

Meyers, Robert (COE)

INQ 07-116

From: Meyers, Robert (COE)
Sent: Wednesday, July 25, 2007 9:18 AM
To: Capp, Larry Dr. (OCR)
Subject: RE: opinion re Historic Hampton House Community Trust

Dear Larry,

I cannot seem to find the 2004 opinion that you reference in your e-mail, but I would be more than willing to provide you with a new opinion. As I understand it, you are a member of the Historic House Community Trust, Inc, a 501(c)(3) nonprofit community-based organization which currently receives funds from the County. You wish to know whether any conflicts of interest exist due to your position with County and the fact that you are an officer of a non-profit agency receiving funding from the County.

We have been presented with this question several times in the past and we have found that there is no conflict of interest per se for a County employee to serve as an officer/director of a County-funded nonprofit agency, but there are some limitations with respect to your involvement. First and foremost, you cannot play any role whatsoever with the application for County funding. This means you are prohibited from meeting with County staff or appearing before any County board as a representative of this non-profit agency. Furthermore, assuming there is a County allocation to your non-profit agency, you should have nothing to do with the day-to-day administrative activities tied to the County funding. Obviously, if some dispute arises between the County and the non-profit with respect to any programmatic issue, you cannot intervene on behalf of the Trust. Finally, merely having your name on the letterhead of the non-profit does not create a conflict of interest, but you should personally avoid signing any letters that are directed to County. I recommend that you entrust that responsibility to other officers or staff.

If you wish to discuss the above with me in greater detail, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust
 (305) 350-0613

From: Capp, Larry Dr. (OCR)
Sent: Tuesday, July 24, 2007 10:09 AM
To: Meyers, Robert (COE)
Subject: opinion re Historic Hampton House Community Trust
Importance: High

Hi Bob,

I hope that all is well. I believe that I received a written opinion from your office regarding my participation as a member of Historic Hampton House Community Trust, Inc. sometime in 2004. The Trust is a 501(c)3 nonprofit community-based organization dedicated to the preservation of the Hampton House hotel located in the Brownsville neighborhood where I reside. The Trust has been granted funding from OCED for operational costs and my ACM noticed that my name appeared in the minutes of the Trust. Please review your file and provide me with a copy of your opinion. If you can't locate it, please send a new opinion to me. As I recall, I am allowed to serve on the Trust, even as an officer, but can not appear before any county boards requesting funds. Thanks for your help with this manner.

Larry Capp

7/25/2007

Executive Director
Office of Community Relations

7/25/2007
