
From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, July 13, 2015 10:02 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: INQ - Wayne Pathman - Sea Level Rise Committee, City of Miami (Conflict of Interest, Recommending Services) INQ 15-148

INQ 15-148 Pathman

From: Centorino, Joseph (COE)
Sent: Friday, July 10, 2015 5:32 PM
To: 'Dorinda Triponey'
Cc: MS (Haber@miamigov.com); Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)
Subject: INQ - Wayne Pathman - Sea Level Rise Committee, City of Miami (Conflict of Interest, Recommending Services)

Mr. Pathman,

You have inquired regarding whether there would be any prohibited conflict of interest arising out of your appointment to the City of Miami Sea Level Rise Committee, an advisory board in the City of Miami. The request is made in light of your position as an attorney with a law firm that does lobbying in the County, City of Miami Beach and the City of Miami.

I do not foresee any voting conflicts occurring under Section 2-11.1(v) of the County Ethics Code, provided that you will not be personally affected in any special way by any of the issues coming before the Sea Level Rise Committee and you will not have any of the listed relationships with any entity appearing before that board, including officer, director, partner, of counsel, consultant, employee, fiduciary, beneficiary, stockholder, bondholder, debtor or creditor. Obviously, neither you nor any immediate family member should have any interest in any issue coming before the board, nor should you ever personally appear before the board.

I do foresee a potential problem under Section 2-11.1(p) should you at some point in your position as a lobbyist recommend the services of any person or entity to assist in a transaction involving the City or any of its agencies. This would not apply to your representation of a person or entity in a quasi-judicial proceeding such as a zoning hearing, but would apply to representing potential contractors, vendors or other service providers to the City and your recommending them to a City agency in your capacity as a lobbyist. I recommend, therefore, that you avoid personally lobbying on behalf of any individual or entity seeking to provide services to the City of Miami. This prohibition would not apply to other members of your law firm. However, I would suggest that members of your law firm avoid appearing before the committee on which you will be sitting.

Sincerely,

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust

From: Dorinda Triponey [<mailto:dtriponey@pathmanlewis.com>]
Sent: Thursday, July 09, 2015 11:17 AM
To: Centorino, Joseph (COE)
Subject: Wayne Pathman - Sea Level Rise Committee, City of Miami

Good morning, Mr. Centorino: Per your request, attached is the letter from the City of Miami appointing Mr. Pathman to the new Sea Level Rise Committee. As I mentioned in my phone conversation with you yesterday, Mr. Pathman is also a registered lobbyist for certain of our clients in Miami-Dade County and has confirmed with the City Attorney that being on this committee does not constitute a conflict regarding his occasional lobbyist duties for his clients.

It was my understanding that you requested the names of the clients for whom we are registered lobbyist: they are as follows:

Palau Sunset Harbor, LLC
CBS Outdoor, Inc. (now known as Outfront Media)
AR&J Sobe, LLC

None of these clients has "sea level rise" issues.

We are requesting that you confirm that Mr. Pathman can serve on the Sea Level Rise Committee and still remain a lobbyist for his client.

Thank you.
Dorinda.



Dorinda Triponey

*Legal Administrative Assistant to Richard N. Schermer, Esq.
Legal Administrative Assistant to Wayne M. Pathman, Esq.*

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Failure: A few errors in judgment - repeated every day.

Success: A few simple disciplines - practiced every day.