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ARDYTH WALKER
STAFF GENERAL COUNSEL

August 29, 2008

John Patrick Julien
BIQUE INTERNATIONAL, INC.
2289 NE 174th Terrace
North Miami Beach, FL 33160

Re: ROO 08-33

Dear Mr. Julien:

The Commission on Ethics & Public Trust considered your request and rendered its opinion at a public meeting held on August 28, 2008.

In your emails of June 26 and July 8, 2008, you asked if you, as a Councilmember in the City of North Miami Beach, may vote on matters brought before the City Council by the partner of a law firm, when an associate in the law firm is your private client.

The Ethics Commission opined that you may vote on matters presented by partners and associates at the law firm (other than your private client) because you do not have any of the prohibited relationships enumerated in the voting conflict section of the Ethics Code at § 2-11.1 (d) with the other associates and partners.

The facts are as follows: You serve as a Councilmember in the City of North Miami Beach. In your private capacity, you own BIQUE INTERNATIONAL, INC., a private process serving company incorporated in the state of Florida. Fran Zion, an associate attorney at the law firm of Fromberg, Perlow & Kornik, P.A., and a personal friend, contracts with BIQUE INTERNATIONAL, INC., typically on a weekly basis, as part of her legal foreclosure practice.

Jeffrey Perlow, a partner at Fromberg, Perlow & Kornik, has recently appeared before the Council of North Miami Beach representing a client on a licensing matter. No partners or associates at Fromberg, Perlow & Kroning, except for Ms. Zion, have ever used BIQUE INTERNATIONAL, INC., for process serving services.

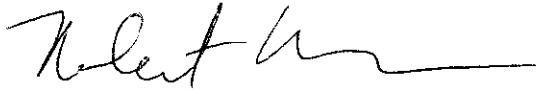
The County ordinance governing these facts is found at § 2-11.1 (d). Generally, the law prohibits elected officials from voting on matters presented by persons with whom they have certain contractual or business relationships or if they would or might be expected to profit or be enhanced, directly or indirectly, by actions brought before the Council. The prohibited relationships include officer, director, partner, of counsel, consultant, employee, fiduciary, beneficiary, stockholder, bondholder, debtor, or creditor.

Based on the foregoing, the Ethics Commission found that you may contract with Ms. Zion to perform process serving and may vote on matters presented by all other associates and partners at Fromberg, Perlow & Kornik because you do not have any of the prohibited relationships enumerated in the voting conflict section of the Ethics Code with these other associates and partners at the firm.

This opinion construes the Miami-Dade County Conflict of Interest & Code of Ethics Ordinance, but is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact Victoria Frigo, Staff Attorney, at 305.350.0601, or Robert Meyers at 305.579.2594, if we can be of further assistance in this matter.

Sincerely yours,



ROBERT MEYERS
Executive Director

Copy: Howard Lenard, City Attorney
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