



MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

January 30, 2013

Hon. Dennis C. Moss
Miami-Dade County Commission
111 NW 1st Street, Suite 320
Miami, FL 33128

Dear Commissioner Moss:

This opinion is provided in response to your letter of January 17, 2013, in which you inquired in regard to your voting on matters coming before the County Commission related to the Miami-Dade County School Board.

You have made this inquiry in light of the fact that you are Executive Director of the Richmond-Perrine Optimist Club (RPOC), a non-profit organization that provides various social services to needy individuals. The RPOC receives funding from a number of sources, including the Miami-Dade County School Board. The funding it receives from the School Board is used to provide an alternative education program for troubled students.

From time to time, School Board issues come before the Board of County Commissioners (BCC). However, you have informed that no matters involving the School Board's funding for the RPOC's alternative education program come before the BCC. Also, you are not affiliated in any way with the School Board, and you are not affected by School Board matters coming before the BCC differently from the general public. I understand that no funds that RPOC receives from the School Board in any way affect your compensation from the RPOC.

Under these circumstances, it is my opinion that you may vote on matters involving the School Board which come before the BCC. Since you do not have any of the enumerated relationships that would create a prohibited conflict pursuant to Section 2-11.1(d), and because you would not, directly or indirectly, profit or be enhanced by the action of the BCC on matters involving the School Board, there is no voting conflict created under the latter section of the Code.

Please be advised that this opinion only construes the Miami-Dade County Conflict of Interest and Ethics Ordinance, which provides a minimum standard of ethics for all public officials and employees of the County. In the event that you should feel that, due to personal or family interests, you could not exercise your judgement in any particular matter fairly or independently, then you should act in accordance with your conscience and the best interests of the County.


Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust