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Meyers, Robert (COE)

From: Tooley, Vaughn E. (DHS)
Sent: Thursday, October 21, 2004 11:53 AM
To: Meyers, Robert (COE)
Subject: RE: Opinion on Conflict of Interest for County Board Members

ING
04-127

Mr. Meyers,

Thank you for your response to our inquiry. When time permits, I will forward more specific information about the operation of our Board. Again, thank you for your assistance.

Vaughn Tooley, Executive Director
Miami-Dade County Domestic Violence Oversight Board
2525 NW 62nd Street, Room 4306
Miami, Florida 33147
Phone: 305-514-6130
E-Mail: y1116@miamidade.gov

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SUNSHINE LAW AND PUBLIC RECORDS CAUTION: 1) The Florida Government in the Sunshine Law prohibits discussion outside a duly noticed meeting between any two or more Domestic Violence Oversight Board members regarding any matter that may come before the Domestic Violence Oversight Board. This prohibition extends to discussions via e-mail. 2) Furthermore, most e-mail communications made or received by the Domestic Violence Oversight Board members or staff are considered public records that must be retained and, upon request, made available to the public and media.

-----Original Message-----

From: Meyers, Robert (COE)
Sent: Wednesday, October 20, 2004 2:12 PM
To: Tooley, Vaughn E. (DHS)
Subject: RE: Opinion on Conflict of Interest for County Board Members

Mr.. Tooley,

Thank you for your e-mail, but it is difficult for me to answer you question without more specific information about the board members and the positions they hold in the organizations. At a minimum, it would helpful for me to know how the Domestic Violence Oversight Advisory Board operates. Does the Board make funding recommendations to the County Commission? As a general rule, a person who sits on a nonprofit board and is also a member of a county advisory board can vote on matters affecting his/her nonprofit agency. However, employees of non-profits who sit on county boards who are involved in funding recommendations for their agencies may have a problem. The Ethics Commission takes the position that nonprofit board members do not directly benefit from the county's decision to fund their non-profits, whereas non-profit employees may, in some instances, benefit financially if their non-profits receive more funding.

Regarding meetings between board members and commissioners, it depends upon the person's position with the agency that is seeking county funding. There is no rule that would expressly prohibit a board member from lobbying a county commissioner for funding for his/her agency, but if the board member were likely to reap a financial gain, then it might violate the county's conflict of interest ordinance

If you wish to discuss the above with me in greater detail, please contact me at your convenience.

Thanks,

Robert Meyers

-----Original Message-----

From: Tooley, Vaughn E. (DHS)

Sent: Wednesday, October 20, 2004 9:46 AM
To: Meyers, Robert (CC)
Cc: Therese Homer (th3232@aol.com)
Subject: Opinion on Conflict of Interest for County Board Members

Mr. Meyers:

The Miami-Dade County Domestic Violence Oversight Board (DVOB) is an advisory board to the Board of County Commissioners which consists of 15 members. Each Commissioner appoints a member to the DVOB, and the County Manager appoints two members. The Chair of the DVOB has requested an opinion regarding whether or not a Board Member can ask the Commissioner that appointed them or any another commissioner for money to fund initiatives undertaken by their agencies for domestic violence projects. The Chair of the DVOB wants to ensure that there is no conflict of interest in such cases. If you need further information or clarification, please contact me via the information below. Thank you for your assistance.

*Vaughn Tooley, Executive Director
Miami-Dade County Domestic Violence Oversight Board
2525 NW 62nd Street, Room 4306
Miami, Florida 33147
Phone: 305-514-6130
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