

Meyers, Robert (COE)

From: Meyers, Robert (COE)
Sent: Thursday, August 11, 2005 1:46 PM
To: 'cmdrmom@aol.com'
Subject: RE: Ethics Inquiry

INQ 05-124

Dear Ms. McCue,

I can think of two circumstances in which a conflict of interested could be created – if you have an ongoing business relationship with Mr. Cosgrove or if you have retained his services as an attorney to represent you at the same time he is appearing before your community council. Absent these circumstances, there is no conflict of interest under the County Conflict of Interest and Code of Ethics Ordinance that prevents you from participating in and voting on matters when Mr. Cosgrove appears before the community council. The fact that you have known him for quite some time and the two of you currently serve on another committee together are not sufficient grounds for finding a conflict of interest. Because you are a member of a community council there are occasions when you sit as a community zoning appeals board and this means you must be free from bias when hearing zoning cases. As long as your decisions are based upon an application's merits, you would not have to recuse when Mr. Cosgrove appears.

If you have any additional questions or wish to discuss the above on more detail, feel free to contact me at your convenience.

Robert Meyers

From: cmdrmom@aol.com [mailto:cmdrmom@aol.com]
Sent: Wednesday, August 10, 2005 5:52 PM
To: rmeyers@miamidade.gov
Subject: Ethics Inquiry

To: Robert Meyers, Ethics Commission
From: Nancy McCue, South Bay Community Council (15)

Dear Mr. Meyers,

On July 5, 2005, during our regular Zoning Appeals Board hearing, the council deferred an application until September 2005. The applicant is represented by attorney John Cosgrove.

Mr. Cosgrove has represented several clients during the eight years I have served, as have many other attorneys. Previously, if an attorney appeared before us that I had known or had served with on a committee, etc., I would check for possible conflict of interest with the county attorney's representative. I have been told to now check with you regarding any similar questions.

I serve with Mr. Cosgrove on a community committee which is seeking to incorporate the Cutler Ridge area. We are now in the process of having our charter approved. My guidance in the past has been for me to determine if the relationship would have any bearing on my decision. There has never been a relationship which has influenced me and my decisions regarding any issue before SBCC 15. My decisions are based upon the merits of the application and all Miami Dade County zoning rules and regulations.

I am seeking your guidance in this matter, as to whether a conflict is indicated, before the future hearing date.

I may be contacted at 305-256-7314 for any questions.
Sincerely,

8/11/2005