

# Memo

**To:** Barbara Carey-Shuler, Ed.D.  
Chairperson, Board of County Commissioners

**From:** Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust

**Date:** 10/16/03

**Re:** Request for Opinion

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I am receipt of a memorandum from you dated October 6, 2003, wherein you request an opinion with respect to serving as a member of The Carrie Meek Foundation. You further state that, in the past, you have spearheaded efforts to raise money for the Foundation. In an earlier conversation that you and I had, you stated you had reason to believe that The Carrie Meek Foundation might seek funding from the County in the future.

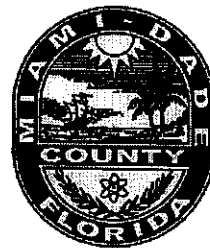
It is relatively easy for me to dispense with question of whether you can accept this appointment. There is no legal conflict under the County's Conflict of Interest and Code of Ethics Ordinance that prohibits a county commissioner from serving on the board of a non-profit foundation. More importantly, I want to provide you with an opinion that covers all of the related scenarios involved with sitting on the Foundation's board.

In the event the Foundation seeks county funds, you must not participate in or vote on any matters coming before the Board of County Commissioners or any of its committees involving The Carrie Meek Foundation. I strongly suggest that you absent yourself from any proceeding or discussion when the subject of The Carrie Meek Foundation is raised. If, for example, the Foundation submits a request for funding to the County or makes an appearance before a County board or committee in support of its application for funding, your name should not appear on the application, nor can you personally appear in front of a County board or agency representing the Foundation.

Another area of concern is fundraising, recognizing that this is a critical component to a foundation's survival. It is not uncommon for board members to take part in these activities. If you actively participate in fundraising efforts for The Carrie Meek Foundation, you must state clearly that you are doing so in your capacity as a board member, not as the chair of the county commission. Obviously, you should not use your County letterhead or other trappings of your office to benefit the Foundation.

Please use the above as guiding principles, but understand that if other circumstances arise that require clarification or another ethics opinion, feel free to contact me at your earliest convenience.

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**To:** Mr. Robert Meyers, Executive Director  
Commission on Ethics and Public Trust

**From:** Barbara Carey-Shuler, Ed.D.  
Chairperson

**Date:** October 6, 2003

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In the past, I have spearheaded efforts to raise money for The Carrie Meek Foundation from Miami-Dade County and the private sector. In light of the fact that I have now been invited to serve as a member of the Foundation, I am requesting the issuance of an advisory opinion from the Ethics Commission as to whether or not I can accept the appointment.

I appreciate your assistance.