

**MINUTES OF THE SCHOOL BOARD AUDIT AND BUDGET ADVISORY COMMITTEE  
OF MIAMI-DADE COUNTY PUBLIC SCHOOLS  
Special Meeting – May 1, 2018**

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The School Board Audit and Budget Advisory Committee (ABAC) met on Tuesday, May 1, 2018, in the School Board Administration Building, Conference Room 916, at 1450 N.E. Second Avenue, Miami, Florida.

**Members Present:**

**Voting:**

Mr. Erick Wendelken, Chair  
Mr. Jeffrey Codallo  
Mr. Alvin L. Gainey, PTA/PTSA President  
Ms. Perla Tabares Hantman, School Board Chair (Alternate)  
Mr. Stephen Johnson, Esquire  
Mr. Jeffrey Kaufman  
Mr. Albert D. Lopez, CPA  
Mr. Julio C. Miranda, CPA, CFE  
Mr. Isaac Salver, CPA

**Members Absent:**

Mr. Christopher Norwood, J.D., Vice-Chair  
Mr. Juan del Busto  
Mr. Rudy Rodriguez, CPA  
Ms. Mari Tere Rojas, School Board Member

**Non-Voting:**

Mr. Ron Steiger, Chief Financial Officer

**Call to Order**

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Mr. Erick Wendelken, Chair, called the meeting to order at 9:21 a.m.

**1. Welcome and Introductions**

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*(Audio is available upon request)*

Mr. Wendelken requested all in attendance to introduce themselves. The following persons were present:

Dr. Steve Gallon III, School Board Member	Mr. Wilmer Maradiaga, IT Auditor
Dr. Marta Pérez, School Board Member	Ms. Lourdes Rodriguez, Recruiter
Mr. Walter J. Harvey, School Board Attorney	Ms. Jackeline Fals, Chief of Staff
Ms. Iraida R. Mendez-Cartaya, Interim Chief Auditor	Ms. Dalia Rosales, Chief of Staff
Mr. Luis M. Garcia, Deputy School Board Attorney	Ms. Francys Vallecillo, Chief of Staff
Mr. Jose L. Dotres, Chief Human Capital Officer	Ms. Patricia Betancourt, Administrative Assistant
Mr. Jorge Rubio, District Director	Ms. Maria E. Delgado, Administrative Assistant
Dr. Ellen Wright-Ford, Executive Director	Ms. India George, Administrative Assistant

Ms. Vivian Lissabet, Administrative Assistant  
Dr. Ana Maria Lopez-Ochoa, Administrative Assistant  
Ms. Gina Miles, Administrative Assistant  
Dr. Marcos M. Moran, Administrative Assistant  
Mr. Matthew Tisdol, Administrative Assistant  
Ms. Elsa Berrios-Montijo, Staff Assistant  
Ms. Latisha Green, Administrative Assistant  
Ms. Lidia M. Marban, Administrative Assistant

## **2. Sunshine Law/Conflict of Interest**

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Mr. Walter Harvey, School Board Attorney, provided the members a brief overview of the Sunshine Law. See attached presentation that is herein incorporated into the minutes.

## **3. Review of the process**

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Mr. Jose L. Dotres, Chief Human Capital Officer, Human Capital Management (HCM), provided the committee members an overview of the process and oral interview assessment protocols.

Today's scoring process concentrates on assessing the candidates based on the quality and pertinence of experience, professional job knowledge, reasoning and decision-making, and ability to communicate ideas. The committee members are to rate the candidate using the assessment tool provided.

Staff from HCM presented questions used in 2009, when hiring the last Chief Auditor, and a list of questions developed for this cycle of interviews. Staff from HCM recommended using the list of recently developed questions.

The Committee discussed the proposed questions and recommended modifications.

The Committee recessed to allow staff from HCM to modify the list of questions. The meeting resumed upon the distribution of the revised questions.

## **4. Interview and Discussion of the candidates**

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The following applicants were interviewed:

- Ms. Maria Gonzalez
- Mr. Juan Calderon
- Mr. Jon Goodman
- Ms. Alina Garcia

After each candidate's interview, the Committee briefly discussed the candidate. Mr. Wendelken asked the members to complete the assessment form for each candidate. Upon completing all the interviews, committee members were asked to provide the forms to Dr. Ellen Wright-Ford, Executive Director, Instructional and Non-instructional Training, Human Capital Management. Dr. Wright-Ford will be doing the tabulation.

## **5. Deliberation and Selection of the Applicants to Recommend to the School Board**

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Mr. Gainey, ABAC member, made a motion to recommend the following three applicants to the School Board:

- Ms. Alina Garcia
- Ms. Maria Gonzalez
- Mr. Jon Goodman

The motion was seconded by Ms. Perla Tabares Hantman, ABAC Alternate Member

The Committee members were all in agreement.

## **Adjournment**

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Since there was no further business to come before the Committee, and upon a motion duly made and seconded, the meeting was adjourned by Mr. Wendelken at 12:30 p.m.

IRMC/em  
Attachment



# **OVERVIEW OF** **FLORIDA'S SUNSHINE LAW**

Review for Audit & Budget Advisory Committee

April 26, 2018



# Introductory Remarks

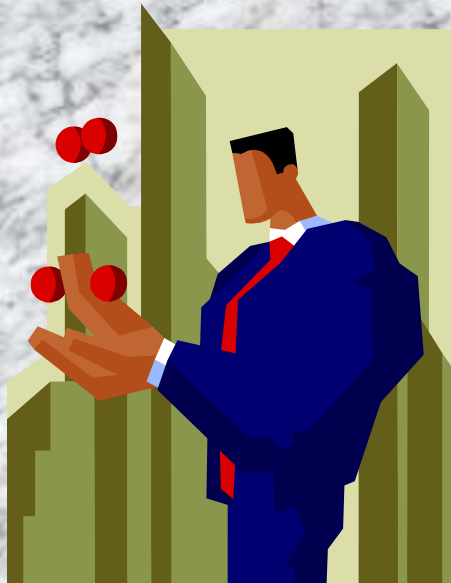
Luis M. Garcia  
Deputy School Board Attorney



School Board Attorney's Office  
Walter J. Harvey, Esquire  
School Board Attorney

## Other Topics:

- ❖ Public Records Act [Chapter 119]
- ❖ Code of Ethics [Chapter 112]





# Meetings Under the Sunshine



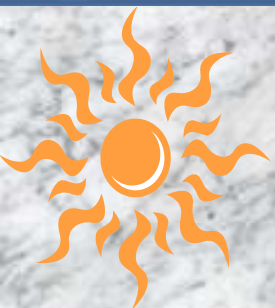
- ❖ Any gathering, whether formal or informal, of two or more members of the same board or committee (**advisory committees included**) to discuss some matter on which foreseeable action will be taken by the public board or commission.



# Advisory Committees

- ❑ Advisory Committees that make recommendations to government entities must comply with Sunshine Law. AGO 98-13.
- ❑ Advisory Committee members must adhere to statutory voting requirements. AGO 2002-40.
- ❑ Advisory Committee members subject to criminal penalties for violating Sunshine Law. AGO 2001-84.



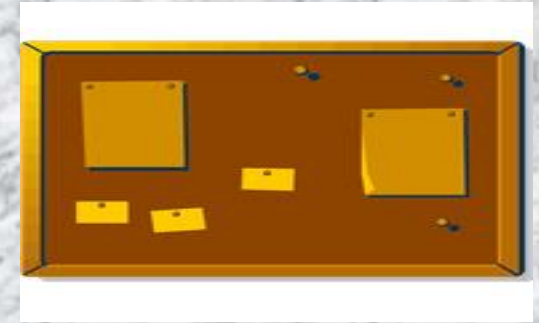


# The Basic Requirements of the Sunshine Law

Three basic requirements which would apply to any formal or informal Board meeting (or Board subcommittee meeting) where any vote, resolution, rule, formal action, or discussions about related matters will take place:

- Reasonable public notice of the meeting must be given;
- The meeting must be open to the public, in a location accessible to the public; and
- Minutes of the meeting must be taken and must be made available for public inspection following the meeting.

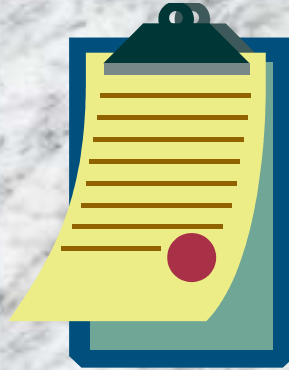
## Reasonable Notice



1. Include the time and place of the meeting and, if available, an agenda (or if no agenda is available, subject matter summations might be used—should follow an established practice);
2. The notice should be prominently displayed in the area in the agency's offices set aside for that purpose [e.g., Citizens' Information]; and
3. Emergency sessions should be afforded the most appropriate and effective notice under the circumstances and special meetings should have at least 24 hours reasonable notice to the public.



# KEEPING MINUTES



- ❖ The written minutes of meetings need not be verbatim transcripts.
- ❖ Even if the meeting is recorded, written minutes still must be taken.





## Penalties for Violating The Sunshine Law



Compliance with the Sunshine Law's requirements is of paramount importance because a violation can lead to the invalidation of any action taken by a Board or Committee. Further, a civil fine of up to \$500 may be assessed for any violation of the Law, and criminal penalties may be imposed upon any member who knowingly violates the Sunshine Law.





## SOCIAL GATHERINGS

Members of a public board or commission are not prohibited under the Sunshine Law from meeting together socially, provided that matters which may foreseeably come before the board or commission are not discussed at such gatherings.



## Written Correspondence Can Violate The Sunshine Law

- ❑ It would not be a violation of the Sunshine Law for a member to use a written memorandum to inform other members of a topic that will be discussed at a future meeting, provided there is no interaction regarding the memo between the members prior to the meeting (and the memo does not invite interaction), and provided the memo will be available to the public as a public record. However, a memo of this nature must not be circulated “for comment.”
- ❑ The same principles apply to e-mail: the Sunshine Law prohibits members from communicating via e-mail.

# Public Records Act



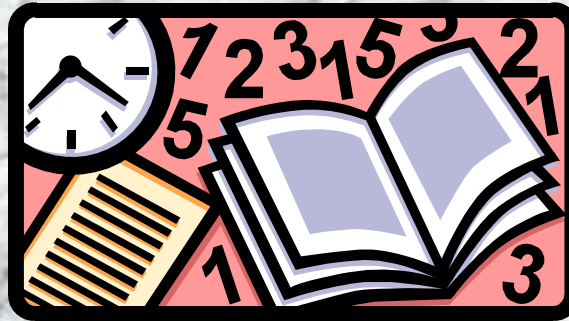
## Types of Public Records:

- ❖ All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form. Chapter 119, Florida Statutes.

## What Constitutes a Public Record:

- ❖ All materials made or received by an agency or its employees/agents in connection with official business which are used to perpetuate, communicate or formalize knowledge.

# Records Retention



- ❖ A public record may be destroyed or otherwise disposed of only in accordance with the applicable retention schedule.





# MAIL



- ❖ The Public Records Act is applicable to letters or other documents received in the transaction of official business by a Board or Committee member or District staff in their official capacity as a board, committee, or staff member. **E-mail is also subject to the Act**

# VOTING CONFLICTS & PUBLIC OFFICERS



NO COUNTY, MUNICIPAL, or other LOCAL PUBLIC OFFICER shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer knows would inure to the special private gain or loss of any PRINCIPAL by whom he or she is retained, of the PARENT ORGANIZATION or SUBSIDIARY of a CORPORATE PRINCIPAL by which he or she is retained, of a RELATIVE, or of a BUSINESS ASSOCIATE. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter. However, members of community redevelopment agencies and district officers elected on a one-acre, one-vote basis are not required to abstain.

See § 112.3143(3)(a), Fla.Stat. (2016)



**THE END**



**THANK YOU!**

