a decision about the grant she is seeking.*** (County Ethics Code at Sec. 2-11.1 (m)(1))

Submitting a routine application, accepting payments, and turning in invoices, without attempting to influence an official decision, is *not* lobbying.

I trust that this third opinion accurately reflects the facts in this matter, but I am gravely concerned about the credibility of the person or persons who submitted information to this agency throughout this process.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

Direct Phone: 305 350-0601  
Main Number: 305 579-2594  
Fax: 305 579-0273



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

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**From:** Mankes-Goldstein, Margot (DIST4)  
**Sent:** Thursday, March 14, 2013 10:23 AM

**To:** Frigo, Victoria (COE)

**Subject:** RE: Revised ethics opinion for Letricia Brown

Victoria: I need some clarification. Ms. Brown is an employee of the Homeless Trust. She is also the owner and only employee of the business.

We need clarification on the administering of the grant and lobbying for grant parts. If she applied does that constitute lobbying? The money is not directly handed to the business, payment is made directly to the vendor of their using and Ms. Brown and the business would submit the appropriate invoice and payment request forms.

Thank you for your assistance.

*Margot Goldstein*, Aide

Office of Commissioner Sally Heyman

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**From:** Frigo, Victoria (COE)

**Sent:** Wednesday, March 13, 2013 3:52 PM

**To:** Mankes-Goldstein, Margot (DIST4)

**Subject:** Revised ethics opinion for Letricia Brown

Ms. Mankes-Goldstein,

Attached is the revised version of Ms. Brown's ethics opinion related to her application for a Mom & Pop grant.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

Direct Phone: 305 350-0601

Main Number: 305 579-2594

Fax: 305 579-0273



19 West Flagler St., Suite 820

Miami, FL 33130

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Via First Class Mail  
and  
email at [mmankes@miamidade.gov](mailto:mmankes@miamidade.gov)

ETHICS COMMISSIONERS March 13, 2013

Dawn Addy, CHAIR  
Charlton Copeland, VICE CHAIR  
Nelson Bellido  
Judge Seymour Gelber  
Kerry E. Rosenthal

Letricia Brown, President  
AMAJ Enterprise Corp.  
2377 NW 55 St.  
Miami, FL 33142

JOSEPH CENTORINO  
EXECUTIVE DIRECTOR  
GENERAL COUNSEL

Re: INQ 13-52, Mom & Pop Grant, *revised*

Dear Ms. Brown:

MICHAEL P. MURAWSKI  
ADVOCATE

Margot Mankes-Goldstein, an aide to Commissioner Sally Heyman, asked on your behalf if the County Ethics Code would prevent your privately owned company, AMAJ Enterprise Corp., from accepting a Mom & Pop Grant in light of one of your shareholders being an *employee* of the Miami-Dade Homeless Trust.

MIRIAM S. RAMOS  
DEPUTY GENERAL COUNSEL

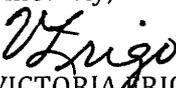
Briefly, your company may accept a grant as long as the *employee* of the Homeless Trust Department is not involved in any way in processing or administering the grant. Additionally, the employee of the Homeless Trust may not lobby for the grant. (See the County Ethics Code at Secs. 2-11.1 (c) and (m)(1).)

Be advised that the County Ethics Commission has interpreted lobbying very expansively when applied to County employees. This means that the County employee may not contact anyone within the County (or anyone working on behalf of the County) in an attempt to influence his/her decision about the grant you are seeking.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics Ordinance only and is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

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

Sincerely,

  
VICTORIA FRIGO  
Senior Staff Attorney



Via First Class Mail  
and  
email at [mmankes@miamidade.gov](mailto:mmankes@miamidade.gov)

**ETHICS COMMISSIONERS**

March 5, 2013

**Dawn Addy, CHAIR**  
**Charlton Copeland, VICE CHAIR**  
**Nelson Bellido**  
**Judge Seymour Gelber**  
**Kerry E. Rosenthal**

Letricia Brown, President  
AMAJ Enterprise Corp.  
2377 NW 55 St.  
Miami, FL 33142

**JOSEPH CENTORINO**  
EXECUTIVE DIRECTOR  
GENERAL COUNSEL

Re: INQ 13-52, Mom & Pop Grant

**MICHAEL P. MURAWSKI**  
ADVOCATE

Dear Ms. Brown:

**MIRIAM S. RAMOS**  
DEPUTY GENERAL COUNSEL

Margot Mankes-Goldstein, an aide to Commissioner Sally Heyman, asked on your behalf if the County Ethics Code would prevent your privately owned company, AMAJ Enterprise Corp., from accepting a Mom & Pop Grant in light of one of your shareholders being a board member of the Miami-Dade Homeless Trust.

The County Code at Sec. 2-11.1 (m)(2) prohibits a County board member from making a presentation or seeking any benefits for himself/herself or others from the board on which he/she serves. Sec. 2-11.1 (c)(3) prohibits a County board member from entering into a contract with the County if the board on which he/she serves would oversee the contract. Sec. 2-11.1 (v) prohibits a County board member from voting on any matter affecting an entity in which he/she has a financial interest if he/she would be directly affected by the vote.

Since the Miami-Dade Homeless Trust would not be involved in any aspect of the Mom & Pop Grant being provide through Commissioner Heyman's District # 4 office, you have no ethics conflicts under the County Ethics Code based on the facts you presented.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics Ordinance only and is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

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

Sincerely,

  
VICTORIA FRIGO  
Senior Staff Attorney