

## Frigo, Victoria (COE)

---

**From:** Frigo, Victoria (COE)  
**Sent:** Monday, April 29, 2013 1:47 PM  
**To:** Lighterman, Sandy K. (RER)  
**Cc:** Rodriguez, Eric (CAO); Centorino, Joseph (COE)  
**Subject:** Film Board Member Conflict (INQ 13-108) addendum

Ms. Lighterman,

As an addendum to the previous opinion given to you, please note that a board member cannot enter into a contract with the board on which he serves. See County Code at Sec. 2-11.1 (c)(3).

Although you did not state whether Mr. Edwards had entered into a contract with the Film and Entertainment Board, it appears that, minimally, an oral agreement may have been made in violation of the County Ethics Code.

Accordingly, the Film and Entertainment Board cannot contract with one of its board members to use the venue of the board member.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

Direct Phone: 305 350-0601  
Main Number: 305 579-2594  
Fax: 305 579-0273



19 West Flagler St., Suite 820  
Miami, FL 33130

*Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.*

---

**From:** Frigo, Victoria (COE)  
**Sent:** Monday, April 29, 2013 1:07 PM  
**To:** Lighterman, Sandy K. (RER)  
**Cc:** Rodriguez, Eric (CAO); Centorino, Joseph (COE)  
**Subject:** Film Board Member Conflict (INQ 13-108)

Ms. Lighterman,

You asked if Will Edwards, a Film and Entertainment Board member, may host Film and Entertainment Board events at a nightclub he owns when he will receive a portion of the money raised at the events. We discourage the arrangement based on the recurring appearance of impropriety that is created.

However, if the Film and Entertainment Board wishes to use the venue of a board member, several sections of the County Ethics Code regulate the board member's actions:

First, the board member must *not* take any official actions when his financial interests will be affected, directly or indirectly. See County Code at Sec. 2-11.1 (n).

Second, the board member must not seek any benefit from the Film and Entertainment Board on behalf of the nightclub he owns and/or is employed by. Consequently, he must not appear before his own Board to

promote the nightclub as a venue for Board events if he will benefit from the arrangement. *See* County Code at Sec. 2-11.1 (m)(2).

Third, the County Code specifically prohibits the board member from voting on, or participating in, matters before the Film and Entertainment Board if the board member will be directly affect by the action of the Board *and* he has a business relationship with the entity under discussion. Prohibited business relationships in this case would include officer, director, partner, consultant, employee, stockholder, debtor, or creditor. *See* County Code at Sec. 2-11.1 (v) for the complete list of prohibited relationships.

Based on the foregoing, each time an issue involving Mr. Edwards' venue comes before the Board, Mr. Edwards must leave the room to avoid participating in, discussing, or voting. Within 15 days of the voting conflict, Mr. Edwards must disclose the conflict by filing State Form 8B with the person who keeps minutes for the Board.

Please note that local board members are also subject to the State Ethics Code, which is interpreted by the Florida Commission on Ethics (<http://www.ethics.state.fl.us>).

If you have additional questions about the County Ethics Code, please feel free to contact me.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

Direct Phone: 305 350-0601  
Main Number: 305 579-2594  
Fax: 305 579-0273



19 West Flagler St., Suite 820  
Miami, FL 33130

*Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.*

---

**From:** Lighterman, Sandy K. (RER)  
**Sent:** Thursday, April 25, 2013 1:39 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** FW: Need advisement please..

**Rodzandra,**

**Can you assist? Eric Rodriguez (CAO) asked me to pass my questions onto the Ethics Commission. Can you direct this inquiry to the correct person?**

*Sincerely,*

*Sandy Lighterman*

**Film and Entertainment Commissioner**  
**Miami-Dade County**  
**Office of Film & Entertainment**  
**Department of Regulatory and Economic Resources**  
**111 N.W. 1 Street**  
**Suite 2200**  
**Miami, Florida 33128**  
**305-375-3288**

Cell 305-588-2309

Fax 305-375-3266

FILMIAMI.ORG



miamidade.GOV 

"Delivering Excellence Every Day"

Marine Turtle Nesting Season is May 1 – October 31 – If you are planning to film in one of our beaches, please visit [http://filmmiami.org/turtle\\_nesting.asp](http://filmmiami.org/turtle_nesting.asp) for beach filming restrictions during marine turtle nesting season.

*Please consider the environment before printing this email.*

*Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.*

---

**From:** Lighterman, Sandy K. (RER)  
**Sent:** Thursday, April 25, 2013 10:36 AM  
**To:** Rodriguez, Eric (CAO)  
**Subject:** Need advisement please..

Hi Eric,

The Film and Entertainment Advisory board needs some direction. Please see the attached notes from a committee meeting and the yellow sticky notes I have flagged (3).

I want to know if it's a conflict of interest for a Board member to promote events at their owned venue sponsored by the F&E Advisory Board, where the Board member will benefit financially from these events. There is a proposition to hold monthly events by the Film and Entertainment Board at Will Edward's nightclub where the night club would profit and the film board would make a % of the profits.

I do understand that the Board is allowed to raise money, but want to make sure there is no conflict with a Board member making a profit from events sponsored by the Board.  
Please advise. Thank you

*Sincerely,*

*Sandy Lighterman*

Film and Entertainment Commissioner  
Miami-Dade County  
Office of Film & Entertainment  
Department of Regulatory and Economic Resources  
111 N.W. 1 Street  
Suite 2200  
Miami, Florida 33128  
305-375-3288  
[Cell 305-588-2309](tel:305-588-2309)

Fax 305-375-3266

FILMIAMI.ORG



miamidade.GOV 

"Delivering Excellence Every Day"

Marine Turtle Nesting Season is May 1 – October 31 – If you are planning to film in one of our beaches, please visit [http://filmmiami.org/turtle\\_nesting.asp](http://filmmiami.org/turtle_nesting.asp) for beach filming restrictions during marine turtle nesting season.

*Please consider the environment before printing this email.*

*Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.*