



## MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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### MEMORANDUM

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**TO:** Honorable Rebeca Sosa  
District 6 Commissioner

**FROM:** Jose Arrojo, Executive Director  
Commission on Ethics

**SUBJECT:** INQ 19-56, Voting Conflict – Funding for Project Victory, Section 2-11.1(d)

**DATE:** May 29, 2019

**CC:** All COE Legal Staff

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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 that an item relating to a program of the School Board of Miami-Dade County (M-DCPS) will be heard before the Board of County Commissioners (BCC). 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 approving a Cooperative Agreement (Agreement) between M-DCPS and Miami-Dade County to relating to Project Victory. Project Victory is a program that assists young adults with disabilities by providing work skills and employment training within the Miami-Dade Aviation Department (MDAD). Project Victory is supported within M-DCPS by the Office of Exceptional Student Education and Student Support. The County has partnered with M-DCPS on Project Victory since 2015.

MDAD will provide assigned M-DCPS staff with work space, access to telephones, computers and other office equipment, as well as access badges and parking.

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 above described item 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 general work space employee access to M-DCPS staff and worksite training in support of a job skills and employability program for young adults with disabilities at MDAD, 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 and general employee work space and access 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.