
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, January 27, 2015 11:47 AM
To: Sanchez, Rodzandra (COE)
Subject: Matthew Haber, Assistant City Attorney, City of Miami (Voting Conflict) INQ 15-15

INQ 15-15 Haber

-----Original Message-----

From: Centorino, Joseph (COE)
Sent: Tuesday, January 27, 2015 10:56 AM
To: 'Haber, Matthew S.'
Cc: Mendez, Victoria; Diaz-Greco, Gilma M. (COE)
Subject: INQ - Matthew Haber, Assistant City Attorney, City of Miami (Voting Conflict)

Mr. Haber:

You have inquired regarding whether a City Commissioner may appoint a private business partner to a public board on which the Commissioner also sits.

Section 2-11.1(d) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance covers this type of conflict. That section provides that no member of the City Commission "shall vote on or participate in any way in any matter presented to the Board...if said person has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the Board....(i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary..." Under the latter voting conflict provision, the Commissioner may not vote on or participate in the appointment of his or her business partner to a public board, regardless of whether the Commissioner sits on the same board.

Sincerely,

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

-----Original Message-----

From: Haber, Matthew S. [<mailto:MSHaber@miamigov.com>]
Sent: Monday, January 26, 2015 6:37 PM
To: Centorino, Joseph (COE)
Cc: Mendez, Victoria
Subject: Ethics opinion: commissioner appointing coworker

Dear Mr. Centorino:

I hope that you are well.

The City of Miami would like an email opinion explaining any ethical issues surrounding a commissioner who appoints his coworker to a board that the commissioner also sits on.

If you are available, I would like to call you on Tuesday morning to discuss this issue further.

Sincerely,

Matthew Haber
305.416.1837