

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Tuesday, July 24, 2012 1:29 PM  
**To:** McQueen, Jane (CAHSD)  
**Cc:** Davis-Raiford, Lucia (CAHSD); Malave, Angella (CAHSD); Parjus, Alberto (CAHSD); Centorino, Joseph (COE)  
**Subject:** Our Little Ones (INQ12-124)

Ms. McQueen,

I'm sorry that we cannot provide you with an ethics opinion. The County Ethics Commission has no jurisdiction to opine on whether the owners of Our Little Ones Child Care, Inc., who have entered into a contract with the County to provide Head Start services, have an appropriate arm's length transaction with their landlord. This guideline appears to be required under federal regulations.

Certain subsections of the County Ethics Code are applicable to designated business owners with County contracts, but only to those contractors who have been identified by the Mayor. (See Sec. 2-11.1 (b)(13) of the County Code.) Currently, no contractors have been identified.

If you have additional questions, please feel free to contact me.

Sincerely,

**VICTORIA FRIGO, STAFF ATTORNEY**

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**From:** McQueen, Jane (CAHSD)  
**Sent:** Friday, June 22, 2012 3:32 PM  
**To:** Frigo, Victoria (COE)  
**Cc:** Parjus, Alberto (CAHSD); Resnik, Estephanie (CAO)  
**Subject:** Our Little One's

Hi Ms. Frigo:

I am asking for an opinion regarding a delegate agency that the County has under contract. Our Little One's Child Care has been a delegate agency for a few years providing Head Start services primarily in the Little Haiti area. During the Federal Review in 2008 Our Little Ones was found out of compliance due to having rental cost under "less-than-arms-length" transaction in view of the family relationship between the owner of the building and the director of the delegate agency. It was determined at this time that Our Little Ones could only collect the depreciation building amount as part of the reimbursement.

In 2009 Our Little Ones sold the building under a “Sale and Lease back” transaction and now have requested reimbursement in the form of rent payments. It is questionable the relationship between the new owner and the director of the delegate agency. We need to ensure that there is no conflict of interest and that we are in compliance with the federal regulations.

Please feel free to contact me for further clarification. Thank you for your assistance.

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