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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, July 24, 2015 9:36 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Eve Boutsis, Assistant City Attorney, City of Miami Beach (Contract Staff, Prohibited Appearances) INQ 15-159

INQ 15-159 Boutsis

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**From:** Centorino, Joseph (COE)  
**Sent:** Wednesday, July 22, 2015 4:46 PM  
**To:** Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)  
**Subject:** INQ 15-159 Eve Boutsis, Assistant City Attorney, City of Miami Beach (Contract Staff, Prohibited Appearances)

Eve Boutsis, Assistant City Attorney for the City of Miami Beach, inquired regarding whether it would create a conflict under Section 2-11.1(m) of the County Ethics Code for a City contractor hired to provide a traffic study concerning a zoning application to also be hired by the private party that is the applicant for the zoning change. The issue is whether as contract staff, which is specifically referenced in Section 2-11.1(m), would be in violation for making or being involved in a presentation to a City board. The contract with the City does have a general statement that the contracting party would be subject to “applicable” ordinance provisions.

Ms. Boutsis was advised that, although this situation does appear to create a serious conflict, it does not fall within the County Ethics Code unless the contractor has been “designated” in a contract with the City as a person who shall be required to comply with the provisions of Subsections 2-11.1(g), (h), (j), (l), (m), (n) and (o) of the Conflict of Interest and Code of Ethics Ordinance. A general provision in the contract that the contractor would be subject to “applicable” ordinances does not amount to such a designation since Section 2-11.1(m) would not be “applicable” without a specific designation as such in the contract. I advised Ms. Boutsis that it did appear to be a problematic conflict that the City may address in the future by including the special designation in future contracts of this nature.

*Joseph M. Centorino*

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