

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Wednesday, October 09, 2013 1:40 PM
To: 'Griselia Digiacomu'
Cc: Mary Taylor; Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: INQ 13-246 Potential Chamber Conflicts of Interest

Vice-Chair Digiacomu,

The County Ethics Code does not prohibit you from serving as a voluntary member of the Board of Directors for the Town of Medley Chamber of Commerce, but your relationship with the Chamber will create an ongoing *per se* voting conflict for you whenever matters involving the Chamber come before the Town Council.

The Miami-Dade County Code at Sec. 2-11.1 (d) creates a *per se* voting conflict for an elected official who has any one of several relationships with an entity that will be affected by actions taken by her Town Council. One of the enumerated relationships includes "director."

As a member of the Board of Directors of the Town of Medley Chamber, you are prohibited from voting on, or participating in, any matters related to the Chamber. This prohibition includes, but is not limited to, the prohibition on voting to dispense public funds to the Chamber, as you described below.

Additionally, please be aware that individual members of the Chamber may seek to curry favor with you when they have matters coming before the Town Council. Consequently, you should avoid any appearances of impropriety that would suggest you are exploiting your official position to secure special privileges for others or that you have been influenced to take an official action as the result of receiving a gift. See the Miami-Dade County Ethics Code at Secs. 2-11.1 (e)(3) and (g).

If you have additional questions, please feel free to contact me or my colleague, Gilma Diaz-Greco, Staff Attorney.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: Griselia Digiacomu [<mailto:gdigiacomu@townofmedley.com>]
Sent: Wednesday, October 09, 2013 10:46 AM
To: Frigo, Victoria (COE)
Cc: Mary Taylor
Subject: Legal opinion

Good Morning Ms. Frigo,

I'm requesting once again a legal opinion from your agency. The Town approved a couple of years ago the creation of the first Town of Medley Chamber of Commerce. During the first year Councilperson Martell, now the Mayor served as the President for the Chamber. After the first year he stepped down, and now we have another President. The Chamber will be having their annual elections for President and Members of the Board in October of this year. As elections for the board are getting closed I have develop the interest of serving on the board.

The Town Council just engaged in a verbal MOU with the Chamber that will come back to us in November as a Resolution for formal approval of the Council, and will be assigning funds for the Chambers to organized different projects in conjunction with the Town. I asked our new Town Attorney if it will be a conflict for any of us (The Town's Councilmember's) to be part of the Chambers Board, and his answer was, no! I would really like to be a part of the Chamber's Board, but not if is going to be a conflict. Thank you in advanced for your help in this matter.

Best Regards,

Griselia Digiacomio, Vice-Mayor



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