

Diaz-Greco, Gilma M. (COE)

From: Centorino, Joseph (COE)
Sent: Thursday, February 20, 2014 1:17 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: INQ - Betty Aguirre, Chief of Staff for Chairwoman Rebeca Sosa (husband's business)

I received an inquiry from Betty Aguirre, Chief of Staff for Commissioner Sosa concerning whether it would be permissible for her husband, who has a motor vehicle upholstery business, to accept work from a company that also does business with The County. She herself is not involved in the business activity in any way, except for the fact that her name appears on the corporate papers as Vice President of the company. The company is located in Broward County. I advised her that her husband could perform the work for the company provided that there was no work performed in connection with any work the company had with the County, and provided that there was no special deal or benefit provided to her husband in view of his wife's employment on the staff of the Commission Chairwoman.

Section 2-11.1(u) provides that a member of the staff of an elected County official may not enter into a business transaction with an entity that is doing business with the County unless the business transaction is an "arms-length" transaction made in the ordinary course of business. I advised Ms. Aguirre that, although she does not work with her husband and performs no services for the company, the fact of her being listed on corporate documents as an officer of the company could trigger this section of the Code. Therefore, it is important that her husband receive the business in the ordinary course and not in connection with any perceived benefit from doing business with the spouse of a Commission staff person; that his regular rates apply to whatever work he performs; and that there be no special deal or benefit provided to him in order that the entire business transaction may be considered to have occurred at arms-length.

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
ethics.miamidade.gov

