

**FINAL OFFICIAL  
MEETING MINUTES  
Miami-Dade County  
Mayor's School Readiness Taskforce**

Crandon Tennis Center  
7300 Crandon Boulevard  
Miami, Florida

November 2, 2011  
As Advertised

Harvey Ruvin, Clerk  
Board of County Commissioners

Christopher Agrippa, Division Chief  
Clerk of the Board Division

Alan Eisenberg, Commission Reporter  
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**CLERKS SUMMARY AND OFFICIAL MINUTES  
MAYOR'S TASK FORCE MEETING ON  
SCHOOL READINESS IN MIAMI-DADE COUNTY  
NOVEMBER 2, 2011**

The Task Force convened in a meeting on November 2, 2011, at 3:00 p.m. at the Crandon Tennis Center, 7300 Crandon Boulevard, Key Biscayne, Florida. The following Task Force members were present: Committee No. 1) Ann-Karen Weller, Daryl Greenfield, Evelio Torres, Dr. Gail Gregg, Gladys Montes, Julie Edwards, Kaney Ratteray, Lisa Martinez, Lucia Davis-Raiford, Milagros Fornell, Renee Ward, Susan Angulo, and John Goodwin; Committee No. 2) Jacqueline Clenace, Carolyn Nelson-Goedert, Eddie Berrones, Franklin Sands, Iraida Mendez-Cartaya, Jane McQueen, Modesto Abety-Gutierrez, Phyllis Tynes-Saunders, Rose Mary Moreno, Sandra Anselme, Dr. Susan Neimand, Terry Rutherford, Tonya Ferguson, Vance Aloupis, Dr. William Zubkoff, Andre Hall, and Norissa Nelson.

The following additional staff members were present: Deputy Mayor Russell Benford; Mr. William (Bill) Busutil, Senior Business Analyst, Office of Management and Budget; Ms. Rhonda Sibilia, Community Affairs Specialist, Commission on Ethics and Public Trust; and Deputy Clerk Alan Eisenberg.

Senior Advisor to the Mayor Lisa Martinez welcomed participants and proceeded to explain the process for today's meeting

Ms. Martinez noted Committee No. 1 would discuss guiding questions designed to provide recommendations to maximize efficiencies and community impact of Miami-Dade County's Early Childhood Programs. She noted Ms. Rhonda Sibilia, Community Affairs Specialist, Commission on Ethics and Public Trust, would then provide an overview of the Miami-Dade County Ethics Code and its applicability to Task Force members. Following that presentation, Committee No. 2 would convene to develop recommendations to improve the quality of Early Childhood Programs, Ms. Martinez noted.

Ms. Martinez introduced today's meeting facilitator, Mr. William (Bill) Busutil, Senior Business Analyst, Office of Management and Budget. Mr. Busutil explained that Task Force members should spend an hour in smaller workgroups exploring various guided questions. He stressed the importance for participants to consider the issues thoroughly rather than feeling obligated to review all of them within the prescribed timeframe, Mr. Busutil asked Task Force members to discuss these questions and to develop recommendations for further consideration at subsequent meetings. He asked each group to post their recommendations on easel pads located throughout the room and to use yellow paper for any suggestion(s) which did not receive group consensus. Upon conclusion of the group discussions, committee members would reconvene and a designated representative would present a summary of their recommendations to the

entire group and answer any questions from Task Force Members who were not part of that group's discussion, Mr. Busutil noted. He also noted that each participant was given four red dots that should be used to identify their top four recommendations.

**Committee 1: Provide recommendations to maximize efficiencies and community impact of Miami-Dade County's Early Childhood Programs.**

Group A – Guiding Question

- After review of the governance structure of current programs and consideration of other governance structure models, are there recommendations to improve effective oversight of local programs?

Group B – Guiding Questions

- After review of student registration process, student support service assessment process, and trend data regarding waiting lists of all early childhood programs offered by Miami-Dade County, are there recommendations to improve the process to maximize the impact of service delivery?
- After review of the disbursement of Head Start / Early Head Start student slots throughout the County, are there recommendations to maximize service delivery in proximity to the families and neighborhoods that demonstrate the most demand and demonstrated need based upon the funder's criteria?

Recommendations:

1. The registration process needs to be made easier by increasing automation and utilizing the services of child care providers to help with this process. Currently, families had to take off at least ½ day from work to register their child.
2. Explore opportunities to contract out the monitoring process for more objectivity.
3. Work in cooperation with a local university to analyze and report data used for participant screening and assessment. This provides third party objectivity and encourages participation.

Group C – Guiding Questions

- After review of Miami-Dade County's community outreach efforts to inform families of program services, are there recommendations to improve

information sharing and community outreach to parents regarding the early childhood programs including support services?

- After review and discussion of all three early childhood education programs offered by Miami-Dade County, are there ways in which the committee would recommend that the three programs can better work together along with the community to maximize quality service delivery to children and their families?

Recommendations:

1. A tool was needed to identify mental health issues in younger children.
2. Need to track potential program participants at a younger age. A number can perhaps be assigned by Miami-Dade County Public Schools at time of enrollment or local hospitals can assign a number at birth. This will assist to identify the number of future children anticipated to require services.
3. Identify whether child has any early learning exposure. No tool currently used which provides a history of child's early learning exposure.
4. Track parents' knowledge/literacy. There is a cause and effect relationship between early literacy and brain development.

Group D – Guiding Questions

- After review of the budgets of all early childhood programs offered by Miami-Dade County including per student cost allocations, staff salary ranges, and other program costs, are there any recommendations of ways in which the County can maximize the impact of service delivery in a more efficient manner?
- After review of current staff qualifications, how does Miami-Dade County's workforce staff compare to other local agencies providing similar programming services? Are there any recommendations for adjustments linked to improving quality of services?

Recommendations:

1. A comparison of salary and program cost structures for other programs offered in major metropolitan communities such as Chicago, IL, was needed.

2. A consideration of whether new delegate agencies will be able to provide services was needed.
3. A consideration of whether the County would be able to maintain its existing training sites and who would be charged with conducting the training.

### **Miami-Dade County Ethics Code**

Ms. Rhonda Sibilias, Community Affairs Specialist, Commission on Ethics and Public Trust (CEPT), provided an overview of the County's Ethics Code and the Sunshine Law as it pertains to public advisory boards and meetings.

Ms. Sibilias noted the Ethics Code affected both elected officials and governing boards. She distributed copies of the Miami-Dade County Ethics Code and the Governing Above Board for reference, and explained that the Sunshine Law was applicable to individual advisory board members and any gathering of two or more board members. Task Force members were prohibited from discussing issues privately; that all meetings must be open to the public, held in a public location accessible to the handicapped, and notices of such meetings must be provided pursuant to the Sunshine Law. In addition, minutes must be prepared and maintained for all meetings.

Ms. Sibilias further noted all Task Force members present must vote; that a member could not abstain from voting unless the County Attorney ruled that said member had a Conflict of Interest. She also noted a record of all votes must be documented in the minutes as well as the names of all members present, and a summary of all discussions. Ms. Sibilias said any communication including private notes taken by Task Force members, whether written or on a computer including email were considered public record. She encouraged Task Force members to forward any information or articles that they wanted to share with members to Ms. Martinez and she would distribute it to all members to comply with the public records requirements.

Ms. Sibilias also noted that Task Force members could not profit from their service on this committee, accept gifts or any free access to services. She said information obtained at these meetings could not be disclosed or used for personal gain or benefit. Ms. Sibilias noted that members were prohibited from any financial gain/interest in another entity that would be affected by their participation on this Committee or recommend the services of any person or business to assist in any transaction involving the County or any of its agencies.

Ms. Sibilias said the penalty for violation of any provision was admonition or public reprimand, \$500 for the first violation and \$1,000 for each subsequent violation as well as investigative costs, restitution and possible imprisonment. She noted that members should seek clarification when in doubt.

## **Committee 2: Provide recommendations to improve the quality of Early Childhood Programs in Miami-Dade County.**

### Group A – Guiding Questions

- After researching and discussing various Head Start/Early Head Start implementation models, what can be learned from the communities that have used different models than Miami-Dade County? How can this information improve service delivery that must be considered prior to submitting the full delegation transition plan to the Policy Council, Community Action Agency Board and the Board of County Commissioners? Are there other options that should be considered in the future? Please provide reasons for recommendations.
- After review of our current early childhood programs, are there tools or processes that are not currently being used in the County's early childhood programs that should be considered in maximizing quality service delivery to children and families? (Planning tools, registration processes, program assessment tools, screening and student assessment programs)

### Recommendations:

#### 1. Principles of Governance committed to

- a. Democracy and fair representation,
- b. Parent participation,
- c. Effective communication across all programs,
- d. Policy council composition needs to be clarified,
- e. School readiness agency representative should be on the Board,
- f. Achieve timely consensus when disputes arise,
- g. Create a three person resolution committee,
- h. Assure follow-up and implementation.

#### 2. Process Improvements / Service Centers

The overall process used is effective; however, there is a need to reevaluate the intake system. Need to consider health and developmental issues as well as where parents and extended families live and work.

#### 3. Community Outreach / Coordination

- a. Use smart phones to get the word out,
- b. Reach a broader population by expanding outreach and distribution points,
- c. Community wide marketing campaign on early learning benefits,

- d. Place emphasis on the 0-3 year age group,
- e. Use incentive system to encourage ongoing learning and participation,
- f. Bring parents back into the school,
- g. Share academic resources,
- h. Broad outreach campaign using combined resources based on early child care,
- i. If not possible to serve everyone today, provide home based activities.

#### 4. Budget / Staff Qualifications

- a. More information needed on the per child allocation per provider across all programs,
- b. Evaluate the current salaries,
- c. Look at allocations across all program levels and locations,
- d. Detailed budget needed,
- e. Determine whether benefits for Community Action Agency staff exceeded those for delegate agencies,
- f. Create funding allocation uniformity between County and delegate agencies,
- g. Consider whether funding should be different for the same services,
- h. Blended funding between all four systems.

### **Conclusion**

Mr. Busutil expressed appreciation to Committee members for the excellent suggestions made today. He noted these suggestions would be further evaluated at an upcoming meeting to consider the implementation models.

Ms. Martinez noted that upcoming Task Force meetings would be rescheduled to Thursdays to avoid potential conflicts, and the next meeting would be November 10, 2010 from 3:00 - 4:30 p.m. for Committee No. 1, followed by Committee No. 2 from 4:30 - 6:00 p.m. on the same day in a location to be announced later. She said she would forward the meeting location and other updates to all members via email.

Ms. Martinez expressed her appreciation to Task Force members on behalf of Mayor Carlos Gimenez for their input.

### **Adjournment**

There being no further business, the Task Force meeting was adjourned at 4:37 p.m.

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Chairman, Mayor's Task Force



# MAYOR'S TASKFORCE ON SCHOOL READINESS

November 02, 2011

Prepared by: Alan Eisenberg

## EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	11/02/2011		Guiding Questions for Committee No(s). 1 & 2
2	11/02/2011		Governing Above Board: Miami-Dade County Advisory Board Ethics Education Program
	11/02/2011		Highlights of the Miami-Dade County Ethics Code
3	11/02/2011		Task Force Member Sign-In Sheet: Committee N(s) 1 & 2
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**Committee to provide recommendations on:  
Maximizing efficiencies and community impact of Miami-Dade County's Early Childhood Programs**

**Guiding Questions**

**GROUP A**

- After review of the governance structure of current programs and consideration of other governance structure models, are there recommendations to improve effective oversight of local programs?

**GROUP B**

- After review of student registration process, student support service assessment process, and trend data regarding waiting lists of all early childhood programs offered by Miami-Dade County, are there recommendations to improve the process to maximize the impact of service delivery?
- After review of the disbursement of HS/EHS student slots throughout the county, are there recommendations to maximize service delivery in proximity to the families and neighborhoods that demonstrate the most demand and demonstrated need based upon the funder's criteria?

**GROUP C**

- After review of Miami-Dade County's community outreach efforts to inform families of program services, are there recommendations to improve information sharing and community outreach to parents regarding the early childhood programs including support services?
- After review and discussion of all three early childhood education programs offered by Miami-Dade County, are there ways in which the committee would recommend that the three programs can better work together along with the community to maximize quality service delivery to children and their families?

**GROUP D**

- After review of the budgets of all early childhood programs offered by Miami-Dade County including per student cost allocations, staff salary ranges, and other program costs, are there any recommendations of ways in which the County can maximize the impact of service delivery in a more efficient manner?
- After review of current staff qualifications, how does Miami-Dade County's workforce staff compare to other local agencies providing similar programming services? Are there any recommendations for adjustments linked to improving quality of services?

**Committee to provide recommendations on:  
Improving the Quality of Miami-Dade County's Early Childhood Programs**

**Guiding Questions for discussions**

- After researching and discussing various HS/EHS implementation models, what can be learned from the communities that have used different models than Miami-Dade County? How can this information improve service delivery for Miami-Dade County? Are there lessons learned linked to quality service delivery that must be considered prior to submitting the full delegation transition plan to the Policy Council, CAA Board, and the BCC? Are there other options that should be considered in the future? Please provide reasons for recommendations.
- After review of historical feedback from the funder and other evaluative entities, what must be considered and modified in our approach to maximize quality service delivery for the 2012-2013 school year? If there are different solutions to approach challenges, what are the pros and cons of these solutions? Are there concerns that need to be considered as we prepare our full delegation transition plan?
- After review of our current early childhood programs, are there tools or processes that are not currently being used in the County's early childhood programs that should be considered in maximizing quality service delivery to children and families? (planning tools, registration processes, program assessment tools, screening and student assessment programs)
- After a review of each program's regulatory requirements, are requirements being met? Are measures in place in each program to effectively monitor compliance? What tools, if any, are utilized as part of the current on-going monitoring process? If tools do not exist, or are not being maximized, are there any recommendations for the establishment and/or improvement of the tools/process?
- After a review of staff's professional development needs, are these needs being met effectively? Are there recommendations to improve professional development efforts related to all County early childhood programs? Are there any resources or models of professional development that should be further considered?

# GOVERNING ABOVE BOARD

## **Miami-Dade County Advisory Board Ethics Education Program**

presented by  
The Commission on Ethics & Public Trust

<b>Chair</b>	Dawn Addy
<b>Vice- Chair</b>	Charlton Copeland
<b>Members</b>	Nelson Bellido
	Seymour Gelber
	Kerry E. Rosenthal

<b>Executive Director</b>	Joseph M. Centorino
<b>Phone</b>	(305) 579-2594
<b>Web Site</b>	<a href="http://www.miamidadeethics.com">www.miamidadeethics.com</a>
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<b>Hotline</b>	(786) 314-9560
<b>Request a Speaker</b>	(305) 350-0630

This government has been created  
to protect the governed,  
not the governing.  
**CITIZENS' BILL OF RIGHTS,**  
Miami-Dade County Home Rule Charter (1964).

## I. Florida's Sunshine Law—"Public Meetings" Fla. Stat. § 286.011 (2010)

### the Sunshine Law applies to—

- publicly created advisory boards that make recommendations re: official acts to be taken
- any gathering (formal or informal) of two or more members of the same board
- any discussion of public business or any matter that will foreseeably come before the board for action
- elected as well as appointed boards and their subcommittees
- staff members—but this depends on the nature of the actions they perform

### three basic requirements of the Sunshine Law

- meetings must be open to the public
- the public must receive reasonable notice of meetings
- minutes of the meetings must be taken and open to public inspection

### types of meetings subject to the Sunshine Law

- formal gathering of two or more members of same board
- written communications, when reports are circulated among members for comments and these comments are provided to other members
- telephone conversations
- computer records
- delegation of authority to a single board member
- use of nonmember liaisons between board members
- informal discussions, workshops
- meetings to discuss personnel matters

exemptions: meetings re: certain confidential materials, e.g., investigative meetings

### notice and other procedural requirements of the Sunshine Law

- reasonable notice—definition varies, but consider including the following
  - i. notice the time and place of meeting, along with the agenda, if available
  - ii. prominently display the notice in the agency's office, in a place set aside for that purpose
  - iii. notice emergency meetings at least 24 hours in advance
  - iv. send press releases, make phone calls, and for matters of critical public concern, advertise in local newspapers of general circulation
- reasonable notice is also required for a rescheduled meeting, e.g., when a quorum is not present or when meeting is adjourned to a later date to consider unfinished business
- meetings at facilities that discriminate or unreasonably restrict public access are prohibited
- luncheon meetings should be avoided
- out-of-town meetings are generally prohibited, but a balancing test may be used

- inspection trips are not prohibited, as long as discussions related to the business of the board are *not* discussed
- excluding certain members of the public is not allowed, unless they are unruly and disruptive
- cameras and tape recorders are permitted, but they cannot be disruptive
- publishing an agenda is not required

#### public's right to participate in meetings

- the public has an inalienable right to be present and be heard at all deliberations
- the public must be allowed a *meaningful opportunity* to participate, but in cases where executive functions are being carried out, the public may be limited to attendance only, and excluded from participation
- public boards may adopt reasonable rules to (1) limit the amount of time an individual may address the board, (2) confine the speaker to agenda items, and (3) require speakers to register in advance of the meeting

#### voting

- use of secret ballots, coded letters, or numbers is prohibited
- *abstaining* from voting is not allowed by law, unless the member has or believes he or she has a conflict of interest
- members may *absent* themselves *prior* to a vote being taken, but this is discouraged, particularly if it results in the board losing a quorum

#### minutes

- written minutes must be kept and open to public inspection
- minutes need not be verbatim transcripts; a summary or series of brief notes is acceptable as long as all official votes are recorded and members' preferences are identified for the record
- sound recordings not required

#### penalties for noncompliance

- criminal misdemeanor in the second degree for a knowing violation
- removal from office
- non-criminal infractions—fines not to exceed \$500
- reasonable attorney's fees (against board or individual members), but if board has taken the advice of counsel, no fees are levied against individual members
- official actions taken by the board during a Sunshine violation are voided
- additional injunctive or declaratory relief may be ordered

## II. Florida's Public Records Act

Fla. Stat. ch. 119 (2010)

### freedom of information

- Fla. Const. art. I, § 24 provides the public with the constitutional right to access any public record made or received in connection with the official business of any public body, regardless of the physical form of the record.
- in addition to all print materials, other types of covered records include
  - i. computer data, e-mails
  - ii. personnel records (medical records, social security numbers, and the entire record of certain employees are exempt)
  - iii. data on wireless or digital devices, e.g., palm pilots, blackberries, etc.
- "right of access" means—
  - i. access at any reasonable time, under reasonable conditions, and under the supervision of the custodian of the public record
  - ii. "reasonable time" means during regular business hours; government cannot establish arbitrary time for inspections
  - iii. "access" includes right to photocopy as well as examine all public records
- records must be open to *any* person for personal inspection; requester does not need a special interest or reason to inspect or copy public records
- requests need *not* be put in writing
- requests need not be specific
- *but*, requester *cannot* specify that the record be provided in a particular format; e.g., if the government maintains its records in an electronic system, a copy in that medium may be provided
- responses to requester must be made within a reasonable period of time; automatic delays are impermissible
- government cannot refuse to comply with the request on the grounds that the records are not in the custodian's physical possession
- if the government claims an exemption, the custodian must state, in writing, the basis for the exemption, including the statutory citation to the exemption; if only some information is exempt, the exempt parts should be deleted and the remainder of the record should be provided to the requester
- even if record is exempt from disclosure, statutory restrictions on destruction of public records still apply; when disposing or destroying records, government must act in accordance with State records-retention schedule

### fees for public records requests

- no charges allowed for mere inspection of records
- fees for copying and additional charges for certified copies are established by statute
- special service charges for extensive clerical or information technology services are permitted, but they may *not* be routinely imposed

**remedies**

- a requestor who has been denied legitimate access may seek relief through court orders (*e.g.*, mandamus and declaratory relief and/or injunctive relief)
- a requestor may obtain attorney's fees related to legal actions taken to pry documents from government
- criminal penalties may be imposed on government denying legitimate requests
- mootness is not a defense, *i.e.*, government cannot claim that the record is no longer relevant or of practical significance

**III. Miami-Dade Co. Conflict of Interest and Code of Ethics Ordinance**

**financial disclosure(i):**

All persons and firms included within Subsections (a) and (b)(2), (3) and (4) of this section shall file, no later than 12:00 noon of July 1st of each year, including the July 1st following the last year that person is in office or held such employment, one (1) of the following:

- (a) A copy of that person's or firm's current federal income tax return; or
- (b) A current certified financial statement on a form of the type approved for use by state or national banks in Florida listing all assets and liabilities having a value in excess of one thousand dollars (\$1,000.00) and a short description of each; or
- (c) An itemized source of income statement, under oath and on a form approved by the County for said purpose.

All documents required to be filed hereunder by County persons or consultants shall be filed with the Supervisor of Elections. Documents required to be filed hereunder by municipal persons or consultants shall be filed with the municipal clerk of that entity.

**transacting business 2-11.1 (c)(3)**

advisory and quasi-judicial board members or his/her immediate family members may not contract with any County agency or department subject to the regulation, oversight, management, policy-setting, or quasi-judicial authority of the board of which the person is a member

Immediate family members include spouse, domestic partner, parents, stepparents, children and stepchildren.

**gifts 2-11.1 (e)**

it is unlawful to solicit or demand a gift in exchange for an official duty or public action

- a gift is defined as anything of economic value, including meals, travel, loans, entertainment, hospitality, or a promise of such, without adequate consideration
- all gifts or series of gifts [within a quarterly period] that exceed \$100.00 in value must be reported
- food and beverages consumed at a single meal are considered a single gift and shall not be reported if the value for that meal does not exceed \$100.00

**exemptions**

- i. gifts solicited for official government business (city or County-sponsored events, charitable activities, and other government-authorized events)
- ii. gifts exchanged between co-workers, relatives, and friends
- iii. political contributions, awards for civic and professional achievement, informational books, pamphlets, and related materials that are instructive or promotional in nature
- iv. gifts solicited by commissioners or their staff members on behalf of any nonprofit organization for use solely by that organization, where neither the commissioner nor his or her staff receives any compensation as a result of the solicitation

when officials solicit for charitable organizations and professional associations *unrelated to official County business*, they—

- ✓ cannot exploit their official position, e.g., they cannot mention that they are elected or appointed officials
- ✓ cannot use County letterhead or other resources to solicit contributions on behalf of the non-profit or charity
- ✓ cannot solicit during public meetings
- ✓ cannot specifically target County vendors or coerce employees and citizens to contribute

**exploitation of official position 2-11.1 (g)**

elected officials, city or County managers, city or County attorneys, department heads, advisory board members, and employees may not use or attempt to use their official position to secure special privileges and exemptions for themselves or others

**confidential information 2-11.1 (h)**

elected officials, city or County managers, department heads, city and County attorneys, and advisory board members and employees—

- may not accept employment or engage in any business or professional activity that they might reasonably expect would require or induce them to disclose confidential information acquired by reason of their official position

- may not disclose confidential information obtained through their official position with the County
- may not use such information, directly or indirectly, for personal gain or benefit

**appearances 2-11.1 (m)(2)**

regarding the board on which they serve, advisory and quasi-judicial personnel

- may not appear before the board on behalf of third parties seeking a benefit from the board—this means that the board member cannot submit documents or correspondence, appear in meetings with staff, or appear before the board on which the board member serves on behalf of a client, organization, or nonprofit
- may not received compensation from third parties seeking a benefit from the board

**actions prohibited when financial interests involved 2-11.1 (n)**

quasi-judicial and advisory personnel shall not participate in any official action directly or indirectly affecting a business in which he or she or any member of his or her immediate family has a financial interest

**acquiring financial interest 2-11.1 (o)**

quasi-judicial and advisory personnel shall not acquire a financial interest in a project, business entity, or property at a time when they believe or have reason to believe that the said financial interest will be directly affected by their official actions or by official actions by the County

**recommending professional services 2-11.1 (p)**

quasi-judicial and advisory personnel may not recommend the services of any lawyer, architect, public relations firm, or any other person or firm to assist in any transaction involving the County or any of its agencies, unless properly made by the duties of the office

### lobbying 2-11.1 (s)

“lobbyist” is defined as anyone seeking to encourage the passage, defeat, or modifications of—

- any ordinance, resolution, action, or decision of the County Commission
- any action, decision, or recommendation of any County board or committee
- any action, decision, or recommendation of County personnel during the time period of the entire decision-making process or such action, decision or recommendation that foreseeably will be heard or reviewed by the County Commission, County board, or committee

others who are also considered lobbyists and must register as lobbyists include—

- ✓ any employee whose normal scope of employment includes lobbying activity
- ✓ principal of firm must register to lobby but is *not required to pay* the lobbyist registration fee
- ✓ principal of a *certified small business enterprise* must register to lobby but is *not required to pay* the lobbyist registration fee.

requirements of lobbyists include—

- ✓ registering as a lobbyist and paying annual fee (failure to pay bars individuals and companies from lobbying)
- ✓ filing timely expenditure reports by September 1<sup>st</sup> (failure to file results in automatic suspension until fines are paid or appeal taken to the Ethics Commission)
- ✓ *but*, lobbyists are no longer required to register for each separate issue they defend
- ✓ lobbyist contracts *cannot* contain contingency fees
- ✓ a principal and his/her lobbyist must submit a joint affidavit stating that the principal has not offered and the lobbyist has not agreed to accept any *contingency or success fees*.

### who is *not* a lobbyist?

- ✓ attorneys or other representatives retained to represent individuals and corporate entities in quasi-judicial proceedings where the law prohibits ex-parte communications
- ✓ expert witnesses who only provide scientific, technical, or other specialized information or testimony in public meetings
- ✓ employees of the principal whose normal scope of employment does not include lobbying activities
- ✓ representatives of nonprofit organizations, e.g., homeowner’s associations, who only appear at publicly noticed meetings, without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item
- ✓ community-based organizations, even when making contacts outside of public meetings, when grants or other funding matters are involved

- ✓ individuals who appear in their individual capacity for the purpose of self-representation
- ✓ any public officer, employee, or appointee who only appears in his or her official capacity

**voting conflicts for members of advisory and quasi-judicial boards 2-11.1 (v)**

board members may not vote on any matter if the member will be directly affected by the board action *and* the board member has any of the following relationships with the persons and entities appearing before the board—

officer	director
partner	of counsel
consultant	employee
fiduciary	beneficiary
stockholder	bondholder
debtor	creditor

**penalties 2-11.1 (cc)**

- admonition or public reprimand
- \$500 fine for the first violation
- \$1,000 fine for each subsequent violation
- \$1,000 fine for the first *intentional* violation
- \$2,000 fine for each subsequent *intentional* violation
- investigative costs, not to exceed \$500 per violation
- restitution by the person or third party who received a pecuniary benefit
- when prosecuted by State Attorney and found guilty in State court, a fine not to exceed \$500 or imprisonment in the County jail for not more than 30 days, or both

# HIGHLIGHTS OF THE MIAMI-DADE COUNTY ETHICS CODE

## Miami-Dade Commission on Ethics & Public Trust

Dawn Addy, Chair  
Charlton Copeland, Vice Chair  
Nelson Bellido  
Seymour Gelber  
Kerry Rosenthal

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Joseph Centorino, Executive Director

## KEY RESPONSIBILITIES

The Conflict of Interest and Code of Ethics Ordinance (Miami-Dade County Code at Sec. 2-11.1) establishes minimum standards of ethical conduct for County and municipal elected officials, employees, members of advisory boards and quasi-judicial bodies and designated County contract workers. Certain requirements may also affect immediate family members, defined as a spouse, domestic partner, parents, stepparents, children and stepchildren. Specific questions should be sent to the Ethics Commission.

**Exploitation of official position.** A person cannot use his or her public position to obtain a special privilege or exemption for him- or herself or for others.

**Confidentiality.** A person cannot disclose confidential information acquired through his or her public position.

**Financial disclosure.** Elected officials, members of advisory boards and quasi-judicial bodies, certain employees and contract staff must file financial disclosure statements every year.

## LOYALTY TO ONE'S GOVERNMENT

**Recommendations of services prohibited.** Elected officials, public employees and members of advisory boards and quasi-judicial bodies may not recommend the services of another to assist in any transaction involving one's government.

**Outside employment must be approved annually.** Supervisors must ensure that outside employment will not impair an employee's independence of judgment in the performance of his or her public duties. If approved, the employee must file a statement of income earned from outside employment each year.

## GIFTS

**Definition.** A gift is anything of value that the recipient has not paid for. Examples include tickets or passes to events, entertainment performances and charitable galas, holiday baskets, flowers, lodging, meals, beverages, rebates or discounts, if not also offered to the general public.

**Prohibited gifts.** Elected officials, public employees and members of advisory boards and quasi-judicial bodies may never request or accept gifts intended to persuade them to take (or not take) an official action or to perform (or not perform) a duty required by their government service.

**Travel expenses.** Vendors and service providers may not pay the travel expenses of elected officials and public employees. Typically, these include costs associated with transportation, lodging, meals, registrations fees and incidental expenses.

**Acceptable gifts, if disclosed.** Gifts that are not intended to influence an official action and that are not travel expenses paid for by a government vendor may be accepted.

If the total value of a gift from one person or entity exceeds \$100 during a calendar quarter, the gift must be disclosed in the quarter after it is received.

**Acceptable solicitations of gifts.** Gifts may be solicited if used solely—

- by the government to conduct official business or
- to benefit nonprofit organizations, but only if solicited by commissioners and their staffs when the commissioners and their staffs receive no compensation for the solicitation.

## GOVERNMENT PROCUREMENT

**Cone of Silence.** Oral communications are prohibited between bidders for County contracts and County officers and employees, from the time a bid has been advertised until the County Manager issues a written recommendation to the Board of County Commissioners. Numerous other provisions related to the Cone of Silence can be found in the County Ethics Code.

## DOING BUSINESS WITH GOVERNMENT

**Employees may do business with their government, individually or through a private company.** But not with the employee's *department*, if the employee or immediate family have an ownership interest in the company.

**Elected officials, managers, department heads and local government attorneys may *not* do business with their respective governments.** Nor may their immediate family members do business with their respective governments.

**Members of advisory boards and quasi-judicial bodies may do business with their governments.** But not through a company in which the board member has an ownership interest, if the company is regulated by the member's board.

**Disclosure of private business associations.** If public officers and employees, members of advisory boards and quasi-judicial bodies or immediate family members are employed by a private firm with substantial business relationships to, or regulation by, their respective governments, the private employment must be disclosed.

**Transactions with private companies that do business with one's government.** Local elected officials and their staffs, managers, senior assistant managers and department heads may transact business with these private companies, but only at arm's length, as in ordinary commercial dealings between equal parties.

**Two-year rule for former employees of private entities.** Government employees may not perform contract-related duties regarding their former private employers for two years following departure from that employer. The prohibition does not apply to County or municipal managers or to directors of procurement departments.

**Conflicting personal investments.** Elected officials, members of advisory boards and quasi-judicial bodies, public employees and designated contract workers may *not* —

- own personal investments directly or through an immediate family member that would create a substantial conflict between private interests and the public interest,
- participate in any official action, directly or indirectly, involving a business in which they or an immediate family member has a financial interest of 10% or more,
- acquire a financial interest in an entity directly or through an immediate family member that may be affected by their official actions.

## LOBBYISTS

Elected officials and government personnel must determine whether persons seeking to influence them have registered as lobbyists. Meetings with unregistered individuals are prohibited.

**Prohibition on lobbying one's own government.** Elected officials, public employees and designated contract staff may not represent third parties before their respective governments. Members of advisory boards and quasi-judicial bodies may not represent third parties before their respective boards.

**Two-year rule for former officers and employees.** Public officers and employees may not lobby or appear before their respective governments for two years following departure from public service, except if employed by another government or a nonprofit or educational entity.

## VOTING CONFLICTS

**Commissioners and council members.** Elected officials may not vote if *either* of the following were to occur: the vote would affect them differently than it would affect the public generally or the vote would directly or indirectly affect a person with whom they have certain business relationships.

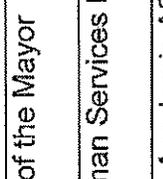
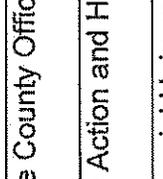
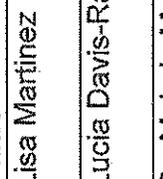
**Board members.** Members of advisory boards and quasi-judicial bodies may not vote if *both* of the following were to occur: they will be *directly* affected by the action of their board *and* they have certain business relationships with the persons or entities appearing before their board on the matter.

Miami-Dade County  
 Mayor's Taskforce on School Readiness  
 Crandon Tennis Center  
 7300 Crandon Boulevard, Key Biscayne  
 Wednesday, November 2, 2011  
 3:00 p.m. to 4:00 p.m.

**COMMITTEE I**

Name	Organization	Signature
Ana Seieck	The Early Childhood Initiative Foundation	
Ann-Karen Weller	Miami-Dade Health Department	<i>Ann-Karen Weller</i>
Daryl Greenfield	University of Miami	<i>Daryl Greenfield</i>
Dyonia Miranda	La Scala El Bebe	
Esther Jacobo	Department of Children and Family	
Evelio C. Torres	Early Learning Coalition of Miami-Dade/Monroe	<i>E Torres</i>
Dr. Gail Gregg	Florida International University	<i>Gail Gregg</i>
Gladys Montes	United Way of Miami-Dade	<i>Gladys Montes</i>
Janice Nelson	Cutler Ridge United Methodist Church	
Julie Edwards	Community Action and Human Services Department	<i>Julie Edwards</i>
Kaney Ratteray	VPK Parent Representative	<i>Kaney Ratteray</i>



Name	Organization	Signature
Lisa Martinez	Miami-Dade County Office of the Mayor	
Lucia Davis-Raiford	Community Action and Human Services Department	
Dr. Makola M. Abdullah	Florida Memorial University Academic Affairs	
Melinda Myles	School Readiness Parent Representative	
Milagros Fornell	Miami Dade Public Schools	
Judge Orlando Prescott	Juvenile Justice Center	
Renee Ward	Miami Children's Initiative	
Richard Chisholm	Family Christian Association of America	
Susan Angulo	St. Thomas University	
Dr. Terry Piper	Barr University	
John Goodwin	KIDCO 1 Head Start Parent Representative	
	Providence School	
	Yvonne James Center	
Josephine Akumbi	BIG Child Care	
Bishop James	Christ Children Academy	
	District	



Miami-Dade County  
 Mayor's Taskforce on School Readiness  
 Crandon Tennis Center  
 7300 Crandon Boulevard, Key Biscayne  
 Wednesday, November 2, 2011  
 4:30 p.m. to 5:30 p.m.

**COMMITTEE 2**

Name	Organization	Signature
* Jacqueline Cienance <i>C1</i> <i>74</i>	Miami-Dade Chamber of Commerce	<i>[Signature]</i>
Carolyn Nelson-Goedert	Miami-Dade County Council PTA/PTSA	<i>[Signature]</i>
<i>absent</i> Judge Cindy Lederman	Juvenile Justice Center	
<i>absent</i> David Lawrence, Jr.	The Early Childhood Initiative Foundation	
Eddie Berrones	Le Jardin Childcare Center	<i>[Signature]</i>
Franklin Sands	St. Albans Day Nursery	<i>[Signature]</i>
Dr. Helen Blanch	Miami-Dade Public Schools	
Iraida Mendez-Cartaya	Miami-Dade Public Schools	<i>[Signature]</i>
Jane McQueen	Community Action and Human Services Department	<i>[Signature]</i>
Jesse Leon	Greater Miami Chamber of Commerce-JT Morgan Chase Foundation	<i>[Signature]</i>



Name	Organization	Signature
Modesto E. Abety-Gutierrez	The Children's Trust	<i>M. Abety-Gutierrez</i>
Phyllis Tynes-Saunders	Community Action and Human Services Department	<i>Phyllis Tynes-Saunders</i>
Honorable Rebeca Sosa	Miami-Dade County Commissioner District 6	
Rodney Demeritte	Head Start Policy Council Chair	
* Rose Mary Moreno - #12 C1	REM Learning Center	<i>Rose Mary Moreno</i>
Sandra Anselme	Miami-Dade County Head-Start Teacher	<i>Sandra Anselme</i>
Dr. Susan Neimand	Miami Dade College	<i>Susan Neimand</i>
Terry Rutherford C1 T4	Christ Children Academy	<i>Terry Rutherford</i>
Tonya Ferguson	Head Start Parent Representative	<i>Tonya M. Ferguson</i>
Vance Aloupis	The Children's Movement	<i>Vance Aloupis</i>
Dr. William Zubkoff	Community Action Committee Board Chair	<i>Dr. William Zubkoff</i>
Andre Hall	Head Start Policy Council	<i>Andre Hall</i>
Norissa Nelson	Policy Council Representative	<i>Norissa Nelson</i>
Cynthia Herold	Shining Light Childcare Developments	<i>Cynthia Herold</i>
* M. Alberto Hernandez	Super Kids	<i>M. Alberto Hernandez</i>



Miami-Dade County  
 Mayor's Taskforce on School Readiness  
 Crandon Tennis Center  
 7300 Crandon Boulevard, Key Biscayne  
 Wednesday, November 2, 2011

Name	Organization	Signature
Faythe Robinson	ELUMDM	<i>[Signature]</i>
Magaly C. Abrahante	M-DCPS	<i>[Signature]</i>
MILLIE FORNER	M-DCPS	<i>[Signature]</i>
Blessara Josselin	CAHS	<i>[Signature]</i>
Ludmy DeRavines	CAHSD	<i>[Signature]</i>
Rose Baptiste	CAHSD	<i>[Signature]</i>
Amanda Brannon	CAHSD	<i>[Signature]</i>
Melba Rosta	CAH	<i>[Signature]</i>
Sabrina Green	CAHSR	<i>[Signature]</i>
Sandra Hasty	CAHSD	<i>[Signature]</i>
C. Susan Kelly	C.A.A.	<i>[Signature]</i>

