



Via First Class Mail
and
email at Michele_Sweeting@dcf.state.fl.us

April 27, 2010

ETHICS COMMISSIONERS

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ARDYTH WALKER
STAFF GENERAL COUNSEL

Michele Wyatt-Sweeting
Substance Abuse Services Coordinator
Florida Department of Children & Family Services
401 NW 2nd Ave., Suite N-812
Miami, FL 33128

Re: INQ 10-75

Dear Ms. Wyatt-Sweeting:

In correspondence to our office today, you asked if you had any ethics conflicts based on your employment responsibilities with the Florida Department of Children & Family Services (DCF) and your volunteer position on the City of Miami's Housing Opportunities for Persons with AIDS (HOPWA) Selection Review Committee.

In particular, you inquired about whether your contractual relationship with Community AIDS Resources, Inc. (CARE) for substance abuse prevention services at DCF prevented you from reviewing proposals submitted by CARE for housing assistance services for HOPWA. CARE is a nonprofit corporation in which holding a financial interest is not possible under law.

The facts in your case do not appear to violate the County Ethics Code at Sec. 2-11.1. Most notably, neither you nor any of your immediate family stands to be enhanced or profit from any official action you might take as a HOPWA selection committee member in regard to CARE. Please be advised, however, that the County Code at Sec. 2-11.1 (h) prohibits individuals from disclosing confidential information obtained through their official position with the city, and Sec. 2-11.1 (g) prohibits the use of one's official position to secure special privileges or exemptions for oneself or others.

During the HOPWA selection process, you agreed to model your behavior on the County's Cone of Silence at Sec. 2-11.1 (t). Among other requirements, communications outside of committee meetings are limited to written form only, with copies filed with the City Clerk; the prohibition extends from the time the advertisement for bids has been placed until the award has been made.

Please feel free to contact me if I can be of further assistance.

Sincerely,

VICTORIA FRIGO
Staff Attorney

copies: RTazoe@miamigov.com; mbosano@miamigov.com;
Silvia_Quintana@dcf.state.fl.us