

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, November 08, 2018 10:53 AM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-245, Rebeca Sosa, County Commissioner, District 6 (Voting Conflict – Funding for Project SEARCH, Section 2-11.1(d))
Attachments: INQ 18-245, Voting Conflict – Funding for Project SEARCH, Section 2-11.1(d).pdf

INQ 18-245 Sosa

From: Arrojo, Jose (COE)
Sent: Wednesday, November 07, 2018 7:04 PM
To: Fernandez, Alejandro J. (DIST6) <Alejandro.Fernandez2@miamidade.gov>; Aguirre, Betty (DIST6) <Betty.Aguirre@miamidade.gov>; Castro, Vivian (DIST6) <Vivian.Castro@miamidade.gov>
Cc: Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: INQ 18-245, Voting Conflict – Funding for Project SEARCH, Section 2-11.1(d)

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust regarding a voting matter before the BCC. Attached is our opinion.

Please do not hesitate to contact me should you have any questions.

Best regards to you and the Commissioner,

Jose

Jose J. Arrojo

Executive Director
Miami-Dade Commission on Ethics and Public Trust
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MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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MEMORANDUM

TO: Honorable Rebeca Sosa
District 6 Commissioner

FROM: Jose Arrojo, Executive Director
Commission on Ethics

SUBJECT: INQ 18-245, Voting Conflict – Funding for Project SEARCH, Section 2-11.1(d)

DATE: November 7, 2018

CC: All COE Legal Staff

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding the following proposed transaction.

Facts: You have advised Item No. 182257 is scheduled to be heard before the Board of County Commissioners (BCC) on Thursday, November 8, 2018. You inquire whether you would have a voting conflict of interest under Section 2-11.1(d) of the Miami-Dade Ethics Code, in voting or otherwise participating in the discussion of the item.

The item consists of a resolution retroactively approving a Cooperative Agreement (Agreement) between the School Board of Miami-Dade County and Miami-Dade County to provide the School Board with several hundred dollars' worth of volunteer tee shirts, identification badges, photocopying and telephone line usage in support of Project SEARCH. Project SEARCH is a Miami-Dade Public Schools (M-DCPS) program that assists young adults with disabilities by providing work skills and employment training at Zoo Miami, a County facility. Project SEARCH is supported within M-DCPS by the Office of Exceptional Student Education and Student Support.

Discussion: You are employed as a Curriculum/Program Facilitator at Lindsey Hopkins Technical Center (LHTC), an adult educational facility, which is part of Miami-Dade County Public Schools (M-DCPS).

LHTC provides training to adult students in various career technical programs. The school also offers adult general education, which allows students to obtain their GED diploma.

The post-secondary career technical education programs are offered in the areas of construction & apprenticeship, transportation, commercial foods & culinary arts, childcare, personal services and health occupations.

In the past, the Commission on Ethics has opined that your employment with MDCPS does not create an automatic voting or participation conflict for you on BCC items affecting that government agency. The issue of a voting conflict on such matters is more narrowly described as whether you might, directly or indirectly, profit or be enhanced by the item in question. Our review of Item No. 182257 did not present any likelihood that you would, personally or professionally, be affected in any way by the item.

More specifically, your position with the public schools at an adult educational facility would not be affected by the adoption of this resolution which seeks to provide several hundred dollars' worth of tee shirts, identification badges, photocopying and telephone line usage in support of a job skills and employability program for young adults with disabilities at Zoo Miami supported by the M-DCPS Office of Exceptional Student Education and Student Support.

Opinion: Under the details provided to me concerning this Cooperative Agreement (Agreement) between the School Board of Miami-Dade County and Miami-Dade County to provide nominal funds in support of an employability program for young adults with disabilities, I do not believe that you will profit or be enhanced, and, therefore, I do not believe that you are prohibited under Section 2-11.1(d) from participating or voting on this item.

This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.

At Lindsey Hopkins Technical College, the majority of the programs are offered on an open-entry basis where students may register at any time during a trimester providing that seats are available. Students are expected to work at their own pace as they move toward the completion their chosen program. Most of our programs are offered during the day and also in the evening in order to fit

anyone's schedule. Since the school is accredited by the Council on Occupational Education, it offers financial assistance to qualified students to help them pay for their educational expenses.

At Lindsey Hopkins Technical College, we operate on a trimester basis. Since the school year is divided into three trimesters, classes are offered in late August, early January, and mid-April. LHTC provides students the opportunity to begin their career or sharpen their skills in their respective profession in order to make them become successful professionals.

Our post-secondary career technical education programs help prepare adult learners for a career of their choice. Our programs are designed to build technical skills through hands-on training in the areas of construction & apprenticeship, transportation, commercial foods & culinary arts, childcare, personal services and health occupations.