

MEMO

TO: File
FROM: Victoria Frigo
DATE: April 2, 2010
RE: INQ 10-65, Roger Carlton

On April 1, 2010, I spoke with Roger Carlton, Acting City Manager in the City of South Miami.

Mr. Carlton has engaged Attorney Mark Goldstein to represent him in a private landlord-tenant issue. Mr. Goldstein is currently employed as the acting South Miami Assistant City Attorney under an independent contract arrangement.

The current acting City Attorney, Larry Feingold, and Assistant City Attorney Goldstein are supervised directly and solely by the City Commission. The City Manager has no authority whatsoever regarding the attorneys' employment contracts or other employment issues. It is my understanding that no special discounts or other benefits are being given to Mr. Carlton by Attorney Goldstein in this private transaction.

Mr. Carlton said that he has waived his right to be represented by Mr. Goldstein if a conflict were to arise between Mr. Carlton and the City.

Mr. Carlton said that he wished to confirm that he had no ethics conflicts in this arrangement with Mr. Goldstein prior to placing a matter on the City Commission agenda for Tuesday, April 6, 2010.

I suggested that because Mr. Carlton did not supervise Attorney Goldstein, ethics conflicts were less likely to occur, but I advised that he discuss the matter with Robert Meyers to confirm.