

Sanchez, Rodzandra (COE)

From: Turay, Radia (COE)
Sent: Wednesday, December 21, 2016 4:33 PM
To: Sanchez, Rodzandra (COE)
Cc: Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE)
Subject: FW: INQ 16-287, Dr. Tangier Scott, Manager, Miami-Dade Community Action and Human Services Department (outside/conflicting employment)

From: Turay, Radia (COE)
Sent: Wednesday, December 21, 2016 4:32 PM
To: Scott, Tangier (CAHSD) <Tangier.Scott@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: INQ 16-287, Dr. Tangier Scott, Manager, Miami-Dade Community Action and Human Services Department (outside/conflicting employment)

Dear Dr. Scott,

You have inquired whether there would be a conflict of interest between your County employment with the Miami-Dade Community Action and Human Services Department (CAHSD), and your service as a volunteer on the Board of Directors of the Jonathan Spikes Foundation, Inc.

Background

- You are a Team Manager at the Culmer community resource center, for the Family and Community Services Division of CAHSD.
- You also serve as Chair of the Board of Directors for the Jonathan Spikes Foundation, Inc., a nonprofit organization.
- Prior to your being appointed to the Board of Directors, the Foundation made a request to rent space from the CAHSD's Edison community resource center (Edison CRC).
- In your County position, you have no input in the decision making process regarding the rental of the Edison CRC; you do not supervise any of the staff at the Edison CRC; and you do not have any responsibilities regarding the Edison CRC.

Analysis

In general, there are no ethics conflicts regarding your County employment and your board service at the Jonathan Spikes Foundation, Inc. However, several sections of the County Ethics Code should be addressed:

- **Sec. 2-11.1(m)(2)** prohibits you from appearing before any County board or agency or meeting with staff or elected officials to make a presentation or to seek a benefit (funding/grant) on behalf of the nonprofit organization;
- **Sec. 2-11.1(h)** prohibits you from disclosing confidential information acquired by reason of your official County position;
- **Sec. 2-11.1(g)** prohibits you from using your County position to secure special privileges or exemptions for yourself or the Foundation.

We recommend that, in order to avoid the appearance of impropriety, you refrain from any involvement regarding your office and the Foundation. Although you may not appear before any County board or agency to seek any benefit on behalf

of the Foundation, *it is also advisable*, in your role as a member of the Board of Directors for the Foundation, to recuse yourself from voting or participating in the Foundation's discussions and/or votes relating to County applications for funding, County contracts, or any other Foundation initiative involving the County.

The Foundation may accept a grant from the County or enter into contracts with the County *as long as* you have not attempted to influence an official decision to benefit the nonprofit organization in any way. Please be advised that the County Ethics Commission has interpreted this prohibition very expansively to include any communications, in any form, intended to influence an individual within the County to take an official action. See INQ 16-22, INQ 12-13, INQ11-01, and INQ 10-201.

This opinion is based on the facts presented. If any of these facts change, please contact us.

Sincerely,

RADIA TURAY

Staff Attorney
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 350-0601
Fax: (305) 579-0273
Ethics.miamidade.gov

From: Scott, Tangier (CAHSD)
Sent: Tuesday, December 20, 2016 4:10 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: RE: Opinion Requested

Hi Attorney Turay,

It was nice speaking with you today as I look forward to receiving an opinion regarding my request.

Happy Holidays,
Tangier

From: Turay, Radia (COE)
Sent: Tuesday, December 20, 2016 3:01 PM
To: Scott, Tangier (CAHSD) <Tangier.Scott@miamidade.gov>
Subject: RE: Opinion Requested

Hello Dr. Scott,

My name is Radia Turay. I am a staff attorney at the Miami-Dade Commission on Ethics and Public Trust. I called your office last week and left you a message with someone at your office regarding this inquiry. Please give me a call when you get a chance, so we can further assist you.

Best regards,

RADIA TURAY

Staff Attorney

Miami-Dade Commission on Ethics and Public Trust

19 W. Flagler Street, Suite 820

Miami, FL 33130

Tel: (305) 350-0601

Fax: (305) 579-0273

Ethics.miamidade.gov

From: Ethics (COE)

Sent: Thursday, December 15, 2016 2:49 PM

To: Scott, Tangier (CAHSD) <Tangier.Scott@miamidade.gov>

Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>

Subject: RE: Opinion Requested

Dr. Scott:

My apologies. We will be responding to this matter shortly.

Sincerely,

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

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From: Scott, Tangier (CAHSD)

Sent: Thursday, December 15, 2016 2:46 PM

To: Ethics (COE) <ethics@miamidade.gov>

Subject: RE: Opinion Requested

Thanks for your reply. Please note that I am not a male.

Please see the email thread below . The original request was November 7, 2016 and the case being assigned on the same date.

Looking forward to hearing from Radia Turay.

Happy Holidays,
Tangier Scott

From: Ethics (COE)
Sent: Thursday, December 15, 2016 2:41 PM
To: Scott, Tangier (CAHSD) <Tangier.Scott@miamidade.gov>
Subject: RE: Opinion Requested

Mr. Scott,
We have no record of any prior correspondence. Your request has been referred to Radia Turay, a staff attorney, who should be in touch with you shortly.

Sent: Monday, December 12, 2016 8:42 AM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: RE: Opinion Requested

Good Morning,

This email serves as a follow up to my request asking for an opinion of the November 7, 2016 email.

Regards,
Tangier Scott

From: Ethics (COE)
Sent: Monday, November 07, 2016 3:29 PM
To: Scott, Tangier (CAHSD) <Tangier.Scott@miamidade.gov>
Subject: RE: Opinion Requested

Please handle this request from Dr. Scott.

From: Scott, Tangier (CAHSD)
Sent: Monday, November 07, 2016 1:43 PM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Opinion Requested

Good Afternoon,

This email is requesting an opinion of the following:

I am Tangier Scott, employed with the Miami Dade CAHSD. In September 2014 Jonathan Spikes made a request to rent space from one of our community resource centers, the Edison site. Subsequent to this request, April 26, 2016, a board of directors was established and I was elected to serve as the chairperson.

Please notify me whether or not this presents a conflict. Also note that I am not the manager or have oversight of the Edison CRC.

Should additional information be needed, please do not hesitate to contact me by email ca9@miamidade.gov or 305/438-4161.

Regards,

Tangier Scott, Ed.D.

Manager, Culmer CRC

Family and Community Services Division

Miami-Dade Community Action and Human Services Department

1600 NW 3rd Ave. Miami, Florida 33136

Tel (305) 438-4161

Fax 305) 576-8640

email: ca9@miamidade.gov

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