



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 2021-75, Career Academies and Trainee & Apprentice Positions for Persons Without High School or General Equivalency Diplomas, Section 2-11.1(d), Voting Conflicts, County Ethics Code

DATE: May 3, 2021

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 transactions.

Facts:

You have advised that Item 11A3 (No. 210741) is on the agenda for the May 4, 2021 meeting of the Board of County Commissioners (BCC). The item is a Resolution that directs the County Mayor to develop career academies in partnership with Miami Dade County Public Schools (MDCPS) to prepare high school students for careers in the County's airport and seaport.

You have also advised that Item 11A4 (No. 210758) is on the agenda for the May 4, 2021 meeting of the Board of County Commissioners. The item is a Resolution that directs the County Mayor to identify vacant positions in County service that require specialized vocational or trade experience but may not require high school or general equivalency diplomas, and to partner with community resources, including Careersource South Florida, to recruit and train unemployed persons for those positions and provide apprenticeships and training, as necessary.

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 these two items.

Discussion:

You are employed as a Curriculum/Program Facilitator at Lindsey Hopkins Technical Center, an adult educational facility located in Allapattah, which is part of MDCPS.

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 Agenda Items 11A3 (No. 210741) and 11A4 (No. 210758), did not present any likelihood that you would, personally or professionally, be affected in any way by the items.

More specifically, your position with the public schools at an adult educational facility would not be affected by the adoption of either of these Resolutions that direct the Mayor to develop career academies in partnership with MDCPS to prepare high school students for careers in the County's airport and seaport; or to identify vacant positions in County service that require specialized vocational or trade experience but may not require high school or general equivalency diplomas, and to partner with community resources, including Careersource South Florida, to recruit and train unemployed persons for those positions and provide apprenticeships and training, as necessary.

While MDCPS may benefit as a result of the establishment of airport and seaport career academies and there is a possibility that the school system may be identified as a community resource, in addition to Careersource South Florida, as a potential recruiter and trainer for certain vacant positions in County service, any possible or potential benefit to you personally or professionally, is at best, very remote and it cannot be said that you would profit or be enhanced personally in any way in the event this resolution is passed.

Opinion:

Under the details provided to me concerning these Resolutions directing the Mayor to develop career academies in partnership with MDCPS to prepare high school students for careers in the County's airport and seaport; and to identify vacant positions in County service that require specialized vocational or trade experience but may not require high school or general equivalency diplomas, and to partner with community resources, including Careersource South Florida, to recruit and train unemployed persons for those positions and provide apprenticeships and training as necessary, 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 these items.

This opinion is limited to the facts as presented 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.