

INQ 11-09

I spoke to Lourdes Alfonsin, Acting City Attorney for Coral Gables, on January 21, 2011, and she wanted to know whether a voting conflict existed for one of her commissioners who gave a substantial donation to a new museum in town when a contract with the City of Coral Gables has to be approved by the City Commission. The commissioner does not sit on the museum's board and does not stand to profit from or be enhanced by the actions of City Commission with respect to the museum vote. Under the county code of ethics ordinance, the commissioner may participate in the discussion about the museum and vote on any matters involving the museum for two reasons: 1) he does not have an enumerated relationship with an affected party (the museum) and 2) there is no unique benefit to him as a result of the vote. The donation in question did not give him an ownership interest in the museum or control over its operations.

Robert Meyers
January 24, 2011