

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, November 30, 2016 2:56 PM
To: Sanchez, Rodzandra (COE)
Subject: Jessica Fortich, Miami-Dade County Community Council Member, Community Council #5 (Voting Conflict) INQ 16-263

INQ 16-263 Fortich

-----Original Message-----

From: Ethics (COE)
Sent: Wednesday, November 30, 2016 2:53 PM
To: 'Jessica Fortich' <j-fortich@hotmail.com>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>
Subject: INQ 16-263 Jessica Fortich, Miami-Dade County Community Council Member, Community Council #5 (Voting Conflict)

Ms. Fortich:

This will confirm my conversation with you yesterday in which we discussed whether you would have a voting conflict in voting on a matter coming before Community Council #5, of which you are a member. You have indicated that the item in question, CDMP Application 6, involves the distribution of students in various schools and addresses the need for spots at the elementary level. You have asked the question in light of the fact that the decision will have an impact on the Miami-Dade Public Schools, and that you are employed by the School District as Assistant Principal at a school outside of the Community Council #5 area. To your knowledge, however, the application will not have any effect on your school or any impact on your position.

You also have no personal interest or stake in the outcome by which you might profit or be enhanced by the action.

Under Section 2-11.1(v) of the County Ethics Code, which governs voting conflicts for members of advisory and quasi-judicial boards in the County, in order for there to be a voting conflict, the board member must be directly affected by the item, AND the member must have one of several enumerated relationships with the affected entity. Although one of those relationships is "employee," this agency has not applied this voting conflict provision to voting members of a board employed by a governmental agency, which covers the Miami-Dade County Public Schools. Further, I see no reasonable possibility that the item would, in any way, affect you personally inasmuch as the school where you work is outside of the area in question, and your duties at the school would not be affected by action on the item.

Under these circumstances, I advised that you did not have a voting conflict that would prevent you from participating and voting on this matters.

Sincerely,
Joe Centorino

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

From: Jessica Fortich [mailto:j-fortich@hotmail.com]
Sent: Tuesday, November 29, 2016 11:47 AM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Re: Conflict of interest

This application will not have any direct impact on my school.

Sent from my iPhone

> On Nov 29, 2016, at 10:18 AM, Ethics (COE) <ethics@miamidade.gov> wrote:

>

> Is there any possibility that this application 6 could have any impact on your school? If so, what are the possible impacts?

>

> -----Original Message-----

> From: Jessica Fortich [mailto:j-fortich@hotmail.com]

> Sent: Monday, November 28, 2016 6:04 PM

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

> Subject: Re: Conflict of interest

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> Mr. Centorino,

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> Thank you for your prompt response. Application 6 discusses about the distribution of students in the different schools and how there is a need for spots at the elementary level. My current position with Miami Dade County Public Schools is Assistant Principal of a school outside of Community Council 5 area. I work with recruiting students to our magnet program, curriculum, and other school operational tasks. I do deal with county and city officials for donations and community involvement in my school events. Inclusive, we work with the county officials for use of parks for our sports games. If you need more information please do not hesitate to contact me at 305-610-3819.

>

> Sent from my iPhone

>

>> On Nov 28, 2016, at 10:28 AM, Ethics (COE) <ethics@miamidade.gov> wrote:

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>> Jessica,

>> This may not be a problem, but I need a little more information about what the proposal is and the nature of your position and job duties with the School District (which, I assume, is a full-time position), and whether there is any possible connection between this type of proposal and any of your job responsibilities. Also, as school site administrator, do you interact with County officials regarding any issue, and if so, on what types of matters?

>> Joe Centorino

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>> -----Original Message-----

>> From: Jessica Fortich [mailto:j-fortich@hotmail.com]

>> Sent: Sunday, November 27, 2016 8:18 PM

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

>> Subject: Conflict of interest

>>

>> To whom it may concern,

>>

>> I wanted to inquire if it would be a conflict of interest in voting for CDMP application 6 as it comes before me on Tuesday?

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>> Meanwhile, I am just a school site administrator and don't make future develops by decisions for the school system, I just wanted to know if this would be a problem as it is mentioned on page 6-6 of the application.

>>

>> I look forward in hearing from you.

>>

>> Thank you,

>> Jessica Fortich

>> Community Council 5

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>> Sent from my iPhone