
From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, April 09, 2014 2:58 PM
To: 'Joanne R. Urquiola'
Cc: Centorino, Joseph (COE)
Subject: CTAC Membership - Request for Opinion INQ 14-91

Ms. Urquiola,

You have inquired about certain ethics requirements imposed on you as a member of the Citizens Transportation Advisory Committee (CTAC), a board created by the Metropolitan Planning Organization (MPO).

The ordinance repealing CTAC as a County board went into effect on September 16, 2012. Furthermore, on July 1, 2013, MPO signed a new Services Agreement with the County which contains no language indicating MPO's consent to abide by the County Ethics Code. Consequently, the Ethics Commission lacks jurisdiction to address this matter

However, we can provide guidance on this issue which, although not binding, may be useful. You have inquired whether a conflict of interest exists based on your board service with CTAC and your providing transportation services as a subcontractor/provider of transportation services to the County's Special Transportation Services Department (STS). You have also inquired whether a conflict would arise as a result of your providing services to your mother's company, which is also a subcontractor under the current Miami-Dade County STS contract.

The Local Coordination Board (LCB) is responsible for the oversight of STS. CTAC does not oversee or provide funding for either STS or the LCB. It is our understanding that the only time that CTAC may encounter any issues related to the STS is when a citizen presents complaints about STS during the open comment section of CTAC's meetings. However, since CTAC has no oversight over STS, it would refer these complaints to the LCB.

Florida Statute 112.3143 addresses the issue of voting conflicts for board members. Under that statute a voting conflict arises when a board member (officer) is called upon to vote on:

any measure that would inure to the officer's special private gain or loss; which he or she knows would inure to the special gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principal by which the officer is retained; or which the officer knows would inure to the special private gain or loss of a relative or business associate of the public officer....

You may wish to contact the County attorney's office to advise you on this issue. For a binding opinion we refer you to the Florida commission on Ethics. The link to their website is: <http://www.ethics.state.fl.us/>

Please do not hesitate to contact us if we may of further assistance.

Best regards,

Gilma (Mimi) Diaz-Greco

Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
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Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Joanne R. Urquiola [mailto:jrurquiola@jrulaw.com]
Sent: Monday, March 31, 2014 2:30 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: RE: CTAC Membership - Request for Opinion

Ms. Diaz-Greco,

It was a pleasure speaking with you last week. Thank you for informing me regarding the status of Request for Opinion Letter.

As you requested, I am attaching the following:

1. First and last page of Contract No. 800 Special Transportation Services awarded to and entered into by and between Super Nice STS, Inc., dba Transportation America, a Florida corporation, as the Prime Contractor, and Miami-Dade County. The entire contract is very long but it is a Public Record;
2. First and last page of Sub-Contract Agreement between Super Nice STS, dba Transportation America, as the Prime Contractor and iTransport Services, Inc., as the DBE Sub-contractor; and
3. First and last page of the Sub-Contract Agreement between Super Nice STS, dba Transportation America, as the Prime Contractor and Minority Mobile System, Inc., as Sub-contractor. Minority Mobile System Inc. is the corporation wholly owned by my mother.

As of the day of my ethics training, I have not been attending any of the CTAC meetings, pending the findings in Opinion Letter. The CTAC meetings for April are scheduled for April 9, and April 23, 2014. If you require any additional information at this time, please do not hesitate to contact me. I look forward to receiving the Opinion Letter and hopefully, resuming my membership on CTAC.

Joanne R. Urquiola
Joanne R. Urquiola, P.A. &
iTransport Services, Inc.,
708 South Dixie Highway, Suite 100
Coral Gables, Florida 33146
Direct: (305) 740-0441

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jrurquiola@jrulaw.com

From: Diaz-Greco, Gilma M. (COE) [<mailto:GDIAZGR@miamidade.gov>]
Sent: Thursday, March 27, 2014 10:00 AM
To: Joanne R. Urquiola
Subject: FW: CTAC Membership - Request for Opinion

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, March 24, 2014 12:06 PM
To: Ethics (COE)
Subject: RE: CTAC Membership - Request for Opinion

Ms. Urquiola,

I would appreciate additional clarification on some details in this matter. For both your company and your mother's company (your companies), please identify the primary STS contract company that your companies subcontract for. Also, would you please provide additional details of your subcontractor/provider relationship with the primary STS contract holder. Do the companies in question always function as subcontractors or are they sometimes primary vendors for STS?

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Ethics (COE)
Sent: Monday, March 03, 2014 1:33 PM

To: Diaz-Greco, Gilma M. (COE)
Subject: FW: CTAC Membership - Request for Opinion
Importance: High

Please respond to Ms.Urquioloa.

From: Joanne R. Urquiola [<mailto:jrurquiola@jrulaw.com>]
Sent: Monday, March 03, 2014 12:25 PM
To: Ethics (COE)
Cc: Sibia, Rhonda (COE)
Subject: CTAC Membership - Request for Opinion
Importance: High

Please see attached letter. If the ordinance allows, I prefer that my name be stricken when the opinion rendered is published.

Sincerely,

Joanne R. Urquiola
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