7 ANQ 05-04.

Prkic, Christina (COE)

From:

JOURNALSQ@aol.com

Sent:

Wednesday, January 05, 2005 12:11 PM

To: Subject:

cprkic@miamidade.gov Re: Advisory Board inquiry

Dear Christina:

Thank you for your speedy reply. The information and your explanation is most helpful. I will research the Miami/Dade Ethics Commission and our Surfside Code further as suggested. Happy New Year.

Happy New Year. Barbara McLaughlin

Prkic, Christina (COE)

From:

Prkic, Christina (COE)

Sent:

Wednesday, January 05, 2005 11:51 AM

To:

'JOURNALSQ@aol.com'

Cc: Subject:

Ross, Karl (COE)
Advisory Board inquiry

Dear Ms. McLaughlin:

I am in receipt of your email to the Ethics Commission and have been asked to respond to your inquiries below.

- 1) The guidelines for creating municipal advisory boards are established in a city's charter and/or code. Please refer to the city attorney or clerk for specific information. Generally speaking though, advisory boards shall be comprised of residents of the respective municipality.
- 2) Again, refer to your city code for information concerning advisory boards; however, most city councils or commissions have the authority to establish a board and appoint its members.
- 3) All municipal advisory boards are required to comply with the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1, unless provided otherwise. The Code includes such provisions as financial disclosure, gift disclosure and voting conflicts, to name a few. For the full text please visit our website— www.miamidade.gov/ethics. Click on 'Ordinances.'

All quasi-judicial boards are subject to the Code of Ethics Ordinance, this would include a Planning & Zoning Board. Last year, the County adopted an ordinance and subsequent resolution exempting certain county advisory boards from the Code of Ethics. These boards are purely advisory in nature and make no quasi-judicial decisions. Several municipalities, thereafter, adopted ordinances which exempted several of their advisory boards similar to those exempted under County law. I'm not aware if Surfside adopted such an ordinance.

Should you have any additional questions do not hesitate to call me directly at the number below.

Sincerely Yours, Christina Prkic Staff Attorney Miami-Dade County Commission on Ethics and Public Trust P: (305) 350-0615

Dear Carl: I meant to ask you some questions when we spoke the other day.

What are the guidelines for creation of municipal Advisory Boards and Committees?

At what point is a committee considered an Advisory Board?

What ethics rules does an Advisory Board need to follow, such as financial disclosure and notification?

I ask because I don't think the Surfside Recreation Committee or Tourism Board or Planning and Zoning Board have ever been "officially" registered as boards. They are not listed with the State Commission on Ethics and I don't believe they are listed with Miami-Dade County. However, these "committees" are functioning in a capacity to "advise" public officials. How is that discrepancy resolved?

Thanks and all my best wishes for the New Year.

Tracking:

Recipient

Delivery

'JOURNALSQ@aol.com'