



Via First Class Mail
and
email at blakep@miamidade.gov

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March 27, 2012

Paul D. Blake, Vice-President
DADE CO. ASSOCIATION OF FIREFIGHTERS CHARITIES, INC.
8000 NW 21 St., Suite 222
Miami, FL 33122-1605

Re: INQ 12-53

Prohibition on appearing before any County Board or Agency on behalf
of a nonprofit organization

Dear Captain Blake:

Based on correspondence to our office on March 26, 2012, we understand that the nonprofit organization, DADE COUNTY ASSOCIATION OF FIREFIGHTERS CHARITIES, INC., is seeking to enter into a contract with the County. You are a Captain with the Miami-Dade County Fire Rescue Department and the Vice-President of the above-referenced nonprofit organization.

You do not have an ownership interested in the DADE COUNTY ASSOCIATION OF FIREFIGHTERS CHARITIES, INC., because there are no ownership rights in a nonprofit corporation. Although you are an officer of the nonprofit organization and responsible for its management, this does not characterize you as a principal for purposes of financial interests. The County Ethics Code at Sec. 2-11.1 (b)(8) defines a financial interest as at least a 10% ownership in the organization.

It is the opinion of the Ethics Commission staff that the DADE COUNTY ASSOCIATION OF FIREFIGHTERS CHARITIES, INC., may enter into contracts with the County, including the County Fire Rescue Department, because you have no financial interests in the nonprofit organization.

Please be advised, however, that the County Code at Sec. 2-11.1 (m) generally prohibits you from appearing before any County board or agency or meeting with staff or elected officials to make a presentation or to seek a benefit on behalf of a nonprofit organization, with certain limited exceptions.

We further emphasize that the Miami-Dade County Ethics Code represents a minimal standard of conduct for those in government service. Public employees should carefully consider the totality of the circumstances before taking an official action that might lead to an appearance of impropriety and possibly the erosion of the public's trust.

Finally, this opinion refers to the DADE COUNTY ASSOCIATION OF FIREFIGHTERS CHARITIES, INC., only, with the FEIN of 65-0056215. If you intend to contract with the County through any other entities, including a *for-profit* entity in which you have a financial interest, you will need an ethics opinion from our office based on that set of circumstances.

If you have further questions, please do not hesitate to contact our office.

Sincerely,



VICTORIA FRIGO
Staff Attorney

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