

Ethics (COE)

INQ 10469

From: Ethics (COE)
Sent: Tuesday, September 14, 2010 11:34 AM
To: 'Joanne Carbana'
Subject: RE: Community Council 5

Dear Ms. Carbana:

Thank you for your question. As I understand it, your central question is whether a conflict of interest exists for you as a community council member if a law firm that you worked for in the past appears before your community council representing a party/applicant.

The county's voting conflict rules are fairly clear on this point. A voting conflict is created only when the government official has an ongoing relationship with a party or representative who is appearing before the official's board. Therefore, past employment relationships would not constitute a voting conflict under the county's ethics ordinance. However, if you believe an appearance of impropriety would be created by your involvement, you can absent yourself from the proceedings – although legally there is no requirement to do so.

If you have any further questions, please do not hesitate to contact me.

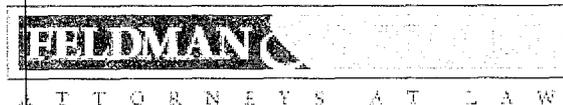
Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust
 (305) 350-0613

From: Joanne Carbana [mailto:joanne.carbana@feldmangetz.com]
Sent: Monday, September 13, 2010 4:14 PM
To: Ethics (COE)
Subject: Community Council 5

I have a question that came up at our last Community Council 5 Zoning meeting. When one of the items came before the council, the attorney representing the business entity was from "Greenspoon Marder" a firm that I worked for from June 2000 to January 2005. I worked for a PI attorney at this firm, Jeff Fox. I did not work for the attorney that was present. In an abundance of caution, I excused myself stating that I had worked years ago at this firm and did not want to create a conflict and I left. My question is, I have worked for several law firms since 1971. The current firm that I work for, Feldman and Getz, LLP does not handle real estate. My job is a paralegal working for John Getz, Esquire, on PI and trials on behalf of our clients who are Plaintiffs. My question - is it a conflict of interest if a firm that I worked for in the past, even though I did not work in real estate, comes before the council meetings on behalf of someone and do I need to excuse myself like I did in this instance? I do not want to cause a problem for the Council. Thank you in advance for your reply. If you have any questions, please do not hesitate to call or email me.

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