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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, December 31, 2014 2:08 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Michelle Sifontes, PWWM, Ethics Opinion (outside employment) INQ 14-288  
**Attachments:** RQO 12-11 Weber.pdf

INQ 14-288

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, December 31, 2014 2:07 PM  
**To:** Sifontes, Michelle (PWWM)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** Michelle Sifontes, PWWM, Ethics Opinion (outside employment) INQ 14-288

Dear Ms. Sifontes:

You requested additional clarification of a previous opinion regarding a PWWM employee who is responsible for real estate dealings in his County employment and who is seeking to activate his real estate license for private use. The Ethics Commission has subsequently addressed this issue in an analogous context. In RQO 12-11 (attached) the Ethics Commission opined that County real estate officers should not be permitted to engage in outside employment as private real estate agents because this type of outside employment is likely to impair one's independence of judgment in the performance of one's public duties. *See also* Miami-Dade County Code at Sec. 2-11.1 (j), prohibition on conflicting employment, and Sec. 2-11.1 (g), prohibition on exploitation of official position and County's Administrative Order AO 7-1 prohibiting County employees from accepting outside employment where a real or apparent conflict of interest with the employees official or public duties is possible.

Please contact us if you have further questions.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust  
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Miami, FL 33130  
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**From:** Sifontes, Michelle (PWWM)  
**Sent:** Monday, December 15, 2014 3:33 PM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** FW: Request opinion for outside employment (INQ 12-49)

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**From:** Fernandez, Francisco (PWWM)  
**Sent:** Wednesday, March 21, 2012 6:45 PM  
**To:** Frigo, Victoria (COE)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** RE: Request opinion for outside employment (INQ 12-49)

Thank you very much. In light of our discussion, if I decide to seek outside employment as a realtor I will only pursue work outside Dade County and I understand that it would be subject to the Director's approval. Several years ago I was given approval by the previous director for outside employment and it too was limited to outside the County but I never pursued it.

It's just always good to know your options. Thanks again for the tip on how to get rid of e-mail bug, I've found the number for the ATT tech line.

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**From:** Frigo, Victoria (COE)  
**Sent:** Wednesday, March 21, 2012 2:26 PM  
**To:** Fernandez, Francisco (PWWM)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** Request opinion for outside employment (INQ 12-49)

Mr. Fernandez,

As we discussed today, permission to engage in outside employment is within the sole discretion of your supervisors.

We've observed department-wide policies that prohibit employees who are responsible for real estate dealings in the County from activating their real estate licenses for private use. It would not be unusual if your situation were similarly addressed by a blanket policy prohibition.

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

Sincerely,

**VICTORIA FRIGO, STAFF ATTORNEY**  
Phone: 305 350-0601  
Fax: 305 579-0273



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

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**From:** FRANCISCO FERNANDEZ [<mailto:fernandez4305@bellsouth.net>]  
**Sent:** Tuesday, March 20, 2012 7:21 PM

**To:** Frigo, Victoria (COE)  
**Subject:** Re: Request opinion for outside employment

Thank you, for your prompt action.

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**From:** "Frigo, Victoria (COE)" <[FRIGOV@miamidade.gov](mailto:FRIGOV@miamidade.gov)>  
**To:** [fernandez4305@bellsouth.net](mailto:fernandez4305@bellsouth.net)  
**Sent:** Tue, March 20, 2012 4:59:31 PM  
**Subject:** RE: Request opinion for outside employment

Mr. Fernandez,  
I am in receipt of your request for an ethics opinion and will be in touch with you this week.  
Sincerely,

**VICTORIA FRIGO, STAFF ATTORNEY**  
Phone: 305 350-0601  
Fax: 305 579-0273

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

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**From:** FRANCISCO FERNANDEZ [<mailto:fernandez4305@bellsouth.net>]  
**Sent:** Sunday, March 18, 2012 6:50 PM  
**To:** Ethics (COE)  
**Subject:** Request opinion for outside employment

My name is Francisco Fernandez, and am currently employed by Miami Dade County Public Works Waste Management as a Chief Real Estate Officer. My primary responsibility as a Chief Real Estate Officer is the supervision of the Real Estate Officers (5 currently employed and 2 vacant positions), whose duties include the acquisition of right of way and real estate for roadway, transportation and infrastructure projects, as well as buying property for the Environmentally Endangered Lands Program

Additional duties include representing the department in coordination with the County Attorney's Office in negotiations with property owners in lieu of condemnation, mediations, and in eminent domain trials.

As a realtor I would like to activate my license in order to buy and sell property in both Miami Dade County as well as outside the County. In the event my request is granted I would not represent any buyers or sellers who are engaged in transactions with Miami Dade County.

Thank you for your consideration,

Francisco Fernandez

