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Young Civics Educator named Ethical Governance Day Teacher of the Year

A middle school civics and law studies instructor who leads his students in community service and academic competitions is the recipient of the 2017 Ethical Governance Day Teacher Award. The Miami-Dade Commission on Ethics and Public Trust (COE) endorsed that designation today for Isaiah Thomas, a 7th and 8th grade teacher at Carrie P. Meek/Westview K-8 Center. Thomas will receive the honor during the 6th annual Ethical Governance Day commemoration on **Thursday, October 19, 2017**.

Thomas, a product of Miami-Dade Public Schools, earned recognition last year when his Law Studies students created a class activity for Project Citizen called "Done with the Guns," in response to the violence the 7th graders experienced in their Northwest Miami-Dade neighborhoods. The students wrote to lawmakers and pushed for measures to help keep them safe, including afterschool activities, social media campaigns and conflict resolution programs. More recently, Thomas and his students fed families in Opa-Locka after Hurricane Irma, collected supplies for families affected by Hurricane Harvey in Houston and helped host monthly Black Marketplaces at the Little Haiti Cultural Arts Center. Before joining Miami-Dade Public Schools in 2013, the Florida A & M University graduate worked with the Children's Defense Fund Freedom Schools and for Teen Up-Ward Bound.

On Ethical Governance Day, the Ethics Commission encourages citizens and community groups, public agencies, professional associations and private businesses to hold activities and events that focus on how to become more active in their governments. The COE places citizen activists in government classes throughout Miami-Dade senior high schools to talk with students about the importance of being informed and involved citizens. Anyone interested in participating On Oct. 19th can learn more by visiting ethics.miamidade.gov or calling 305-579-2594.

In other action today, the Ethics Commission determined that the domestic partner of an administrator in Miami-Dade County's Department of Cultural Affairs may not be considered for public art projects sponsored by the agency because of his relationship with the administrator. That was the Commission's response to a Request for Opinion (**RQO 17-05**) by Amanda Sanfilippo, Curator and Artist Manager for the County's Art in Public Places Program. While she has no say in the selection of artists under the program, she does coordinate and oversee the application process. Her domestic partner, visual artist Justin Long, had been eligible to compete and had been recommended for public art commissions prior to Sanfilippo's County employment in June 2016. Sanfilippo also directs and administers the South Florida Cultural Consortium Visual and Media Artists Award Program, which awards fellowships of \$15,000 to selected participants. The Conflict of Interest and Code of Ethics Ordinance prohibits an individual from entering into a contract or transacting business with the County if an immediate family member is involved in the contract. Under the Ethics Code, domestic partners are included in the definition of "immediate family member." Although Sanfilippo's role in the selection of award recipients is only ministerial, she is in a position of perceived influence with the selection committee members,

which may create an appearance of impropriety and is prohibited under the Ethics Code due to her employment in the department that oversees the fellowship awards. The prohibition may be waived by a two-thirds vote of the Board of County Commissioners.

The Ethics Commission gave its approval for the executive secretary for the Director of the County's Public Housing and Community Development Department (PHCD) to participate in the Home-Ownership Second Mortgage Program, in response to **RQO 17-06**, an opinion requested by PHCD Director Michael Liu. Mary Pacheco wants to apply for the publicly-funded program that helps qualified applicants complete financing when they are unable to obtain a loan for the entire mortgage from a private lender. She performs secretarial and clerical duties for the Executive Director of the Department, but since neither she nor her boss are involved in the decision-making or oversight of the program, it was determined Ms. Pacheco may participate.

COE members accepted a proposed settlement agreement with a Miami-Dade County lifeguard who has worked a second job for the past six years without disclosing it, as required. Jose A. Cancelo is employed by Miami-Dade Fire Rescue as a lifeguard at Haulover Beach, but also has worked part-time for Miami-Dade Public Schools performing similar duties at MAST Academy without submitting Outside Employment statements as required by County rules. As part of the settlement, Cancelo has filed the appropriate disclosures for the past three years, and will pay a \$500 fine and accept a Letter of Instruction regarding the complaint (**C 17-17**).

The Ethics Commission found No Probable Cause to a complaint (**C 17-05**) accusing Opa-Locka City Manager Yvette Harrell and City Attorney Vincent Brown of violating the Citizens Bill of Rights or Conflict of Interest and Code of Ethics Ordinance. The complaint was filed by the head of Universal Waste Services of Florida, a waste-hauling company that was competing for a city contract, charging that the officials failed to produce public records in a timely manner and imposed unreasonably high fees. The Ethics investigation found that the company made numerous public records requests demanding voluminous amounts of information, including text messages over two years from a variety of public and private phones, at the same time the beleaguered city was receiving numerous records requests from other entities. While, the staff memo recommending the "No Probable Cause" finding stated that the City's process for responding to records requests may be described as "inept," there was insufficient evidence that Harrell and Brown intentionally withheld records. And, since civil litigation initiated on the issue by the complainant has been settled, the complaint was dismissed by the COE.

The COE found No Probable Cause that a long-time local lobbyist improperly tried to influence Miami-Dade County on behalf of a dental insurance provider, but also acknowledged that loopholes exist in the County Ethics Ordinance that led to confusion over whose interest the lobbyist was presenting. Complaint **C 17-12** was filed by a representative of Humana South Florida against Eston "Dusty" Melton, who had, in fact made several contacts with County staff, apparently on behalf of Delta Dental's efforts to contract with the County earlier this year. But Melton, who has been a registered lobbyist in Miami-Dade for 20 years, had been properly registered to represent The Comprehensive Companies (TCC) on insurance and financial issues. Delta Dental contracted with TCC to act as its marketplace representative and Melton was one of TCC's paid consultants. While dismissing the complaint, the Ethics Commission noted that this situation is not addressed in the lobbying rules that are supposed to promote transparency.

One citizen of Surfside apparently was upset that Mayor Daniel Dietch evacuated with his family in advance of Hurricane Irma and filed a complaint (**C 17-25**) against him and all elected Surfside Town officials and top administrators, questioning their compliance with the City Charter's provisions for emergency management. However, the Ethics Commission does not have jurisdiction to enforce the Town Charter and, since the complaint does not allege any violation of the Conflict of Interest and Code of Ethics Ordinance, the complaint was dismissed as Not Legally Sufficient.

The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

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