

## Sanchez, Rodzandra (COE)

---

**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, February 28, 2017 3:54 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** David Williams, Councilman, City of Miami Gardens (Outside Employment) INQ 17-58

[INQ 17-58 Williams](#)

---

**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, February 28, 2017 3:52 PM  
**To:** 'dwilliamsjr@miamigardens-fl.gov' <dwilliamsjr@miamigardens-fl.gov>  
**Cc:** Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>  
**Subject:** INQ 17-58 David Williams, Councilman, City of Miami Gardens (Outside Employment)

Councilman Williams:

You have inquired concerning whether it would be permissible for you, a sitting Council member in the City of Miami Gardens, to serve as temporary Executive Director of the North Dade Youth and Family Coalition (NDYFC), a 501(c)(3) non-profit organization. You currently serve as a board member of NDYFC. Due to a vacancy in the position of Executive Director, you were requested to fill that position and serve as a paid staff member of NDYFC, for a period of ninety (90) days, after which you would expect to relinquish the position in favor of a permanent appointee to the position.

NDYFC provides services to troubled youth and family members in Miami Gardens. Individual and family counseling is provided, as well as services related to alternative programs for youths in trouble with the law. The programs are funded through a grant from the Miami-Dade Children's Trust, a local state-created entity that collects and disburses funds for a wide variety of programs intended to benefit children in need of services in Miami-Dade County. The City of Miami Gardens has contractual relationships with both the Children's Trust and NDYFC, that permit the City to act as a conduit for the funds provided to NDFYC from the Trust. The City does not act in a supervisory or monitoring capacity over NDYFC regarding its usage of the funds and does not maintain any control over the internal functions of the NDYFC. The salary of the Executive Director is set by the NDYFC board of directors, and neither the salary nor the duties of the Executive Director are in any way controlled by the City of Miami Gardens.

The Children's Trust exercises general oversight over the NDYFC. The City of Miami Gardens receives the funds from the Children's Trust and allocates them to the NDYFC with a minimum of interaction with the NDYFC. Only on rare occasions has the City Council voted on matters pertaining to the NDYFC. You have indicated that, when the NDYFC did come before the Council during your tenure as City Councilmen (on only one occasion), you recused yourself from voting due to the voting conflict of interest you would have pursuant to Section 2-11.1(d) of the County Ethics Code as a member of its board. It is your intent that, in the event another matter affecting NDYFC were to come before the Council during your tenure as acting Executive Director, you would take similar action.

Under the circumstances related above, it is my opinion that you do not have a prohibited conflict of interest that would prevent you from serving as temporary Executive Director of the NDYFC for the ninety-day period. There is sufficient separation from the working of that non-profit organization and the City of Miami Gardens that your outside employment with that organization would not interfere with your independence of judgment as a Council member pursuant to Section 2-11.1(j) of the Ethics Code. In reaching this conclusion, I have considered the perfunctory role that the City plays in funding the NDYFC, as well as its lack of control over the internal activities of the organization.

You would, of course, be required under Section 2-11.1(d) to continue to recuse yourself from any votes affecting NDYFC during your tenure as acting Executive Director. In the event that there should be any significant changes in your temporary employment arrangement with NDYFC, you would be well-advised to seek further counsel from this agency.

Sincerely,  
Joe Centorino

*Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[ethics.miamidade.gov](http://ethics.miamidade.gov)

