

Frigo, Victoria (COE)

From: Centorino, Joseph (COE)
Sent: Thursday, June 20, 2013 3:52 PM
To: Frigo, Victoria (COE)
Subject: INQ - Michelle Dunaj, Miami-Dade County Commission for Women

Ms. Michelle Dunaj of the Miami-Dade County Commission for Women called to ask whether she had any ethical responsibilities in connection with a by-law violation and a possible Sunshine Law violation committed by two members of her board.

The matter in question involved a reception event that was planned and carried out by the Commission for Women. The Commission had voted on a program for the event in advance. There is a Commission on Women by-law that requires members of the board to follow the decisions of the board. It appears that two of the members of the board may have colluded to place the name of the daughter of one of the members into the program, something that was not authorized by the board. The change was caught and the addition deleted from the program.

Ms. Dunaj was advised that a violation of the board's by-laws did not fall under the Commission on Ethics jurisdiction, and that it was a matter more suitable for consideration and action by the Commission on Women itself. Also, it appears that whatever collusion took place may have occurred after the vote of the board, in which case it would not be a Sunshine Law violation since it did not involve a matter that would foreseeably be voted on in the future. However, Ms. Dunaj was advised that even if it were technically a Sunshine Law violation the minor nature of the issue and the fact that no change in the program or other consequence resulted from the action would make this unsuitable for further legal action. She was advised, however, to bring it to the attention of the board at its next meeting so that the board could take whatever action it deems appropriate. Also, it would be appropriate for the board to seek further instruction on the requirements of the Sunshine Law, which Ms. Dunaj said she would do.

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
www.miamidadeethics.com

