

Diaz-Greco, Gilma M. (COE)

From: Ethics (COE)
Sent: Wednesday, January 15, 2014 2:57 PM
To: Ricisak, John (RER)
Cc: Diaz-Greco, Gilma M. (COE)
Subject: INQ - John Ricisak, Supervisor, Coastland & Wetlands Resources Section - Compliance/Enforcement

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Ricisak,

Thank you for your inquiry regarding the requirements for financial disclosure. What may have confused you is that there are both County requirements and State requirements in this area which overlap. The County requirements are spelled out in Section 2-11.1(i) of the County Conflict of Interest and Ethics Code. The latter provision includes the following language: "Compliance with the financial disclosure provisions of Chapter 112 (Part III) Florida Statutes, as amended ...shall constitute compliance with this section." What this means is that for those individuals who may be required to file financial disclosure under both County Code and State law, the filing of the state form will suffice to cover the County requirement.

Section 112.3145, Florida Statutes includes a description of all of the individuals required to file under state law, including local officers, specified state employees, and state officers. The list of "local officers" includes "purchasing agent having the authority to make any purchase exceeding the threshold amount provided for in s. 287.017 for CATEGORY ONE, on behalf of any political subdivision of the state or any entity thereof. Section 287.017(1) lists the various threshold categories. CATEGORY ONE is \$20,000.

Therefore, if you are the purchasing agent for your department whereby you have the authority to approve a purchase of \$20,000 or above, then you would be required to file State Form 1 Financial Disclosure Statement with the Department of Elections to satisfy the disclosure requirement.

I hope that this is helpful to you in determining your financial disclosure responsibilities.

Sincerely,
Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust

From: Ricisak, John (RER)
Sent: Wednesday, January 15, 2014 12:25 PM
To: Ethics (COE)
Cc: Spadafina, Lisa (RER)
Subject: Ethics Ordinance Question

Hello,

I recently completed the required on-line ethics training for County employees and have a few questions concerning the filing of financial disclosures. I manage the County's derelict vessel removal program on behalf of DERM. This work includes selecting contractors to perform the removal and disposal of abandoned boats located in the tidal waters of the County (e.g. Biscayne Bay, Miami River, etc.). The contractors are pre-qualified by Procurement to do this work and jobs

are assigned to contractors on an as-needed basis through a competitive bidding process. The contractor with the lowest bid gets the job and, once complete, submits an invoice to me. Once the contractor has satisfactorily completed the work and submitted all required documentation (photos, disposal receipts, etc.) to DERM, I sign the invoice and forward it to our administrative section with a memo verifying that the work has been completed and requesting that the contractor be paid.

Unless I misunderstood, I noted during the ethics training that County staff who have "signing authority" for expenditures over a certain amount (I think it was \$30K or \$40K) are required to submit a financial disclosure. I did not see any mention of this in the Ethics Ordinance, however. Can you please clarify if this is, in fact, the case? If so, would this apply to me in situations involving derelict vessel removal projects that involve expenditures over a certain amount? Does my verifying that an invoice is OK for payment constitute "signing authority"?

Thank you very much and please let me know if you require any additional information.

John Ricisak, Supervisor
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