

Diaz-Greco, Gilma M. (COE)

From: Centorino, Joseph (COE)
Sent: Thursday, February 13, 2014 5:32 PM
To: Agrippa, Christopher (COC)
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)
Subject: INQ - Alan Eisenberg, Office of the Clerk of the Board (advisory board appointment)
Attachments: The Chapman Partnership COE.docx

Importance: High

Mr. Agrippa,

You have inquired on behalf of Mr. Alan Eisenberg, an employee of your office, regarding whether he may accept an appointment to the Board of Directors of the Chapman Partnership. Mr. Eisenberg is employed as a Commission Reporter in your office where he is assigned to attend meetings of the Board of County Commissioners (BCC), take minutes and attend to the ministerial duties of the Clerk of the Board. The Clerk of the Board is responsible for the execution of ordinances, resolutions, contracts, and other documents or instruments approved by the BCC. It also receives bids, contracts, waivers, as well as maintains official County records, however, Mr. Eisenberg is not involved in these areas of the office's operations. The Chapman Partnership is a private, non-profit entity which contracts with the Miami-Dade Homeless Trust to provide services to the homeless, including housing, food, health care, dental care, psychiatric care, job training, case management, child care and other services. Its Board of Directors is not County Board. The Homeless Trust, while not a regular County government board, receives support and services through the County.

I do not find that there would be a violation of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance for Mr. Eisenberg to serve as a member of the Chapman Board because his duties at the BCC, as well as those of the Office of the Clerk, involve only ministerial and not discretionary actions and, therefore, he would not be in a position to affect in any way the interests of the Chapman Board or the Homeless Trust in his County position. His separation from any County activity that might interact with the Chapman Partnership or the Homeless Trust is such that I do not think his independence of judgment in the performance of his public duties would be affected in any way. However, I would caution him to avoid any situation in which he might be personally interacting with County Commissioners or County staff and be perceived as attempting to promote the interests of the Chapman Partnership with the County. If he were to do so, it could constitute an Exploitation of Official Position under Section 2-11.1((g) of the Ethics Code.

Please advise Mr. Eisenberg to feel free to contact us directly should he have any further questions or concerns regarding this matter.

Sincerely,

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

From: Agrippa, Christopher (COC)
Sent: Monday, February 10, 2014 2:59 PM
To: Centorino, Joseph (COE)
Subject: Commission on Ethics and Public Trust Opinion
Importance: High

Good afternoon Joe,

Clerk of the Board Division employee Alan Eisenberg has been asked to serve on the Board of Directors for the Chapman Partnership. My concern is whether a conflict exists with him serving on the Board and the role the Clerk of the Board Division play in receiving bids and executing grant agreements that may be awarded to Chapman Partnership. Therefore, I am requesting your opinion on whether Alan can serve on this Board.

Thank you

Christopher A. Agrippa
Director, Clerk of the Board Division
Miami-Dade Clerk of Courts
111 NW 1st Street, Suite#17-202
Miami, FL 33128
(305)-375-1295 Fax 2484
caoa@miamidade.gov



Before printing this e-mail please consider if it is necessary to do so.

From: Eisenberg, Alan (COC)
Sent: Friday, February 07, 2014 12:39 PM
To: Agrippa, Christopher (COC)
Subject: Commission on Ethics and Public Trust opinion

Christopher,

Pursuant to our conversation regarding my serving on the Chapman Partnership's Board of Directors, please find a request for a Commission on Ethics and Public Trust opinion.

Thank you for your continued support of my professional goals and desire to support our community.

Alan

Alan Eisenberg, MBA
Miami-Dade County
Clerk of the Board of County Commissioners



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