
From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, November 07, 2014 2:51 PM
To: Sanchez, Rodzandra (COE)
Subject: Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Conflict of Interest)
INQ 14-270

INQ 14-270

From: Nares, Dimitrios (RER)
Sent: Friday, November 07, 2014 1:54 PM
To: Centorino, Joseph (COE)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE)
Subject: RE: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Conflict of Interest)

Thank you Mr. Centorino.

From: Centorino, Joseph (COE)
Sent: Friday, November 07, 2014 1:42 PM
To: Nares, Dimitrios (RER)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE)
Subject: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Conflict of Interest)

Mr. Nares:

You have inquired regarding whether, under the Miami-Dade Conflict of Interest and Code of Ethics Ordinance, a registered County lobbyist or vendor may be appointed to serve on the International Trade Consortium, a County advisory board.

While there is no specific prohibition against appointment of a County lobbyist or vendor to a County advisory board, there are several factors that would need to be considered and discussed with any County lobbyist or vendor prior to such an appointment. First, if the County lobbyist or vendor lobbies or does business with or before the board they are joining, that would likely create such a serious and recurring conflict under both the County Ethics Code (Sections 2-11.1(c) and 2-11.1(v)) and Chapter 112, Florida Statutes, that it would not be appropriate for that lobbyist or vendor to serve on that board. Second, any such lobbyist or vendor, as a County advisory board member, would be subject to County financial disclosure requirements under Section 2-11.1(4), which would have to be agreed to by the prospective member. Third, in any situation where an existing lobbyist or vendor was under consideration for appointment to a County board, it would be advisable to seek an opinion concerning that appointment in light of the potential conflict issues that could be raised and could only be resolved upon consideration of the facts in that individual case.

Sincerely,

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

From: Nares, Dimitrios (RER)
Sent: Thursday, November 06, 2014 10:14 AM
To: Centorino, Joseph (COE)
Subject: RE: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Thank you again Mr. Centorino:

Can you please provide me with an additional opinion related to the International Trade Consortium (ITC) Advisory Board—

The Board was created as the International Trade Advisory Board by Section 10 of Ordinance 10-60, and was subsequently renamed as the ITC. The advisory board is generally governed by County Code Section 2-11:38, but I have some questions regarding appointments to the Board and potential ethical conflicts. Can a registered County lobbyist or vendor be appointed to serve on this County advisory board? If they are allowed to serve on the Board, under what circumstances might they need to abstain from voting?

Regards,

Jimmy Nares
Chief
Economic Development and International Trade Unit (EDIT)
Department of Regulatory and Economic Resources (RER)
Miami-Dade County
111 NW 1st Street, 12th Floor
Miami, FL 33128
(305) 375-4626
nares@miamidade.gov

From: Centorino, Joseph (COE)
Sent: Tuesday, October 21, 2014 5:41 PM
To: Nares, Dimitrios (RER)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE)
Subject: INQ - Dimitrios Nares, Chief, Economic Development and International Trade Unit, Miami-Dade County Department of Regulatory and Economic Resources (Travel and travel-related expenses)

Mr. Nares:

An additional issue has been raised regarding the disposition of the \$15,000 donated by Odebrecht that was intended for use in funding the Brazil trade mission. Since, as we have indicated in INQ 14-210, it would not be appropriate pursuant to Section 2-11.1(w) of the County Ethics Code to utilize funds donated by a county contractor to cover travel expenses for county officials, and because that was the only intended purpose for the funds, these funds should be offered to be returned to Odebrecht. However, in the event that Odebrecht should indicate that it wishes to have the funds utilized by the Trade Mission Center of Americas for other purposes served by that organization, this may be done provided that the funds are utilized for purposes other than travel or travel-related expenses incurred by a county official or employee. Should Odebrecht evince an intent that Trade Mission Center of the Americas retain the funds for non-travel-related purposes, then, in order to provide a clear record of the intended disposition of such funds, I suggest that you document the following: 1)The offer of Trade Mission of Americas to return the funds to Odebrecht unconditionally; 2)The intent of Odebrecht to decline the return of such funds; 3)The intent of Odebrecht to permit the utilization of such funds for purposes other than those originally intended, to include administrative or other appropriate expenses incurred by Trade Mission Center of the Americas for non-travel-related purposes.

Sincerely,

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

From: Centorino, Joseph (COE)
Sent: Wednesday, October 01, 2014 12:26 PM
To: Nares, Dimitrios (RER)
Cc: Sanchez, Gerald (CAO); Diaz-Greco, Gilma M. (COE)
Subject: INQ 14-218

Mr. Nares:

Based upon the updated information you have provided, it appears that the upcoming mission to Brazil, which will include Mayor Carlos Gimenez and Commissioner Jose "Pepe" Diaz as well as you and another County employee, will now be funded entirely out of revenues received through the Trade Mission Center of the Americas, Inc. a Section 501(c)(3) organization, and that those revenues do not include any donated funds from any County vendor, contractor, service provider, bidder or proposer.

Under these circumstances, it is my opinion that the trip may go forward and the funding plan for the trip does not violate Section 2-11.1(w) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

Sincerely,

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

From: Nares, Dimitrios (RER)
Sent: Wednesday, October 01, 2014 11:28 AM
To: Centorino, Joseph (COE)
Cc: Sanchez, Gerald (CAO); Ferro, Alex (Office of the Mayor); Gelfman, Josh (RER); Rodriguez, Eric (CAO)
Subject: Business development mission to Brazil and revenue to pay for mission expenses

Good morning Mr. Centorino:

County Attorney Gerald Sanchez called me this morning to discuss how our upcoming mission to Brazil will be funded, and he asked me to provide you with a summary.

All mission related revenue and expenses will be routed through the Trade Mission Center of the Americas. Inc 501c3 non-profit bank account at City National Bank. This account currently has approximately \$44,000 comprised of net revenues from past mission registrations collected as well past sponsorship revenue. Of the \$44,000, \$23,000 have been identified as either being from registration fees collected from past missions or from past sponsors who at the time were not registered County vendors, service providers or contractors. In addition to these existing funds of \$23,000, we have collected and will be depositing approximately \$10,000 in registration fees for the Brazil mission and expect to receive a grant of \$7,500 from Enterprise Florida, Inc., bringing our total available funds to \$40,500. For your information, Enterprise Florida is the State's economic development agency. Therefore, the total available funds of \$40,500 will cover our projected overall expenses of \$36,000 for the Brazil mission, which include approximately \$15,000 in travel expenses for our two mission leaders, myself and another member of my staff. The remaining expenditures will cover business to business matchmaking services, room rentals and equipment rentals for our branding presentations, in-country bus transportation, translation services, and networking lunches and receptions.

Brazil Budget:

Total assets for mission to Brazil:

\$23,000	Registration revenue and permissible sponsorship revenue from past missions
\$10,000	Registration fees collected for mission to Brazil
<u>\$ 7,500</u>	Grant from Enterprise Florida, Inc. for mission to Brazil
\$40,500	Total

Total expenses for mission to Brazil:

\$36,000

Projected surplus:

\$ 4,500

Please let me know if you have any questions.

Regards,

Jimmy Nares
Chief
Economic Development and International Trade Unit (EDIT)
Department of Regulatory and Economic Resources (RER)
Miami-Dade County
111 NW 1st Street, 12th Floor
Miami, FL 33128
(305) 375-4626
nares@miamidade.gov