

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, June 19, 2017 10:47 AM
To: Sanchez, Rodzandra (COE)
Subject: Rebeca Sosa, Miami-Dade County Commissioner (DIST 6) (Voting Conflict) INQ 17-156
Attachments: 171452.pdf

INQ 17-156 Sosa

From: Centorino, Joseph (COE)
Sent: Wednesday, June 14, 2017 4:26 PM
To: Fernandez, Alejandro J. (DIST6) <ALEJANDRO@miamidade.gov>; Aguirre, Betty (DIST6) <Betty.Aguirre@miamidade.gov>; Castro, Vivian (DIST6) <Vivian.Castro@miamidade.gov>
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 17-156 Rebeca Sosa, Miami-Dade County Commissioner (DIST 6) (Voting Conflict)

Mr. Fernandez:

You have inquired on behalf of Miami-Dade County Commissioner Rebeca Sosa (DIST 6) regarding whether she would have a voting conflict of interest on Item 2C(171452), currently before the Transportation and Public Works Committee of the BCC.

This inquiry is made in light of Commissioner Sosa's full-time employment with the Miami-Dade Public Schools as a curriculum specialist at the Lindsey-Hopkins Center. The issue under consideration deals with directing the County Mayor to analyze the potential benefit of allowing school buses by the Miami-Dade County Public Schools to use the South Dade Transitway while transporting children to and from school or school-related events.

In the past this agency has opined that Commissioner Sosa's employment by a government agency does not automatically disqualify her from voting on a matter affecting her employer under Section 2-11.1(d) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance. (See, e.g., INQ 17-126). In addition, I see no basis on which to conclude that Commissioner Sosa would personally profit or be enhanced by the action taken on this item. Therefore, I have concluded that she does not have a voting conflict of interest on this issue, and that she may participate and vote on it.

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: Fernandez, Alejandro J. (DIST6)
Sent: Wednesday, June 14, 2017 1:56 PM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Cc: Aguirre, Betty (DIST6) <Betty.Aguirre@miamidade.gov>; Castro, Vivian (DIST6) <Vivian.Castro@miamidade.gov>
Subject: Conflict of interest opinion on item 171452- (2C on the June 15, 2017, TPWC)

Good afternoon, Mr. Centorino:

I hope this email finds you well. Item 2C (171452) appearing on the agenda of tomorrow's Transportation and Public Works Committee directs the Mayor to analyze the potential benefits of allowing school buses operated by the Miami-Dade County Public School Department of Transportation to use the South Dade Transitway while transporting children to and from school or school-related events. In advance of the item's consideration at committee, I will greatly appreciate your guidance as to whether or not the item presents a voting conflict given Commissioner Sosa's employment with the Miami-Dade County School Board.

Please accept my apologies for submitting this inquiry the afternoon prior to the meeting. At first it appeared that the proposed use of South Dade Transitway by MDCPS would be to transport students to and from school. However, upon a second review of the item it became evident that the Transitway would also be to transport students to and from event.

For your convenience, the item is attached to this email.

Sincerely,
Alex J. Fernandez

ALEX J. FERNÁNDEZ
Senior Communications Aide & Legislative Assistant
Commissioner Rebeca Sosa, District 6
Miami-Dade County
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Miami, Florida 33128
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MEMORANDUM

TPWC
Agenda Item No. 2(C)


TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 15, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to analyze the potential benefits of allowing school buses operated by the Miami-Dade County Public Schools Department of Transportation to use the South Dade Transitway while engaged in the transportation of children to and from school or school-related events, and to provide a report to the Board within specified time period

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams
County Attorney *for*

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: July 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.

7-6-17

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ANALYZE THE POTENTIAL BENEFITS OF ALLOWING SCHOOL BUSES OPERATED BY THE MIAMI-DADE COUNTY PUBLIC SCHOOLS DEPARTMENT OF TRANSPORTATION TO USE THE SOUTH DADE TRANSITWAY WHILE ENGAGED IN THE TRANSPORTATION OF CHILDREN TO AND FROM SCHOOL OR SCHOOL-RELATED EVENTS, AND TO PROVIDE A REPORT TO THE BOARD WITHIN SPECIFIED TIME PERIOD

WHEREAS, the South Dade Transitway is a dedicated lane for transit service from Dadeland South Metrorail Station to S.W. 344th Street; and

WHEREAS, southern Miami-Dade County experiences high traffic congestion, particularly during peak traffic hours; and

WHEREAS, the peak traffic hours, predominantly in the morning hours, overlap with school hours; and

WHEREAS, allowing school buses to operate on the South Dade Transitway may reduce traffic congestion in the areas generally surrounding the South Dade Transitway and could also result in greater mobility for those vehicles that transport children to and from school and school-related events,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the County Mayor or County Mayor's designee to analyze the potential benefits of allowing school buses operated by the Miami-Dade County Public Schools Department of Transportation to use the South Dade Transitway while engaged in the

transportation of children to and from school or school-related events. The analysis should include, but should not be limited to, identifying the number of daily school bus trips on average that could potentially benefit from having access to the South Dade Transitway, assessing any potential benefits and challenges to the operation of the busway as an integrated facility that allows school bus use, and assessing whether allowing school buses on the South Dade Transitway would result in a reduction of traffic congestion. The analysis should also be completed in consultation with Miami-Dade Public Schools and applicable federal and state agencies.

Section 2. Directs the County Mayor or County Mayor's designee to provide a report regarding the study identified in Section 1 above to the Board within 120 days of the effective date of this resolution and place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Annery Pulgar Alfonso