
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, April 01, 2014 2:02 PM
To: Sanchez, Rodzandra (COE)
Subject: FW: INQ - Mayor Philip Stoddard (voting conflict)
Attachments: RQO 07-54 Commissioner Sosa (educational institution).pdf

INQ14-79

-----Original Message-----

From: Centorino, Joseph (COE)
Sent: Monday, March 31, 2014 1:36 PM
To: 'Stoddard, Philip K.'
Cc: Diaz-Greco, Gilma M. (COE)
Subject: INQ - Mayor Philip Stoddard (voting conflict)

Mayor Stoddard:

This will confirm the opinion I provided you with orally regarding your employer, Florida International University. You inquired regarding whether a voting conflict would be created under Section 2-11.1(d) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance on matters coming before you as Mayor of South Miami and a member of the South City Commission pertaining to FIU, where you are employed as a professor at FIU. I informed you that, although having an employment relationship with an interested entity coming before you could create a conflict under the latter section, we have generally not interpreted that section to include employment by governmental entities. FIU, being a public university, is a governmental entity. You might still have conflict of interest, however, if the matter in question could cause you, directly or indirectly, to profit or be enhanced by the action. Where you would not be affected by the issue differently from the general public, you would not have a conflict, and, therefore, that you would be permitted to vote on the matter. I have attached a copy of RQO 07-54, an opinion rendered to County Commissioner Rebeca Sosa, an employee of the Miami-Dade County Public Schools, regarding a similar question.

If you should have any question about this or any other matter under the Ethics Ordinance, please do not hesitate to contact me.

Sincerely,

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
305-579-2594

-----Original Message-----

From: Stoddard, Philip K. [<mailto:PStoddard@southmiamifl.gov>]
Sent: Thursday, March 27, 2014 7:34 PM
To: Centorino, Joseph (COE)
Cc: Pepe, Thomas F.
Subject: Thanks and confirmation of info

Joe,

Thanks again for the good ethics seminar.

In response to my question about voting and conflicts of interest, you explained that government employees such as me (FIU) and Commissioner Gabriel Edmond (MDCS) are exempt from the voting recusal requirement when our municipality engages services of our employing government agencies. I'd appreciate it if you could confirm that rule in writing for me and direct me to the statute or court ruling upon which it's based. I will need to rely on it from time to time.

Thanks,

Phil

Philip Stoddard
Mayor of South Miami
6103 Sunset Drive
South Miami FL 33143
305-342-0161 (mobile)