

Meyers, Robert (COE)

From: Meyers, Robert (COE)
Sent: Monday, December 11, 2006 1:46 PM
To: Meyers, Robert (COE)
Subject: Inquiry

I received the attached letter from Charles Auslander at The Children's Trust asking whether a grant that is given to an entity which contracts with one of the Trust's board members to provide compensated services creates a voting conflict for the board member. The Children's Trust is not covered by the county's Conflict of Interest and Code of Ethics Ordinance, however, the Trust specifically authorizes the Ethics Commission to interpret its Conflict of Interest Policy. Article VI requires that members of the Board prior to voting on a funding issue that involves their interests must file a disclosure statement with the secretary and are barred from discussing and voting on such issues. In this particular case, Board Member Nogueras would be financially affected if the grant were awarded to Youth Ethics Initiative, Inc. Therefore, she must not participate in any discussions of this applicant (either with staff or at the Board meeting), she must abstain at the meeting, and file the necessary disclosure statement with the secretary.

Robert Meyers
December 11, 2006

12/11/2006



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December 7, 2006

Robert Meyers, Esq.
Executive Director
Miami-Dade County, Ethics and Public Trust
19 West Flagler, Suite 209
Miami, Florida 33130

By Facsimile
305-579-0273

Dear Mr. Meyers,

The Children's Trust (The Trust) staff will be proposing a resolution to the Board involving certain training modules. The substance of the program involves in part online training materials for secondary school teachers to use in the classroom. The proposal was brought to us by a University of Miami educator; however, one of our Trust Board members is involved with the project. The grant itself would be made to an incorporated entity, Youth Ethics Initiative, Inc., which would execute the contract.

The Board member in question would receive compensation for assisting in design of the modules, preparation of some of them and editing. Accordingly, we need to know whether the grant can be made and what representations would have to be made by Trust staff and the Board member in question to satisfy any ethical obligations.


Article VI of The Trust's bylaws provides in pertinent part that:

A. Members of the Board will, prior to voting on a funding issue that involves any program or agency in which they participate as an employee or member of the governing authority, disclose their interest in said program or agency and file a disclosure statement with the secretary. In such instances, members must abstain from discussing and voting on such issue.

Article VI "B" requires compliance with Florida Statutes and County Ordinances.

I apologize in advance for asking for a "rush" response, however, we will be submitting this resolution to The Trust's Program Services Committee on December 13, and based on our "four-day rule" we must submit the proposed resolution to committee members by end of the day this Friday, December 8, 2006.

Cordially,



Charles M. Auslander
Chief Programs and Operations Officer