



INQ 09-18

January 30, 2009

Debra Sinkle-Kolsky  
Redevco  
11098 Biscayne Blvd., Suite 103  
Miami, FL 33161

Dear Ms. Sinkle-Kolsky:

I am in receipt of your letter dated December 22, 2008 wherein you request an opinion from the Miami-Dade Commission on Ethics.

You are a member of Community Council #7 and your company began doing economic developments and public-private partnerships with local non-profits in Miami-Dade County after Hurricane Andrew. Without going in the specific relationships that you outline in your letter, you assert that none of your company's clients or you own entities have done business in the District 7 area. Your company has decided to become a vendor and you wish to know whether such designation would create a conflict for you as a community council member.

The county's Conflict of Interest and Code of Ethics Ordinance does not prohibit you from remaining on the community council and becoming a County vendor and receiving a woman-owned business designation. A conflict may occur if the business were seeking to enter into a contract with Miami-Dade County. The ethics code prohibits community council members from entering into a contract with an agency or department of Miami-Dade County subject to the regulation, oversight, management, policy-setting or quasi-judicial authority of your board. Therefore, entered into a contract with Miami-Dade would not create a conflict per se. However, an examination of each contract your company signs with Miami-Dade would be necessary to make certain that you would not be in violation of the ethics ordinance. Assuming that one of the contracts would create a conflict of interest, a waiver is available from the Board County Commissioners. We can discuss this at a later date should such a situation arise.

Another issue to address is the extent to which a contract with Miami-Dade County that entails doing work within the boundaries of your community council would create a conflict of interest. In your capacity as a member of a quasi-judicial board, a voting conflict would exist if you were to have a special relationship with a party or entity appearing before your community council or if you stood to receive a special benefit from your vote, unless you recused yourself from the proceedings. Once again, these matters are fact-specific and the best course of action is to analyze them on a case-by-case basis.

**ETHICS COMMISSIONERS**

Kerry E. Rosenthal, CHAIRPERSON  
Dawn E. Addy, VICE CHAIRPERSON  
Erica Wright  
Judge Seymour Gelber  
Magda Abdo-Gomez

**ROBERT A. MEYERS**  
EXECUTIVE DIRECTOR

**MICHAEL P. MURAWSKI**  
ADVOCATE

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

Finally, and possibly most importantly, you advised me in a conversation we had this morning that you are also a member of the county's Housing Finance Authority. I conferred with the County Attorney's Office and we concluded the simultaneous service on a Community Council and the Housing Finance Authority violates the County Code. Therefore, the law requires you to resign from one of these boards.

If you have any questions concerning the above, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Meyers", followed by a long horizontal line extending to the right.

Robert Meyers  
Executive Director