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**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, March 25, 2014 2:37 PM  
**To:** Palacio, Vanessa (Office of the Chair); Castro, Vivian (Office of the Chair)  
**Cc:** Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)  
**Subject:** INQ - Chairwoman Rebeca Sosa (Voting Conflict, Kids Aspire Program)  
**Attachments:** Kids Aspire Program OCA resolution for Chairwoman Sosa.doc

Ms. Palacio,

You have inquired on behalf of Commission Chairwoman Rebeca Sosa regarding whether she would have a voting conflict under Section 2-11.1(d) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance on the attached Resolution concerning the execution of a Memorandum of Understanding with Miami-Dade County Public Schools and other entities to develop and implement the "Kids Aspire Program" in coordination with the Miami-Dade County Office of Community Advocacy. This request is made in light of Commissioner Sosa's fulltime employment with the Miami-Dade County Public Schools at the Lindsey Hopkins Technical Education Center.

It is my understanding that this matter would not have any direct impact on Commission Sosa or her position with the MDCPS; that it would not affect her in a way different from the way it would affect the general public.

Since MDCPS is a government agency, Chairwoman's Sosa's employment at the agency does not create any prohibited relationship that would by itself implicate the voting conflict provision of Section 2-11.1(d). Further, under the circumstances as I understand them, since she would not personally benefit from or be enhanced by the program in question, she would not have a prohibited conflict of interest under that section. Accordingly, I would conclude that Chairwoman Sosa may vote on and participate in the item in question. In the event that I have misconstrued the effect of the program on Chairwoman Sosa, please notify me and I will consider any further information and whether that would change my position.

Sincerely,  
Joseph M. Centorino  
Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
305-579-2594

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**From:** Palacio, Vanessa (Office of the Chair)  
**Sent:** Tuesday, March 25, 2014 2:02 PM  
**To:** Centorino, Joseph (COE)  
**Cc:** Castro, Vivian (Office of the Chair)  
**Subject:** Request for Conflict of Interest Opinion for Item re: Kids Aspire Program (from Chairwoman Rebeca Sosa)

Good afternoon, Mr. Centorino:

I am writing on Chairwoman Rebeca Sosa's behalf because she would like to know whether she has a prohibited conflict of interest regarding the following item:

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH MIAMI-DADE COUNTY PUBLIC SCHOOLS, THE FLORIDA DEPARTMENT OF HEALTH AND THE UNIVERSITY OF FLORIDA/MIAMI-DADE COUNTY EXTENSION FOR THE KIDS ASPIRE PROGRAM, AN AFTERSCHOOL EDUCATIONAL SUPPORT PROGRAM, AND TO DEVELOP AND

IMPLEMENT THE KIDS ASPIRE PROGRAM IN COORDINATION WITH THE MIAMI-DADE COUNTY OFFICE OF COMMUNITY ADVOCACY

I have attached a copy of the resolution.

As always, thank you very much for your time and help in advance.

Sincerely,

**Vanessa Palacio, Esq.**

Legislative Aide

Office of Chairwoman Rebeca Sosa

Miami-Dade Board of County Commissioners, District 6

111 Northwest First Street, Suite 220

Miami, Florida 33128

(305) 375-4696 | Main Office

(305) 375-5696 | District Office

(305) 372-6090 | Fax

Approved \_\_\_\_\_ Mayor

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH MIAMI-DADE COUNTY PUBLIC SCHOOLS, THE FLORIDA DEPARTMENT OF HEALTH AND THE UNIVERSITY OF FLORIDA/MIAMI-DADE COUNTY EXTENSION FOR THE KIDS ASPIRE PROGRAM, AN AFTERSCHOOL EDUCATIONAL SUPPORT PROGRAM, AND TO DEVELOP AND IMPLEMENT THE KIDS ASPIRE PROGRAM IN COORDINATION WITH THE MIAMI-DADE COUNTY OFFICE OF COMMUNITY ADVOCACY

**WHEREAS**, there is an increasing need in the community for afterschool educational support programs; and

**WHEREAS**, the County's Office of Community Advocacy within the Office of the Chair has developed the Kids Aspire Program ("the Program") to assist students ages six to fourteen, who participate in afterschool activities at Miami-Dade County parks, with their homework; and

**WHEREAS**, Miami-Dade County Public Schools may be able to provide current teachers and retired teachers to assist children with their homework; and

**WHEREAS**, the Florida Department of Health may be able to educate children about dental health, personal hygiene, dietary guidelines and lead poisoning; and

**WHEREAS**, the University of Florida/Miami-Dade County Extension, a partnership between Miami-Dade County and the University of Florida which focuses on educational outreach about agricultural, environmental and consumer issues, may be able to provide programming about health and environmental issues; and

**WHEREAS**, sections 26-38 and 26-39 of the Code of Miami-Dade County set forth background screening requirements for employees, volunteers and other parties at County parks; and

**WHEREAS**, the Office of Community Advocacy in cooperation with the Miami-Dade County Parks, Recreation and Open Spaces Department has identified the following parks as serving families in need of the Program and therefore plans to launch the Program at these locations: Olinda Park, 2101 NW 51st St., Miami; Ruben Dario Park, 9825 West Flagler Street, Miami; Modello Park, 28450 SW 152<sup>nd</sup> Ave., Miami; and South Dade Park, 28151 SW 164<sup>th</sup> Ave., Miami,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board directs the County Mayor or Mayor's designee to negotiate, develop and execute a memorandum of understanding for the Kids Aspire Program, which shall include terms requiring compliance with all applicable background screening requirements, between the County, Florida Department of Health, Miami-Dade County Public Schools, and the University of Florida/Miami-Dade County Extension, and to develop and implement the Kids Aspire Program in coordination with the Office of Community Advocacy.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro  
Jose "Pepe" Diaz

Esteban L. Bovo, Jr.  
Audrey M. Edmonson

Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this \_\_\_\_\_, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency. \_\_\_\_\_

Estephanie Resnik