

MEMO

COMMISSION ON ETHICS & PUBLIC TRUST

TO: Eve Boutsis, General Counsel, Housing Authority of the City of Miami Beach

COPY: Robert Meyers

FROM: Victoria Frigo

DATE: November 2, 2005

RE: INQ 05-172 Membiela

Eve:

In your telephone call of October 31, 2005, you asked the following:

QUESTION: May an employee of the Miami-Dade Affordable Housing Foundation, Inc., a 501(c)(3) not-for-profit organization, accept an appointment to the board of the Metro-Miami Action Plan (MMAP) Foundation, Inc., a separate 501(c)(3) organization, without a conflict of interest?

ANSWER: YES, the citizen may accept the appointment to the board. There is nothing in the Conflict of Interest and Code of Ethics Ordinance to prohibit affiliations, as you have described, with the two independent 501(c)(3) corporations. However, a potential conflict could occur if, for example, the citizen were called upon, as a board member, to vote on a matter affecting her employer—or if she had the authority, as an employee, to affect a matter regarding the board on which she serves. If circumstances such as these arise, we recommend that the citizen ask for a more specific ruling based on the facts.