
From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, April 03, 2014 4:00 PM
To: Soper, Dawn (ISD)
Cc: Centorino, Joseph (COE)
Subject: Ethics Opinion INQ 14-84

Ms. Soper:

You have inquired whether Ms. Sobol, a County employee employed by the Property Appraiser's Office, would have a conflict serving on a selection committee where she works in the same department as the mother of one of the associates of Landauer Valuation & Advisory (Landauer), a company on the County's approved appraisers list.

As background, the ISD department puts out recurring RFPs for property appraisal services. Diane Sobol, one of the members of the selection committee for these RFPs, works in the same department as Ms. Aida Stocking, the mother of an associate that works for Landauer. Given that Landauer is on the County's approved appraisers list it may be a bidder in the ISD RFPs for appraisal services.

Under the County's Neutrality Disclosure form, selection committee members would be required to certify that to the best of their knowledge none of the owners, officers or employees of the proposers for a particular solicitation has been an immediate supervisor during the eighteen-month period preceding that person's service on the selection committee. See County Evaluation/Selection Committee Member Neutrality/Disclosure Form. As a selection committee member, Ms. Sobol would meet this requirement since she is not supervised by Ms. Stocking. Based on the facts presented here, we do not find that Ms. Sobol would have a conflict under the County Ethics Code to serve on this selection committee. Ms. Sobol's independence of judgment is not likely to be impaired given that she is not supervised by Ms. Stocking, and she does not have any private or financial interests that would be affected by the choice of the selection committee. See Secs. 2-11.1 (j),(g).

As a reminder, once an RFP is put out to bid, under the Cone of Silence, selection committee members may not have oral communications with any County Staff (including Ms. Stocking in this case) while the Cone is in effect.

Should any of the facts in this matter change
or if you have additional questions, please contact us.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
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From: Soper, Dawn (ISD)
Sent: Wednesday, March 26, 2014 4:50 PM
To: Diaz-Greco, Gilma M. (COE)
Cc: Bloch, Jason (CAO)
Subject: RE: INQ 14-60, Maria Stocking (Appraisal Selection Committee)

Gilma,

I also attended one meeting where the following person attended when Diane was not available:

“Michael Chaves CAE, CFE, Acting Commercial Division Director, Miami Dade Property Appraiser.”
Contact information: Phone: 305-375-4042; email: mmc@miamidade.gov.

Regards,

Dawn M. Soper, Real Estate Officer
Miami Dade County, Internal Services Department
Real Estate Development Division
111 N. W. 1st Street Suite 2460
Miami, Florida 33128
phone: 305.375.4402
dsoper@miamidade.gov
“**Delivering Excellence Every Day**”

From: Soper, Dawn (ISD)
Sent: Wednesday, March 26, 2014 4:42 PM
To: Diaz-Greco, Gilma M. (COE)
Cc: Bloch, Jason (CAO)
Subject: RE: INQ 14-60, Maria Stocking (Appraisal Selection Committee)

Gilma,

The name and title for the committee member from the Property Appraiser office is: “Diane Sobol, CAE, Property Appraiser Supervisor II, Commercial Real Estate Division, Miami-Dade Property Appraiser.”



Contact information attached.

Regards,

Dawn M. Soper, Real Estate Officer
Miami Dade County, Internal Services Department
Real Estate Development Division
111 N. W. 1st Street Suite 2460
Miami, Florida 33128
phone: 305.375.4402
dsoper@miamidade.gov
“Delivering Excellence Every Day”

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, March 26, 2014 4:27 PM
To: Soper, Dawn (ISD)
Cc: Bloch, Jason (CAO)
Subject: RE: INQ 14-60, Maria Stocking (Appraisal Selection Committee)

Dawn:

I discussed this matter with Jason Bloch. He advised that I contact you to obtain more information about the selection committee . Could you please send me the name and title of the selection committee member from the Property Appraiser’s office.

Thanks,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Bloch, Jason (CAO)
Sent: Monday, March 24, 2014 6:15 PM
To: Diaz-Greco, Gilma M. (COE)
Cc: Marin, Elva R. (ISD); Sobol, Diane (PA); Soper, Dawn (ISD)
Subject: RE: INQ 14-60, Maria Stocking (Appraisal Selection Committee)

Hi Gilma – I'm a member of the Appraisal Selection Committee too. I understand that your office will make the final determination on this matter, but I thought it might be helpful to provide some additional context and at least my take on it (for whatever that's worth). It would seem to me that a selection committee member happens to be an employee of the Property Appraiser's Office is merely incidental and does not constitute the kind of oversight, enforcement or administration of a contract that is contemplated. In the function as a committee member that employee is really wearing a different "hat" -- just like I as a member of the County Attorney's Office am serving not in the capacity of a lawyer but merely a member of the committee. Of course each of us brings our respective experiences and knowledge to the committee, but again our function is as committee members, not as in our normal job roles. The actual department that administers these appraisal engagements is ISD, not the Property Appraiser or the County Attorney's Office. And the outside committee members typically have no involvement with the remainder of the appraisal engagement whatsoever; again that is ISD. (I suppose it is theoretically possible that the CAO may have to get involved in the unlikely event there were a later dispute or litigation with an appraiser, and the appraisals themselves are sometimes used in transactions or eminent domain cases we bring, but again I don't think that's the kind of ongoing oversight or enforcement contemplated).

We prefer to err on the side of caution so naturally that is why we contacted you and await your determination.

I hope this information is helpful, and please let us know if you would like to discuss or if you need any more information.

Thanks . . . Jason Bloch

From: Soper, Dawn (ISD)
Sent: Monday, March 24, 2014 3:04 PM
To: Bloch, Jason (CAO)
Cc: Marin, Elva R. (ISD); Sobol, Diane (PA)
Subject: FW: INQ 14-60, Maria Stocking

Per the committee's request, the email which I sent to Commission on Ethics this morning is below.

From: Soper, Dawn (ISD)
Sent: Monday, March 24, 2014 8:52 AM
To: Diaz-Greco, Gilma M. (COE)
Cc: Stocking, Maria (mstocking@ngkf.com)
Subject: INQ 14-60, Maria Stocking

Good morning Gilma,

As part of an application to provide professional appraisal services to Miami-Dade County, we have received a copy of the Miami-Dade Commission on Ethics and Public Trust letter dated march 17, 2014 addressed to Maria E. Stocking, an employee at Landauer Valuation and Advisory.

There is one item in particular that we need further clarification, please. In paragraph 2, the second sentence from the bottom, the letter states “Finally, she [the relative employee] may not work in any County department that will enforce, oversee, or administer your contract.”

Real property appraisal assignments are **awarded** by a committee which includes a member from the County Attorney Office, **the Property Appraiser Office**, and Internal Services. This award is determined after review and discussion by the committee of all responses to a request for proposal, based upon the merits of each respondent in relation to a particular appraisal assignment.

Ms. Stocking’s mother works for the property appraiser’s office, though the mother is not directly involved in the committee or award process.

Please advise whether the Ethics Commission considers the Property Appraiser Office’s participation in the award process to fall under the functions of enforcement, oversight, or administration, or otherwise confirm the Ethics Committee opinion of conflict.

If there is additional information you need for me to provide, please call or write at any time to advise of same.

Regards,

Dawn M. Soper, Real Estate Officer
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Real Estate Development Division
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