



## MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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### MEMORANDUM

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**TO:** Netanya Hogu, Selection Committee Coordinator  
Strategic Procurement Department (SPD)

Yaritza Reina, Executive Secretary  
Office of the Commission Auditor (OCA)

**FROM:** Loressa Felix, General Counsel  
Commission on Ethics and Public Trust

**SUBJECT:** INQ 2025-63, Voting Conflict of Interest § 2-11.1(v); Appearances of Impropriety

**DATE:** July 7, 2025

**CC:** All COE Legal Staff; Vasilyeva, Natalya (SPD); Uppal, Namita (SPD); Majekodunmi, Yinka (OCA); Johnson, Jannesha (OCA); Passmore, Nadia (MDCR); Atkins, Everett (MDCR); Ordehi, Pedro (MDCR); Gottstein, Jeff (GTEL Advisors, LLC)

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Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding the following proposed transaction.

Facts:

We have reviewed your memorandum dated June 25, 2025, which was prepared in connection with the Appointment of Selection Committee for Miami-Dade County Corrections and Rehabilitation Department Request for Proposals for Integrated Jail Management System – RFP No. EVN0002300. The memorandum was prepared in connection with Resolution No. R-449-14, directing the Office of the Commission Auditor (OCA) to conduct background checks on members serving on evaluation/selection committees.

The memorandum noted that selection committee members made disclosures on their Neutrality/Disclosure Form that merited submission to the Commission on Ethics for an opinion. Specifically, the memorandum stated the following:

- Nadia Passmore, Corrections and Rehabilitation Department, stated on her Neutrality Affidavit that she is claiming the exemption according to F.S. 119.071.

- Everett Atkins, Corrections and Rehabilitation Department, stated on his Neutrality Affidavit that he is claiming the exemption according to F.S. 119.07.
- Pedro Ordehi, Corrections and Rehabilitation Department, stated on his Neutrality Affidavit that he is claiming the exemption according to F.S. 119.017.
- Jeff Gottstein, GTEL Advisors, LLC, noted on his Neutrality Affidavit that in 2017, he sold a piece of technology to Tyler Technologies, Inc. Mr. Gottstein also indicated that he was never an employee after the sale, nor was it tied to their jail system. Tyler Technologies, Inc. is a respondent to this solicitation.

We conferred with Ms. Passmore. She is a Corporal for the Miami-Dade County Corrections and Rehabilitation Department (MDCR). She has worked for MDCR for over fourteen (14) years. Ms. Passmore indicated in her Neutrality Affidavit that she was claiming an exemption pursuant to F.S. 119.071. Upon further inquiry, Ms. Passmore indicated that she had not been previously employed by any of the respondents to this solicitation nor did she or any of her immediate family members have any relationship with any respondent to the solicitation. She also has no financial interest in any of the respondents. Furthermore, she does not have any business or close social relationship with current employees at any respondent entity that would affect her evaluation of the various respondents to this project. Ms. Passmore believes that she can be fair and impartial when evaluating the various respondents to this project.

We conferred with Mr. Atkins. Mr. Atkins is a Corrections Officer for MDCR. He has worked for MDCR for over twenty-two (22) years. Mr. Atkins indicated in his Neutrality Affidavit that he was claiming an exemption pursuant to F.S. 119.071. Upon further inquiry, Mr. Atkins indicated that he had not been previously employed by any of the respondents to this solicitation nor did he or any of his immediate family members have any relationship with any respondent to the solicitation. He also has no financial interest in any of the respondents. Furthermore, he does not have any business or close social relationship with current employees at any respondent entity that would affect his evaluation of the various respondents to this project. Mr. Atkins believes that he can be fair and impartial when evaluating the various respondents to this project.

We conferred with Mr. Ordehi. Mr. Ordehi is a Lieutenant for MDCR. He has worked for MDCR for fifteen (15) years. Mr. Ordehi indicated in his Neutrality Affidavit that he was claiming an exemption pursuant to F.S. 119.071. Upon further inquiry, Mr. Ordehi indicated that he had not been previously employed by any of the respondents to this solicitation nor did he or any of his immediate family members have any relationship with any respondent to the solicitation. He also has no financial interest in any of the respondents. Furthermore, he does not have any business or close social relationship with current employees at any respondent entity that would affect his evaluation of the various respondents to this project. Mr. Ordehi believes that he can be fair and impartial when evaluating the various respondents to this project.

We also conferred with Mr. Gottstein. He is the President of GTEL Advisors, LLC, a company that advises organizations on technology initiatives and business process improvements specifically regarding jail management systems. He has been employed with GTEL Advisors, LLC for nine (9) years. Mr. Gottstein advised that in 2017, he sold a non-jail related technology

to Tyler Technologies, Inc., a respondent to this solicitation. However, he has indicated that his company does not maintain any software or provide any services to Tyler Technologies related to that technology. In fact, even after the sale, GTEL Advisors, LLC has never provided any services or support to the respondent. Mr. Gottstein further indicated that he had not been previously employed by any of the respondents to this solicitation, nor did he or any of his immediate family members have any relationship with any respondent to the solicitation. He has no financial interest in any of the respondents. Furthermore, he has no business or close social relationship with current employees at any respondent entity beyond the sale made to a respondent eight (8) years ago. Mr. Gottstein indicated that that transaction would not affect his evaluation of the various respondents to this project. Mr. Gottstein believes that he can be fair and impartial when evaluating the various respondents to this project.

#### Discussion:

This agency conducts reviews of these issues under the County Ethics Code, which governs conflicts by members of County advisory and quasi-judicial boards. We also consider whether an appearance of impropriety has been created and make recommendations based on R-449-14 and Ethics Commission Rule of Procedure 2.1(b).

Specifically, Section 2-11.1(v) of the County Ethics Code states that no quasi-judicial personnel or advisory personnel shall vote on any matter presented to an advisory board or quasi-judicial board on which the person sits if the board member will be directly affected by the action of the board on which the member serves and the board member has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary' or (ii) stock holder, bondholder, debtor or creditor.

It does not appear that either member would have a voting conflict of interest under Section (v) of the County Ethics Code because neither will be directly affected by the vote, nor does either have any of the enumerated relationships with any entity affected by the vote.

Further, as noted above, due to the sensitivity of the procurement process and the need to sustain public confidence in it, this agency also opines whether there may be an appearance of impropriety in a given situation that would justify the removal of a member of an appointed selection committee. *See* Section 2-1067, Miami-Dade County Code, and 2.1(b) of the COE Rules of Procedure.

Ms. Passmore, Ms. Atkins, and Ordehi have each indicated no relationship with any respondent to this solicitation. Therefore, given the fact that each of them has stated that they could be fair and impartial when evaluating the various respondents to this project, there are no facts to demonstrate a potential conflict or appearance of impropriety. *See* INQ 23-62, INQ 20-136, INQ 18-230, INQ 18-47, INQ 18-21, INQ 17-286, INQ 16-165, and INQ 14-279.

As to Mr. Gottstein, the mere fact that his company sold technology to a respondent entity eight (8) years ago would not create the appearance of impropriety. *See* INQ 23-146 (A selection committee member had no close personal relationships with any of the owners or employees of

the respondents and their subconsultants, and because his professional interactions with some of the respondents and their subconsultants were limited to past projects that did not involve any contractual or other business relationship, his past interactions would not give rise to any appearance of impropriety related to his service on this Selection Committee). Additionally, it may be valuable to have an individual on the selection committee who is personally familiar with the work of one or more of the responding firms, particularly where the member also has specialized expertise in the services being sought by the County. *See* INQ 22-147; INQ 18-230; INQ 18-21.

Opinion:

Consequently, we see no reason why Ms. Passmore, Mr. Atkins, Mr. Ordehi, and Mr. Gottstein should not serve on this committee. The selection committee members do not have a conflict of interest under the County Ethics Code, and there are no grounds to assert that their service on this committee creates an appearance of impropriety.

However, each member is reminded that the selection committee, for which they will serve, operates under the County's Cone of Silence, Section 2-11.1(t) of the County Ethics Code. The Cone of Silence puts significant restrictions on oral communications made by Commissioners, County staff, selection committee members, and prospective contractors, as well as their lobbyists and consultants, regarding any procurement matter during the time that the Cone is in effect. All selection committee members will therefore be prohibited under the Cone from communicating with any of the responding entities to this solicitation with which they may currently have interactions regarding ongoing projects.

This opinion is limited to the facts as you presented them to the Commission on Ethics, is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics. We appreciate your consulting with the Commission in order to avoid possible prohibited conflicts of interest. If the facts associated with your inquiry change, please contact us for additional guidance.

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*INQs are informal opinions provided by the legal staff after review and approval by the Executive Director and/or General Counsel. INQs deal with opinions previously addressed in public session by the Miami-Dade Commission on Ethics and Public Trust or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Ethics Commission when the subject matter is of great public importance or where there is insufficient precedent. While this is an informal opinion, covered parties that act contrary to this opinion may be subject to investigation and a formal Complaint filed with the Ethics Commission.*