



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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MEMORANDUM

TO: Khadijah Jackson
Immediate Family Member of a County Employee

Katherine Jackson
Human Resources Manager
Miami-Dade County Community Action and Human Services Department

FROM: Etta Akoni, Staff Attorney
Miami Dade County Commission on Ethics

SUBJECT: INQ 2025-02, Section 2-11.1(c), Limitations on Contracting with the County.

DATE: January 7, 2025

CC: All COE Legal Staff

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust (“Ethics Commission”) and requesting our guidance regarding possible conflicts of interest arising from any potential contracts you may engage with Miami-Dade County to provide CPR instruction and your relationship to a Miami-Dade County employee, Katherine Jackson, your mother.

Facts

This opinion was requested by Khadijah Jackson, who is not employed by Miami-Dade County. However, Khadijah Jackson is the daughter of Katherine Jackson, an employee of the Miami-Dade County Community Action and Human Services Department (“CAHSD”). Katherine Jackson is a Human Resources Manager for CAHSD. In that role Katherine Jackson, oversees the HR reports for the department, keep a running report on a bi-weekly, quarterly report on our vacancies, new hires, terminated, transfers, promotions, and demotions, etc. for our performance measures. Katherine Jackson maintains the overtime report, sends out reminders to take mandatory trainings and complete outside employment requirements, and is the Disaster Assistance Employee and Wellness coordinator for the department. Katherine Jackson oversees the personnel committee for employee engagement, dress code policies, etc. Katherine Jackson oversees the leadership projects for management staff, which includes planning projects for them to clean up at the parks and beaches, cleaning of off-site facilities, and walking the dogs and cats at Animal Services. She

updates CAHSD grants for the divisions in INFORMS. She sits on the Steering (for accreditation) and ITD committees, and she teaches a team building workshop for the division as needed.

Khadijah Jackson is interested in contracted with Miami-Dade County to provide CPR instruction through her company CPR Universal, LLC. Founded in 2022, CPR Universal LLC is a foreign corporation, based in the State of Georgia, USA.¹ CPR Universal, LLC. provides hands-on training classes led by experienced instructors who provide personalized instruction and feedback to each student. See <https://cpruniversal.com/about> (Last visited January 6, 2024). Khadijah Jackson is an instructor for CPR Universal, LLC. and is an American Heart Association (AHA) trained instructor. *Id.*

Issue

Whether the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (“County Ethics Code”) would prevent you, Khadijah Jackson, from contracting with Miami-Dade County to provide CPR instruction.

Analysis

Generally, sections 2-11.1 (c) and (d) of the County Ethics Code permit County employees to transact business with the County, so long as the contract does not interfere with the full and faithful discharge of the County employee’s duties, the County employee does not participate in negotiating or awarding the contract, and the County employee’s job duties will not require him or her to be involved with enforcing or overseeing the contract. However, the County Ethics Code prohibits a County employee from transacting business with the County department for which he or she, or one of his or her immediate family members, works. Specifically,

[the limited exclusion from the general prohibition on County employees contracting with the County] shall not be construed to authorize an employee or his or her immediate family member to enter into a contract with Miami-Dade County or any person or agency acting for Miami-Dade County, if the employee works in the county department which will enforce, oversee or administer the subject contract.

County Ethics Code § 2-11.1(c)(2). The County Ethics Code defines immediate family as “spouse, domestic partner, parents, stepparents, **children** and stepchildren.” County Ethics Code § 2-11.1(b)(9) (emphasis added).

¹ State of Georgia, Georgia Department of State, Corporations Division record control number 23240306. <https://ecorp.sos.ga.gov/> . Last accessed January 6, 2025.

On prior occasions, the above sections of the Ethics Code have been interpreted to allow an immediate family member of a County employee to contract with Miami-Dade County within the plain meaning of the limited exception. For instance, in INQ 23-106, there was no conflict of interest for the spouse of the Chief of the Division of Environmental Resources Management and the Pollution Regulation Division of the Miami-Dade Department of Regulatory and Economic Resources (“RER”) to contract with the County through her privately owned and operated company that provides comprehensive flood modeling software, but she and her company were precluded from contracting with RER, including the Miami-Dade Office of Resilience. Furthermore, her spouse, who is a County employee, may not appear before any County board or agency on her or her company’s behalf, nor use his County position to secure any special privilege or exemption for her or her company. *See* RQO 07-18.

Additionally, in INQ 23-125, there was no conflict of interest for the spouse of a County employee to contract directly with the County through her business, specifically with the Department of Transportation and Public Works, but not on projects that will be overseen and/or administered by the county employee’s department, the Miami-Dade Police Department. Also, the spouse of the County Employee could participate in the County’s Small Business Enterprise Certification programs because her spouse’s employing County department is not involved with the administration of said programs.

In the instant matter, although Khadijah Jackson, does not have a specific Miami-Dade County Department she wishes to contract with, she understands that she can not pursue contracts for her services with CAHSD, her mother’s employing department.

Opinion

Based on the facts presented here and discussed above, it appears to be unlikely that a prohibited conflict of interest arises out of the service of Ms. Katherine Jackson’s as a Human Resources Manager for CAHSD and her daughter, Khadijah Jackson’s interest in contracting with Miami-Dade County, as long as she does not contract with CAHSD or any other Miami-Dade department or entity that employs her mother or other immediate family member(s). This opinion is based on the facts presented. If these facts change, or if there are any further questions, please contact the above-named Staff Attorney.

In the process of becoming a County vendor, you must submit this memorandum to the Strategic Procurement Department or any department you are seeking to contract with. The Ethics Commission will not submit this opinion on your behalf. Other conflicts may apply under state law. For an opinion regarding Florida ethics law, please contact the Florida Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317, phone number (850) 488-7864, <http://www.ethics.state.fl.us/>.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Commission on Ethics or within the plain meaning of the County Ethics Code. RQOs are opinions

provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.