

**Meyers, Robert (COE)**

INQ 10-114

**From:** Meyers, Robert (COE)  
**Sent:** Monday, June 21, 2010 11:11 AM  
**To:** 'Tom Korge'  
**Cc:** 'Hernandez, Elizabeth'  
**Subject:** RE: University of Miami-Development Agreement

Dear Mr. Korge:

Per your request, I am responding before your June 24<sup>th</sup> hearing. As I understand it, you chair the City of Coral Gables Planning and Zoning Board and the University of Miami has a Development Agreement pending before the Planning and Zoning Board. In the past, you taught courses at the University of Miami School of Law as an adjunct professor. You are not teaching courses at the University of Miami at the present time and have no contract to teach courses there in the future. The question is whether your past affiliation with the University of Miami bars you from hearing the matter brought to the Planning and Zoning Board by the University of Miami.

The Coral Gables City attorney has opined that you do not have a voting conflict of interest under local or state law. The Miami-Dade Commission on Ethics and Public Trust limits its analysis to local law. Based upon the voting conflict standards in effect for members of quasi-judicial municipal boards in Miami-Dade County, I concur with the City Attorney's opinion that no voting conflict of interest exists under local law. Therefore, you may participate in the discussions and vote on the University of Miami item.

If you wish to discuss, feel free to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust

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**From:** Tom Korge [mailto:TKorge@KorgeLaw.com]  
**Sent:** Tuesday, June 15, 2010 3:43 PM  
**To:** Hernandez, Elizabeth  
**Cc:** Meyers, Robert (COE); costas.julie@leg.state.fl.us  
**Subject:** RE: University of Miami-Development Agreement

Thanks, Liz. Please note that the University of Miami hearing is scheduled for June 24. If the County or State ethics office has any concerns whatsoever about a potential conflict, I would greatly appreciate a heads up before the hearing (for obvious reasons of timing). Thanks again for your timely response.

Regards,

Thomas J. Korge  
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6/21/2010

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**From:** Hernandez, Elizabeth [mailto:ehernandez@coralgables.com]  
**Sent:** Tuesday, June 15, 2010 3:28 PM  
**To:** Tom Korge  
**Cc:** Meyers, Robert (COE); costas.julie@leg.state.fl.us  
**Subject:** University of Miami-Development Agreement

You have advised this office that in the past you have been an adjunct professor, and you were paid for such services by the University of Miami as late as last semester for teaching Federal Income Tax at the University of Miami School of Law (Spring of 2010). However, you are not presently teaching any courses at the University, have no contract to teach a course in the future, or have had any discussions with the University to teach any course in the future. The University has paid you an honorarium of approximately \$3,000 a semester when you have taught a course at the law school.

You sit as the Chair of the City's Planning and Zoning Board, and the University presently has an application for consideration of a Development Agreement pending before the Board. This office has been requested to provide an opinion as to whether you have a voting conflict of interest in the instant matter.

Based on the facts provided to us, it is the opinion of this office that you do not have a voting conflict of interest under local or state laws and as such you are required to vote on the issues under consideration. By separate copy, I am asking the Miami Dade County Ethics Commission to provide an informal opinion as to whether you have a voting conflict of interest under County laws and regulations. Similarly, by separate copy, we are requesting an informal opinion from the State Ethics Commission as to whether you have a voting conflict under Chapter 112, Florida Statutes.

If there are any facts which you believe we have failed to include in the instant summary please so advise.

Thank you.

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